



Empowering European Citizens

Challenges and the Road Ahead

University of Washington Jackson School of International Studies • Task Force 2013

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University of Washington, Seattle
Task Force Report 2013

Empowering European Citizens

Challenges and the Road Ahead

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The Task Force would like to thank Sabine Lang and Tony Lockett for making this report possible.

The Task Force would also like to thank Conny Reuter for taking the time to read and evaluate our work

Acronyms

Association of Commercial Television Europe
(ACT)
Anti-Counterfeiting Trade Agreement
(ACTA)
Association of European Border Regions
(AEBR)
Alliance for Lobbying Transparency and
Ethics Regulation **(ALTER-EU)**
Association Relative à la Télévision
Européenne **(ARTE)**
Association for the Taxation of financial
Transactions and Aid to Citizens **(ATTAC)**
Audiovisual Media Services **(AVMS)**
Central Eastern Europe **(CEE)**
Content and Language Integrated Learning
(CLIL)
Consultation, the European Commission and
Civil Society **(CONECCS)**
Committee of Regions **(CoR)**
Civil Society Contact Group **(CSCG)**
Common Fisheries Policy **(CFP)**
Directorate-General **(DG)**
Declaration of Financial Interest (for
Parliament) **(DoFI)**
Education, Audiovisual and Culture Executive
Agency of the European Commission
(EACEA)
European Citizen Action Service **(ECAS)**
European Central Bank **(ECB)**
European Citizens' Initiative **(ECI)**
Economic and Financial Affairs Council
(ECOFIN)
Europe for Citizens Program **(ECP)**
European Consortium for Political Research
(ECPR)
European Coal and Steel Community **(ECSC)**
European Credit Transfer and Accumulation
System **(ECTS)**
European External Action Service **(EEAS)**
European Economic Interest Group **(EEIG)**
European Economic and Social Community
(EESC)
European Higher Education Area **(EHEA)**
European Monetary Union **(EMU)**
European Parliament **(EP)**
European Policy and Information Center
(EPIC)
European People's Party **(EPP)**

European Community Action Scheme for the
Mobility of University Students **(ERASMUS)**
European Transparency Initiative **(ETI)**
European Union **(EU)**
Higher Education Institutions **(HEI)**
Information and Communications
Technologies **(ICTs)**
I Am Europe **(iEU)**
Member of European Parliament (MEP)
Non-governmental Organization **(NGO)**
Public Service Broadcasting **(PSB)**
Qualified Majority Voting **(QMV)**
Social Movement Organization **(SMO)**
Television Without Frontiers Directive
(TWFD)
World Trade Organization **(WTO)**

Executive Summary

By **Alexandria Walker**

The European Union makes frequent international headlines: the Eurozone crisis, environmental progress, and accession negotiations with Turkey are just some recent topics. However, what rarely makes headline news is the lack of democratic participation of citizens in the process of Europeanization. Low voter turnout in elections to the European Parliament (EP), the recent rejections of the Constitution by France and the Netherlands as well as the rejection of the Lisbon Treaty by Ireland are all indicators of a deeper problem. We call it the democratic deficit of the EU. By focusing on four major sections important to European integration, we suggest changes that will strengthen democracy and increase citizen participation within the European Union.

The four main areas that our report focuses on are:

- **The Institutions:** The institutions, specifically the European Commission, European Council, and European Parliament, are the formal face of the European Union. Citizens know that these institutions exist yet perceive them as lacking legitimacy and accountability. Opening these institutions up by making small procedural changes will help citizens become involved and help the institutions better represent citizen interests.
- **Civil Society:** Civil Society serves as the arena for European citizens to voice their opinions and concerns. It is composed of numerous civil society organizations (CSO), lobbying and interest groups. CSO form alliances under the roof of the Civil Society Contact Group. The recent initiative to create a Transparency Register is intended to make consultation and lobbying processes more transparent and hold CSOs and interest groups accountable to their constituencies. Strengthening civil society in order to empower European citizens is a core recommendation of this report.
- **Identity:** The EU is composed of 27 culturally, economically, and politically different member states. This has resulted in a general lack of cohesiveness across the European Union. While we do not want to take away from the cultural diversity of each individual member state or region, the lack of cohesiveness has fostered increasingly nationalistic attitudes and has also contributed to discrimination within member states. Implementing measures to increase cultural and regional awareness will help foster a sense of European community.
- **Public Sphere:** The public sphere provides venues and strategies through which European publics can learn about and influence European level politics. Through social movements, the media, and EU initiatives created to bring citizens closer to the institutions, citizens can participate and learn how to get their voice heard at the European level. However, social movements and the media are generally focused on the national level and European initiatives can be obscure and not known to citizens. This report makes recommendations on how to strengthen public engagement by utilizing new social and traditional mass media.

By focusing on these four different spheres, we offer a set of policy recommendations that help address the democratic deficit in the European Union. Our general recommendations are as follows:

- We aim to strengthen the legitimacy of institutions by making changes at the procedural level to improve accountability.
- We aim to create solidarity and cohesion within the European Union by focusing on the civil society sector; specifically by increasing funding to CSG's, reforming codes of conduct to reduce conflicts of interest, and by utilizing the Transparency Register in order to increase fiscal transparency.
- We aim to create solidarity and cohesion within the European Union by focusing on ways to strengthen citizens' identity as Europeans; specifically by creating cultural awareness through education and improving cross-border cooperation and integration.
- We aim to provide means and venues for citizens to participate in the public sphere by increasing funding for social movement organizations and promoting transnational perspectives in the national media.

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Introduction

By **Josh Lee**

In June 2008, a year before Prime Minister George Papandreou would publicly reveal Greece's staggering debt levels, Irish citizens gave the EU a rejection of the Treaty of Lisbon, which came off the heels of the failed EU Constitution. Europe's reaction was strong and immediate. The media declared a new crisis. EU officials scrambled to pressure Ireland into holding a second referendum. Euroskeptics across the region, to the annoyance of EU advocates, shrugged their shoulders, expressing that the Irish vote was "no great tragedy."¹ By October 2009, with several guarantees of Irish sovereignty and given the souring economic climate, Ireland had given the Lisbon Treaty a firm "yes" in a second referendum.² However, the events of the year had shaken EU confidence —and just days after the referendum results became clear, the next catastrophe broke out when Papandreou made his announcement of misreported Greek finances, setting the stage for the European sovereign debt crisis and the difficult years to come.

It is in this context of crisis, resolution and crisis again that this report is written. Particularly in recent years, EU leaders have had little rest in managing the stability and integration of Europe. The introduction of the euro in 2002; enlargement to Central and Eastern Europe in 2004 and 2007; and French and Dutch rejections of the EU Constitution in 2005, to name a few, have given EU leaders a lesson in managing fast-track changes and crisis with little breathing space for reflection on the ultimate goals of integration. We can see the repercussions of these events in politics, economics, and the social sphere, forcing the EU to question its effectiveness, relevance, and most remarkably, its democratic legitimacy. This Task Force takes into account this culture of crises, and the limits and opportunities that it provides.

Many of the debates in the current crisis point to chronic problems at fundamental levels of the EU. This report does not provide, nor does it attempt to provide, a panacea for these complex and, in many cases, deeply ingrained problems. Instead, the chapters below offer fact-based recommendations that policymakers in the Commission and elsewhere can use in their efforts to strengthen EU democracy.

The sovereign debt crisis exposes a problem of **difference** between member states as well as between those who promote further integration and those Euroskeptics who argue that too much integration is in fact strangling the sovereign decision-making power in national economies. Bridging differences is part of the core foundations of the EU, clearly embodied in its motto, "United

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in diversity.”³ However, although the EU has made strides toward policies that united member states together for the good of the Union, in many ways stark differences remain. Economics sheds the most light on this issue. The Euro Crisis is in many ways a crisis of differences between nations—the wealthier north contrasted with the poorer south; the older, more historically united west against the newer, more fragile east; those with the euro coexisting beside those without it; and, of course, the rights of sovereign nations finding a balance with the supranational forces of the EU.

The crisis has accentuated these discrepancies to a great extent, leaving more conflict in its wake. Politicians have begun turning inward with elections coming up in many countries as EU fiscal integration inches forward. All the while, high debt levels and slow or negative GDP growth in several member states has led to harsh austerity measures, fueling social unrest. High unemployment rates, especially among youth (Greece and Spain top the list with 60% and 50% of youth without jobs, respectively), have created “lost generations” that face poverty and have become cynical about an EU membership they believe should protect them from such hardship.⁴

These struggles color even the recent successes EU leaders have achieved. A February 2013 article the New York Times reported that although EU Council members had finally agreed on a new multiannual EU budget frame for 2014-2020, the over 14-hour negotiation consisted mainly of politicians fighting for issues that “matter little beyond their nations’ borders but on which their own political futures hinge.”⁵ UK Prime Minister David Cameron, on the heels of his promise for a referendum on Britain’s EU membership by 2017, fought particularly hard for the British as he attempted to shore up fragile political support. The question therefore remains of how to deal with this rift and what policies the EU can enact that fully take into consideration its differences.

Second is the problem of **legitimacy** and **accountability**. Many Europeans see EU decision making as far removed from their realities and find that they have little means to influence the policies generated in Brussels. Again, the current financial crisis has augmented this sentiment. The fervent opposition to austerity measures and the increasing Euroskepticism mentioned above, as well as the possibility of renationalization of key policy areas point to a growing mistrust on the member state level as well as between member states when it comes to the EU. Germany in particular, as the economic heavyweight of the EU, has borne much of the criticism from debt-laden member states. Angry Greek citizens protested a visit by Chancellor Angela Merkel last October, burning Nazi flags and declaring that Greece “is a free nation and not your colony.”⁶ Citizens wondered, in effect, how someone from another country, elected by another population, mired in EU politics, could legitimately make policy decisions on their behalf.

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The data contained in this report will show that trust in the EU is lagging, and that citizens have trouble understanding what the EU does, what it represents, and what rights it confers on its citizens. For example, in 2010, 48% of European citizens indicated that they are “not well informed” about the rights given to them by the Maastricht Treaty.⁷ This report does not attempt to solve these problems outright—but there are tangible actions the EU can take to better communicate with its citizens and, conversely, to make it easier for citizens to engage.

The issues above culminate in what is generally referred to as the **democratic deficit of the EU**. Broadly, this report defines the democratic deficit as a lack of accountability of EU leaders and institutions and of legitimacy in the eyes of EU citizens. Some of the problems are due to perceptions and can be addressed with more or better communication practices. Others are structurally embedded in this complicated supranational entity and cannot easily be solved. The EU has provided its citizens with rights and privileges, as well as economic benefits from the Single Market—in this sense, it has acquired substantial output legitimacy needed for effective governance but seems to lack the communication focus to successfully transmit this to constituents. However, an issue also exists in regards to the *input* legitimacy of the EU. The EU has flaws in the way in which citizens can effectively communicate their needs, whether directly through civil society and related organizations or through elected bodies, such as the European Parliament.⁸ By extension, this further emphasizes that potentially, the EU does not address—because it cannot know—the needs of its own citizens. Instead, as the news media constantly argue, technocrats, not elected officials, determine what Europe needs. Thus the Union might be in need of new methods to check Europe’s pulse.

The democratic deficit did not appear overnight. It has resulted from historical foundations, decisions by leadership, and unpredictable events. Nor did it appear due to the current economic crisis. Instead, the crisis has brought into sharp focus the need for reform if the EU should want to exist as a democratically legitimate Union. Lastly, the problem of the democratic deficit has not been lost on the EU. Its institutions have taken numerous measures to facilitate citizens’ understanding of and participation in the EU on every level. This report takes into account these initiatives with all their successes and shortcomings.

The current crisis represents a choice for the EU: to address the democratic deficit through deeper and wider integration on the path to a more federal polity or to scale back the European project, reading the signals from nations like Britain that desire an extremely hands-off

organization. The chapters below argue that European citizens need to be empowered to make that choice, for it is European citizens that experience the EU every day.

Each chapter in this report follows a common format that communicates a specific problem and the options to combat it. This format is outlined below.

- **Issue:** The author outlines the fundamental problem addressed by the chapter. Its relevance, importance, and level of urgency are communicated. The author provides the needed structure for understanding the problem, summarizing what is at stake for the EU.
- **Background:** The author provides the essential facts that create the context in which the Issue exists. Historical information, theoretical frameworks, related projects, and statistical figures are provided as necessary.
- **Options:** The author presents the key alternatives available to address the Issue. A thorough analysis of these possibilities is presented, including information from relevant policy communities, academic scholarship, and success and failures from past measures where applicable.
- **Recommendations:** The author offers tangible, pragmatic steps that the EU should take to address the Issue. Such steps are based on the information presented in all sections, drawing heavily from the Options outlined previously.

¹ Ralf Beste, Hans-Jürgen Schlamp, and Stefan Simons, "Lisbon Treaty in Tatters: EU in Chaos after Ireland's 'No' Vote," *Der Spiegel*, June 16, 2008, <http://www.spiegel.de/international/europe/lisbon-treaty-in-tatters-eu-in-chaos-after-ireland-s-no-vote-a-559730.html>.

² "Ireland Backs EU's Lisbon Treaty," *BBC News*, October 9, 2009, accessed February 24, 2013, <http://news.bbc.co.uk/2/hi/8288181.stm>.

³ "Europa —The EU motto," European Union, accessed February 9, 2013, http://europa.eu/about-eu/basic-information/symbols/motto/index_en.htm.

⁴ Claire Davenport, "Austerity's children becoming Europe's 'lost generation,'" *Reuters*, February 14, 2013, accessed February 24, 2013, <http://www.reuters.com/article/2013/02/14/us-eu-poverty-idUSBRE91D0E020130214>.

⁵ James Kanter and Andrew Higgins, "European Leaders Agree, Finally, to a Lower Budget," *New York Times*, February 9, 2013, <http://www.nytimes.com/2013/02/09/business/global/european-union-budget-talks.html>.

⁶ Matthew Chance and Oliver Joy, "Protesters rally as Merkel voices support for austerity-hit Greece," *CNN*, October 9, 2012, accessed February 25, 2013, <http://www.cnn.com/2012/10/09/world/europe/greece-merkel-visit>.

⁷ "EU Citizenship Report 2010: Dismantling the obstacles to EU citizens' rights," European Commission, 2011, http://ec.europa.eu/commission_2010-2014/reading/factsheets/pdf/citizenship_report_en.pdf.

⁸ Vivien A. Schmidt, "Democracy and Legitimacy in the European Union Revisited: Input, Output and 'Throughput,'" *Political Studies*, 61 (2013): 2-22, accessed February 11, 2013, doi: 10.1111/j.1467-9248.2012.00962.x.

Section I: Institutional Mechanisms

Legitimizing Institutions

By **Alexandria Walker**

The five institutions that anchor the European Union are the European Council, Council of Ministers, European Commission, European Parliament, and the European Court of Justice. This report will focus primarily on the European Commission, the European Parliament, and the European Council/Council of Ministers because they serve as the most visible bodies in EU level governance for European Citizens. Therefore, it is necessary to address these institutions when addressing the democracy deficiency in Europe. In the White Paper of European Governance, the EU defines governance as “...rules, processes and behavior that affect the way in which powers are exercised at European level, particularly as regards openness, participations, accountability, effectiveness and coherence.”. Many European citizens believe that these institutions lack legitimacy because of communication, transparency, and leadership issues discussed in the subsequent chapters. Fixing these issues is a key component of strengthening the EU.

The Commission is the executive body of the EU, but it also has a legislative function: it proposes legislation to the other institutions. Since Commissioners are not directly elected by European citizens but wield considerable power, it is important to examine their relationship with the European public. Specifically, our report will focus on exploring three areas – the Commission leadership, the Commission’s relationship to Civil Society Organizations, and the Commission’s communication methods with individual European citizens.

The European Parliament is the only EU institution that is directly elected by the people. As a result of several reform treaties, and especially the Lisbon treaty, the Parliament now shares substantial legislative functions with the Commission and Council of Ministers. However, it also stands as a prime example of the democratic deficit given the decreasing voter turnout of the people. In order to bridge the apparent gap between the citizens and the European Parliament, we examine strategies to bring the Parliament closer to citizens so that they are more likely to turn out for elections, and in turn can hold the institutions more accountable for their actions.

The European Council and the Council of Ministers serve as forums for national governments to influence EU politics. However, all too often they are political spaces in which national leaders focus on national interests rather than European interests. In order to tackle the democratic deficit, the mechanisms for decision making in both institutions should be addressed. The President of the European Council and former prime minister of Belgium, Herman Von

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Rompuy, has made several recommendations about how to make the Council more accessible to citizens and about how to change the decision-making process. This chapter also explores measures to utilize Van Rompuy's position as the European Council President to inform publics about the EU's "Europeanization" plan. Finally, we examine the effectiveness of the current voting system in the Council of Ministers.

The European Commission: Balancing Efficiency and Democracy

By Paige Edmiston

Issue

The European Commission is the EU institution most frequently characterized as suffering from a democratic deficit. This characterization is primarily a function of the institution's unique structure. Unlike the European Council and the Parliament—whose members are elected indirectly or directly on national and European-wide levels respectively—Commission officials are not elected through a representative process, but rather are appointed by individual member states.¹ However, the research presented below indicates that, in recent years, the Commission has taken very deliberate measures to ensure that its actions are in line with the interests of European citizens. Thus, the Commission's 'democratic deficit' is not the result of insufficient accountability mechanisms, but rather the product of a perceived lack of legitimacy and credibility. To combat this perception, and resolve lingering characterizations of the democratic deficit, the Commission should take deliberate steps towards changing the appointment processes of Commission leadership, solidifying equitable procedures for its relations with civil society, and instituting and improving structured channels of communication for individual citizens.

Background

The establishment of the European Coal and Steel Community (ECSC) in 1951 as a “Higher Authority” with “supranational powers” inspired a gradual progression of European cooperation, eventually culminating in the Commission,² the executive body of the EU.³ The Commission fulfills six major functions: (1) proposing legislation, (2) running the general day-to-day administrative work of the EU, (3) managing the budget, (4) representing the EU to the WTO, (5) upholding EU treaties, and (6) generating new ideas.⁴

Unlike the Parliament and the European Council, the Commission is responsible for representing the interests of the EU as a whole.⁵ Given this role, some European integration scholars argue that the Commission must maintain a careful balance between efficiency and democracy. For the purposes of this chapter, the term ‘efficiency’ in policy-making will refer to the achievement of Pareto-efficient outcomes (i.e. policy that achieves benefit to society without

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making any person worse off).⁶ The following section will summarize the arguments of several key European integration experts who contend that too much democracy—the power of majoritarian rule over institutional action—may hinder the Commission’s ability to make decisions conducive to long-term, efficient policy goals.⁷

Prominent European integration scholar Giandomenico Majone views the Commission—and more generally the EU—as a regulatory institution whose primary purpose is to address market failures, thereby achieving Pareto-efficient outcomes.⁸ Using this lens, Majone concludes that the Commission does not suffer from a democratic deficit, but rather from a ‘credibility crisis.’⁹ He prescribes institutionalized procedural changes that would improve transparency, rather than fundamentally transforming the institutional or democratic make-up of the Commission.

Fellow European integration expert Andrew Moravcsik has similar claims. He argues that the extensive checks-and-balances already in place among the EU institutions prevents policy from drifting too far from the preferences of European citizens.¹⁰ For example, the Lisbon Treaty significantly increased the power of the Parliament (a European-elected body) to counter the Commission.

The Parliament generally has been seen as the major institutional beneficiary of the Treaty and has been so primarily because of a strengthening of its law-making powers through significant extensions of the reach of the co-decision procedure, which significantly was re-named the ordinary legislative procedure.¹¹

The strengthening of the directly-elected Parliament as an institutional counterweight to the unelected Commission has created a permanent mechanism to prevent unbridled policy-making power within the EU. The Lisbon Treaty’s creation of the European Council President, High Representative of the Union for Foreign Affairs and Security Policy, and the EEAS also reinforce the European Council’s power to check the Commission.¹² Additionally, the treaty reaffirmed the European Court of Auditor’s status as an EU institution. The Court of Auditors performs ongoing evaluations of the Commission’s handling of the budget which is reported to the Parliament on an annual basis.¹³

In the context of these existing checks-and-balances, it seems unlikely that the Commission would—or even could—propose policies that violate the preferences of the majority of European citizens. In addition to strengthening the institutional power of the Parliament and the European Council, the Lisbon Treaty mandates that the Commission is “required to carry out broad consultations with the parties concerned in order to ensure that the Union’s actions are coherent and transparent.”¹⁴ This reinforcement of civil society influence within the Commission was

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matched by an unprecedented measure to include individual citizens in the policy-making process. Through its creation of the European Citizen's Initiative (ECI), the Lisbon Treaty, for the first time, established the right for European citizens "to directly participate in or influence the EU decision making process."¹⁵

Making further fundamental changes to the structure and function of the Commission in the name of 'legitimacy' may damage the unique capability and responsibility that the Commission was intended to fulfill: representing the best interests of Europe *as a whole*. The Commission is an institution that many are uncomfortable with precisely because its structure does not immediately resemble a traditional democratic institution. It is an institution that, while accountable to other, more traditionally rooted institutions (i.e. institutions elected directly or indirectly by citizens), is at least theoretically free from the political distortions that are inherent in any liberal democracy. The Commission is uniquely able to formulate long-term, rather than short-term, policy solutions because it is not subject to election cycles—while still being accountable to other institutions that are elected (directly or indirectly) by the people.

That being said, many Europeans still believe that the Commission suffers from a democratic deficit. As such, there are several key steps that the Commission can take to combat these perceptions and to promote its own legitimacy and credibility as a democratic institution at the macro, meso, and micro levels.

Macro Level: Commission Leadership

Commission leadership is comprised of the Commission President and 26 Commissioners. These Commissioners constitute the College of Commissioners, the primary EU body responsible for initiating legislation. The Commissioners are supported by 33 Directorate-Generals (DGs) and eleven services that act as either expert advisors or ministries;¹⁶ they develop policy, prepare legislation, monitor legislative implementation, advise and support the Commissioners, and fulfill other functions similar to those of government ministries in national administrations.¹⁷

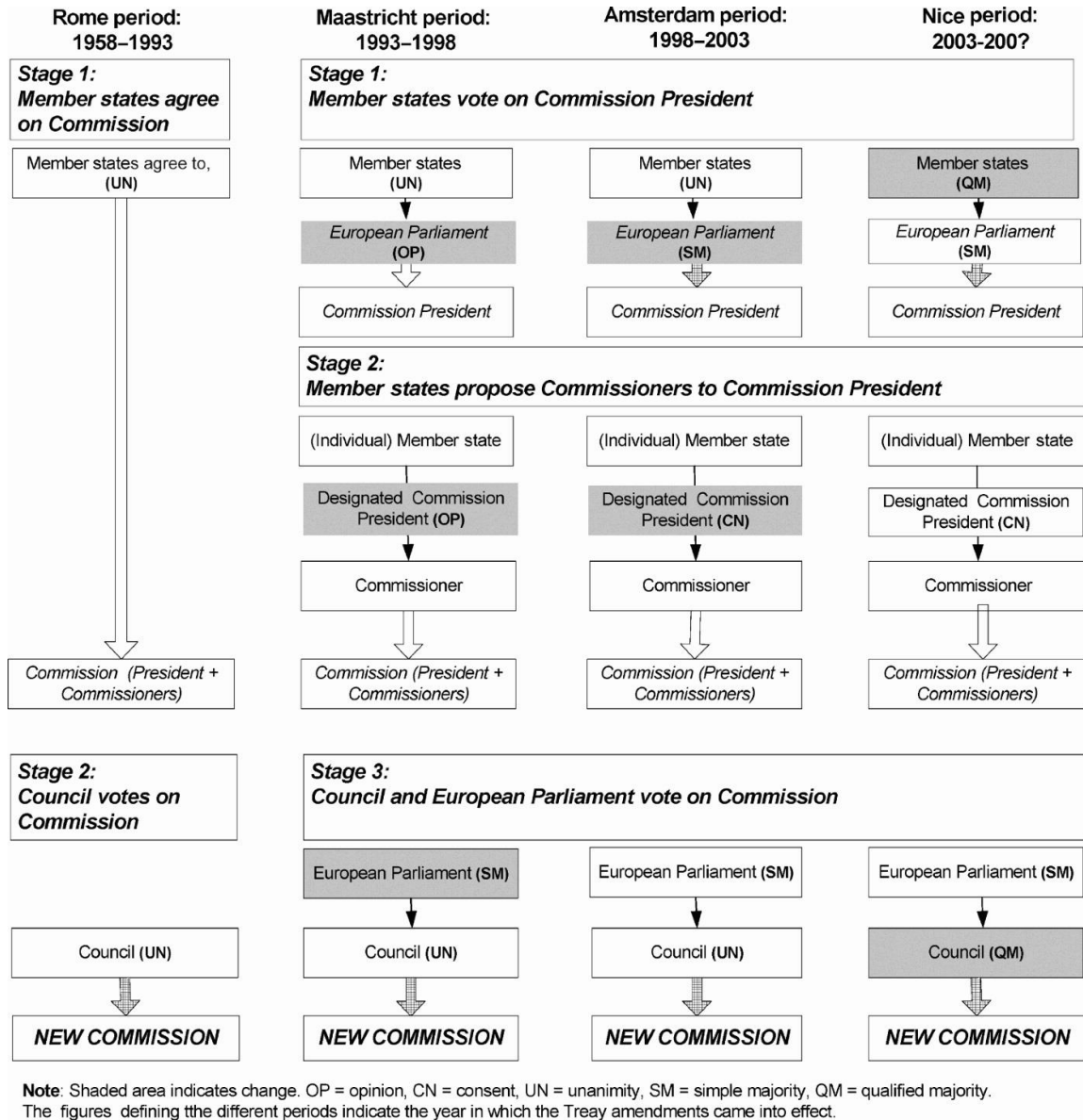
The Commission's legitimacy as an institution is often questioned because of the processes used to appoint the Commission President and the Commissioners. The Commission President is nominated by unanimous agreement of all 27 heads of the member states (e.g. the European Council), and subsequently approved by the Parliament. One individual Commissioner is then appointed by each member state. In theory, the Commission President is responsible for appointing each Commissioner to a specific portfolio (e.g. Economic and Monetary Affairs or Health and

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Consumer Policy).¹⁸ In practice, however, certain (larger) member states typically demand positions in more influential portfolios, leaving the Commission President little true power in designing his College.¹⁹

Further complicating this process, national governments often use this appointment as a political hand-out or as an opportunity to secure their policy preferences through the appointment of an individual they can trust to defend their national or party interests (as opposed to Europe's interest as a whole). The Treaty of Nice (2001) intensified concerns over the role of party interests in the appointment process through its implementation of qualified majority voting (QMV), as opposed to unanimity, as described in the chapter on the Councils.²⁰ The following figure depicts the evolution of Commission appointment procedures since the institution's inception.²¹

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By moving away from unanimity, a qualified majority of left/right governments could “force the minority of left/right governments to nominate Commissioners with policy preferences diverging from their own, by threatening to otherwise veto their nominees.”²² However, the extent to which cohesive party majorities exist across member state boundaries is an empirical question that requires further investigation.²³ If future research demonstrates that a qualified majority of member state governments could force minority governments to nominate Commissioners with policy preferences that conflict with their own, then the use of QMV in Commissioner appointment would need to be reassessed, as the Commission may become dominated by party interests and subsequently may cease to function as an institution representative of European interests as whole.

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To address perceptions of institutional illegitimacy, the Lisbon Treaty altered both the Commission President and the Commissioners' appointment procedures. To more concretely link the office of Commission President to European citizens, the European Council is now required by Declaration n°11 of the Lisbon Treaty to consider the results of Parliament elections when nominating an appointee for Commission President.²⁴ Unfortunately, however, this Declaration does not specify how the European Council should consider election results, only vaguely stating that the nominations should be made "taking into account the elections."²⁵

In November 2012, the Parliament passed a resolution (somewhat) clarifying these new procedures by recommending that each European alliance of political party propose a candidate for Commission President in the next European election.²⁶ MEPs who favored the resolution believe that giving voters a more direct opportunity to influence the appointment of the Commission President will improve name recognition (of both the next President and other MEPs) and voter turnout.²⁷ This resolution is the first step towards fulfilling Declaration n°11, which states:

[The] European Parliament and the European Council are jointly responsible for the smooth running of the process leading to the election of the President of the European Commission...These consultations [between the European Parliament and European Council] will focus on the backgrounds of the candidates for President of the Commission, taking account of the elections to the European Parliament.²⁸

In a 2012 speech, the Secretary General of the Parliament, Klaus Welle, anticipated major changes stemming from the implementation of the rather obscure Declaration n°11:

It will no longer be only the European Council deciding on the candidature, but the European Council after due consultation with the European Parliament's political families. Such a combination—direct candidates from European political parties together with the new consultation process—*Declaration n°11*—will affect the nature of the next election. It may even change in a quite fundamental way the nature of the next five years in the European Union.²⁹

Welle went on to state that this little known Declaration is the source of a surprising amount of controversy. Proponents of the Declaration see the implementation of the MEPs recent resolution as an opportunity to not only address low voter turnout, but also to address perceptions of institutional illegitimacy. However, there are others who are concerned about the influence that the European political parties will have on the efficiency of the Commission as a policy-making institution.

The Lisbon Treaty also changed the appointment procedure for individual Commissioners. Currently, the Commission consists of one Commissioner from each member state. The Lisbon Treaty originally proposed alterations to this equilibrium; namely, there would be fewer

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Commissioners than the number of member states, meaning that not every member state would be represented in the College of Commissioners at any given time. Commissioners would be chosen on a rotation-based system to ensure fairness and equality between member states, using the following criteria:

- The number of Commissioners should be equal to two thirds of the number of Member States;
- Member States should be treated equally in terms of order of rotation and the length of time spent by their nationals as members of the College of Commissioners. Under no circumstances may two persons of the same nationality be members of the Commission at the same time;
- Each successive College of Commissioners must be constituted in a manner which best reflects the demographic and geographic diversity of all Member States of the EU.³⁰

However, in response to the failed 2008 Irish Republic referendum on the Lisbon Treaty, this proposal has since been rescinded.³¹ The Irish people voted against ratifying the Treaty, in part because of concerns that the proposed reduction in the number of Commissioners would lead to issues of member state sovereignty.³² In a 2012 European Council decision concerning the number of members of the Commission, the Council declared that the College of Commissioners would continue to host one Commissioner for each member state until a later decision date.³³

Meso Level: Civil Society Relations

As an institution composed of non-elected officials, one way the Commission claims legitimacy is through its consultation with Civil Society Organizations (CSOs). The Commission believes that these groups have an important role to play in fostering a more participatory democracy and in representing specific groups of citizens (e.g. ethnic minorities, people with disabilities). In a 2012 Communication to the Parliament, European Council, EESC, and Committee of Regions (CoR), the Commission claimed: “[Civil society] represents and fosters pluralism and can contribute to more effective policies, equitable and sustainable development and inclusive growth.”³⁴ CSOs can also play a key role by contributing expertise to policy-making and by encouraging European integration.³⁵

While CSOs do not provide the “representation” (i.e. systematic linkages between citizen and institution, e.g. elections)³⁶ through which the Parliament and European Council gain legitimacy, they do provide “representativeness.” Representativeness is (albeit contestably) defined as “an attribute of organizations; those who want to participate in policy-making have to prove they are representative.”³⁷ In other words, the Commission seeks to gain legitimacy by engaging with

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organizations that can accurately speak on behalf of specific groups of citizens. Unlike the Parliament and European Council, the Commission does not have direct decision-making power. Thus, it can safely rely upon representative organizations to expertly inform its legislative proposals because all final decisions on that legislation will be checked by institutions directly connected to constituents.

However, scholars, CSOs, and citizens have voiced significant concerns in regards to how the Commission structures and conducts its relations with civil society. There are thousands of CSOs in Europe that would like face-time with Commission officials, yet not all CSOs are granted access. The majority of criticisms of Commission policies towards CSOs target how the Commission decides which groups gain access. The Commission uses a very broad definition of civil society that includes not only public interest, citizen, and diffuse interest groups, but also labor-market players (e.g. trade unions) and organizations representing social and economic players (e.g. consumer organizations).³⁸ Some European scholars are concerned by the inclusion of the latter two categories in the Commission's definition:

There is a tension between on the one hand the Commission's tendency to define civil society so broadly that all sorts of participatory and consultative fora could be considered as sources of legitimacy, and on the other hand its proposals to institutionalize contacts with civil society, which seem primarily addressed at the NGO sector and are actually a copy of what has been proposed in the 2000 Discussion Paper on the Commission's relationship with the non-governmental organizations.³⁹

These concerns are magnified by the significant structural processes established for consultation with NGOs in juxtaposition to the lack of clarity present in the Commission's relationship with other types of CSOs—namely, business and industry.

In June 2002, to improve CSO participation in EU policy development, the Commission implemented CONECCS, a voluntary database on European interest groups.⁴⁰ By registering with CONECCS, the Commission can consult all interest groups relevant to specific legislation. Using this tool, the Commission can also evaluate the representativeness of each registered CSO prior to consultation.⁴¹ Unfortunately, a 2011 study of CSOs that received Commission grant funding found that only 5.9 percent of recipients were registered in the CONECCS database. Researchers hypothesized that CSOs either did not feel they fit into the part of EU civil society that the Commission was trying to track, or that they did not know about the registry.⁴² Alternatively, CSOs may have known about the registry, but felt deterred by the complexity of the registration process. CONECCS cannot be considered an effective civil society consultation tool unless a greater percentage of CSOs register. Today, CONECCS is—for all intents and purposes—defunct, having

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been absorbed into the Transparency Initiative.⁴³ Certain pages on the Commission's Transparency Initiative website continue to reference CONECCS as if it were an active initiative,⁴⁴ however, the online database itself appears to have been disabled.⁴⁵

Finally, there are concerns about the distribution of Commission grant-funding to CSOs. The Commission is not funding CSOs from all member states at the same level or rate, even when accounting for differences in population. Moreover, Commission funding greatly favors CSOs based in the original fifteen member states over CSOs from Central Eastern Europe (CEE), as Chapter 6 will expand upon.⁴⁶ This disparity may result in insufficient representativeness that could further hurt perceptions of the Commission as a legitimate institution.

Micro Level: Direct Communication with Individual Citizens

The Commission is not directly elected by individual Europeans, yet this should not hinder its communication or engagement with citizens. The Commission has recently undertaken major campaigns to invite individual citizens to participate in building a vision of how the EU should be in 2020.⁴⁷ These campaigns include the Year of the European Citizen 2013 and Your Europe, Your Voice, as well as many sub-campaigns under each of these headings. These campaigns are examined in detail in Chapter 9.

In 2005, the Commission launched the European Transparency Initiative to enable citizens to better scrutinize Commission actions. As a part of this initiative, the Commission created public online access to information about EU funds and Commission documents with the purpose of improving the institution's transparency and accountability to EU citizens. Unfortunately, this information remains limited; moreover, the information that is available is located across the various DG websites in inconsistent formats.⁴⁸ This lack of a coherent approach towards document presentation acts as a barrier towards citizen engagement in the transparency process.

Perhaps the greatest step that the Commission has taken to incorporate citizens into the policy-making process is the ECI. Established by the Lisbon Treaty, the ECI "enables European citizens to invite the Commission to submit a legislative proposal on a special subject."⁴⁹ This initiative has the potential to (1) improve citizen engagement in European affairs by providing a tool for citizens to be directly involved in policy formulation, (2) inspire transnational debates, and (3) help improve awareness about how the EU operates. In order to implement a citizens' initiative, a citizens' committee must collect a minimum of one million signatories from at least a quarter of member states. On April 9, 2012, the Right2Water citizens' committee was the first ECI to start

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collecting signatures.⁵⁰ As of now, no ECI has successfully collected enough signatures to prompt a Commission response. The ECI is discussed in greater depth in Chapter 13.

Options

Macro Level: Commission Leadership

One solution to improving the Commission's legitimacy as a democratic institution is to require that each European alliance of political party appoint a candidate for the office of Commissioner as a part of their election platform for MEPs. This option would engage citizens directly in the appointment process of the College of Commissioners. This would not only solidify the legitimacy of Commissioners as a representative position, but would also increase the stakes of MEP elections, thus encouraging voter turnout and improving citizen engagement in the EU. However, this option risks changing the decision-making dynamic within the College of Commissioners. The common conceptualization of the Commission as a supranational body above the influence of national or party interests is not empirically supported.⁵¹ Rather, a Commissioner's country affiliation is an important guide to his or her decision-making behavior.⁵² By incorporating Commissioner appointment into the political election process, Commissioners may be further inhibited from representing European over national or party interests.

Alternatively, member states could propose multiple candidates for the Office of Commissioner to the President of the Commission. By giving options to the Commission President, the President would have greater freedom in designing his or her College of Commissioners. This option, combined with the Parliament's power to reject Commissioners, would reduce the ability of larger member states to jockey for more powerful Commission portfolios or to use this appointment as a hand-out to senior statesmen. Requiring multiple candidates for Commissioner by each member state would not be a perfect solution to the issues outlined above; however, it is a practical and feasible solution that may be more agreeable to member states (as they would retain control over Commissioner appointments), while still providing the President of the Commission with greater choice in designing his Commission. This choice could make a substantial difference in the quality and suitability of each Commissioner to his or her designated portfolio, and could have the added effect of creating a more cohesive and collaborative Commission as a whole. This option would not tie the Commissioners' appointment directly to the people, but it would increase the credibility of the position as an expert regulator.

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In addition to requiring multiple nominations by each member state, the EU could reduce the number of Commissioners to two-thirds the number of member states, as originally recommended in the Treaty of Lisbon. As the EU expands, the College of Commissioners will be forced to increase its numbers and to create new titles for each of the new Commissioner portfolios. At a certain point (perhaps even now), organizing such a large group of Commissioners becomes an unwieldy task resulting in inefficient outcomes. By reducing the number of Commissioners, and implementing a rotation-based system for appointment, the Commission can greatly simplify its internal decision making process. This simplification would help demystify the College for the average European by eliminating the confusing—and sometimes overlapping—titles that Commissioners are assigned.

However, many Europeans (most notably the Irish) have voiced concerns about what a reduction in the number of Commissioners would mean for member state's involvement in EU-level policy-making. "Europe Says No", a pan-European campaign that fought to reject the Lisbon Treaty, finds the European Council's power to alter the two thirds number of Commissioners (as originally written into the Lisbon Treaty) particularly problematic, as it leaves room for the rotation-based "guarantee" to be compromised.⁵³ These fears can and should be assuaged by requiring that any changes to the two-thirds, rotation-based system be mandated not only by unanimity in the European Council, but also by treaty. It should also be noted that this option would not alter any member state's representation in the European Council or Parliament.

Meso Level: Civil Society Organizations

One option available to the Commission is to fully reinstate the CONECCS database as its own initiative. As previously mentioned, this online database has been absorbed under the Transparency Initiative umbrella. However, these two tools serve two very different purposes that, when combined, create a conflict of interest. That is to say, the initiative that is used to oversee institutional relations with CSOs should not simultaneously serve as an outreach or communication tool. If the Commission were to reactivate CONECCS, it would be beneficial to improve the database by greatly simplifying and improving the marketing of CONECCS as a valuable tool for CSOs. CONECCS has the potential to both assist the Commission in seeking consultation from a diverse array of CSOs, and to help CSOs influence policy-making. To facilitate these benefits, the Commission could simplify the registration process. The Commission could also increase its efforts to publicize CONECCS using social media, traditional media, and other marketing methods. It should utilize both EU-wide CSO networks, like the Civil Society Contact Group, and national-level

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networks to encourage as many CSOs as possible to register. This effort should ensure that all CSOs understand the many benefits associated with registering for CONECCS.

The Commission could further engage CSOs in CONECCS by making registration a stipulation for grant funding. However, this option may be problematic for two reasons. First, this stipulation may violate the voluntary-nature of the database. Second, it may further deter (specifically new) CSOs from applying for grant-funding as it would complicate the already-complex application process. The complexities of grant-funding processes for CSOs are explored in greater detail in Chapter 6. In regards to grant funding, the Commission could also consider providing human resource assistance to CSOs involved with the application process. This assistance could be in the form of budget consultation, grant-writing advisement, and technical support. However, this assistance may disproportionately benefit the CSOs that have already been successful in securing grant-funding (e.g. Western and/or Brussels-based), as they would be more likely (and more able) to take advantage of such opportunities.

Another option that the Commission may consider is establishing a seed funding program to support CEE CSOs. CSOs from CEE member states tend to be fairly new and underdeveloped. It is unlikely that many of these organizations yet have the capacity to fulfill the rigorous grant application process, let alone compete for funding against groups that have been organized and involved in the funding process for years.⁵⁴ If the Commission were to create a smaller funding program specifically for CSOs from CEE member states (thus eliminating competition from the more experienced Westerns CSOs), there would likely be an improvement in the distribution of grant-funding for CSOs across member states. These seed grants would be non-renewable, with the expectation that recipients compete in regular grant-funding processes in the future. This option would greatly strengthen civil society in the new member states, and would improve the representativeness of the Commission's relationship with CSOs. The implementation of a seed funding program is explored in detail in Chapter 6.

Micro Level: Direct Communication with Individual Citizens

To improve its legitimacy in the eyes of European citizens, the Commission may consider improving the availability of EU documents as pledged in the Transparency Initiative. By organizing all documents in a centralized online database, the average citizen would be able to access important information and engage in EU governance. Other options regarding the Transparency Initiative are explored in depth in Chapter 4.

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The Commission could also provide simplified summaries, videos, and interactive tools to accompany all major treaties and initiatives. These tools will increase education and awareness by giving all citizens the tools necessary to make informed decisions. This digital content could take a similar format to that discussed in greater detail in Chapter 8, albeit for adult audiences. By providing important documents in these simplified formats, Europeans can stay informed about the Commission without having to struggle through the often dense language used in official treaties and resolutions. Having informed and educated EU citizens is vital for many reasons discussed later in this report. To further reduce barriers, it would also be beneficial to make these simplified documents and content available in all EU languages. While still requiring resources, translating this simplified content creates a smaller burden than would translating all Commission documents in their entirety, and will be more effective, as the average EU citizen is more likely to be engaged and informed if the content is easy to access and comprehend.

Recommendations

- Require member states to recommend three candidates as nominees for Commissioner to the President of the Commission; ideally, these nominees should each have expert experience that would be conducive to a different Commissioner portfolio.
- Formulate specific metrics (concerning MEP elections) for the Council to consider in appointing Commissioners, and reduce the number of Commissioners to two-thirds the number of member states with a rotation-based system. (Note: The Parliament should retain approval over all Commission appointments).
- Reinstate CONNECS as an initiative separate from the Transparency Register and promote it as a valuable tool for CSOs.
- Create simplified, yet engaging summaries, videos, and interactive tools to accompany all major treaties and initiatives. Citizens should be able to understand what is happening in the EU without reading long, technical documents. These documents should be translated into all 27 languages.

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²³ Ibid.

²⁴ "The European Commission," *Europa Summaries of EU Legislation*, http://europa.eu/legislation_summaries/institutional_affairs/treaties/lisbon_treaty/ai0006_en.htm (accessed Jan. 30, 2013).

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³¹ "Q&A: The Lisbon Treaty," *BBC News*, Jan. 17, 2011.

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Strengthening the Link: The European Parliament and EU Citizens

By Michelle Carrizosa Peralta

Issue

The European Parliament provides the most obvious, institutionalized, and direct link between EU citizens and the European Union. It is the only directly elected supranational institution in the world, and thus has entered uncharted territory in terms of internal organization as well as effective communication with its constituents. Low voter turnout and lack of knowledge among Europeans about their supranational Parliament has in recent years raised awareness among MEPs that outreach and citizen engagement need to happen not just during the small windows of election campaigns. More broadly and effectively engaging EU citizens is seen as a means to provide stronger legitimacy and instill more confidence in the EU institutions. Since its beginnings in 1957, the Parliament has evolved from being a mere consultation assembly staffed with national Parliament delegates to a representative institution that is directly elected by voters from member states. It also has substantially increased its powers vis-à-vis the Commission and by policymaking.

That being said, there are several indicators that call into question the legitimacy of the EP and therefore contribute to the democratic deficit of the EU. Its representativeness is questioned in the light of low voter turnout. Its accountability mechanisms towards national parties and civil society are perceived to be too weak. In particular, the role of European party alliances in complex legislative processes as well as the large presence of lobbyists and other interest groups also contribute to this perceived lack of transparency and accountability. Transparency and communication procedures are criticized as being unequipped to foster inclusion. Moreover, with a Parliament that is portrayed by the media as an expensive ‘travelling club’ between Brussels, Strasbourg and Luxembourg, members have not been able to communicate to citizens why this is necessary and worth the costs. Hence, the European Parliament is a central actor to increasing the legitimacy of the EU.

Background

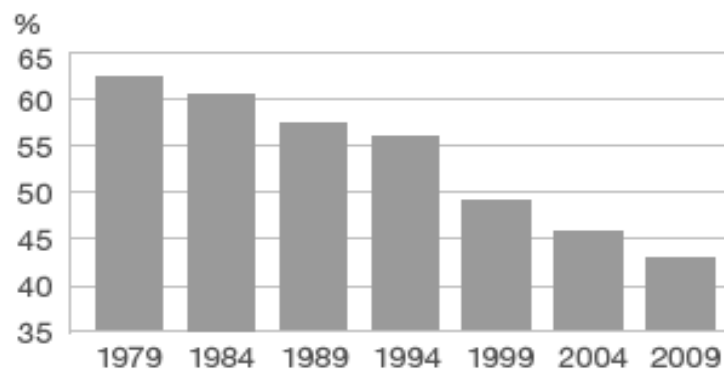
The Power of the Parliament

At its early stages, the European Parliament was merely a consultative body. It had very little ability to influence legislative outcomes or control regulatory decisions.¹ The consultative nature of the Parliament contributed to a perception of the Parliament as a weak and merely symbolic institution. Because the Parliament did not play a significant role within the EU at the beginning, holding elections did not seem significant enough to citizens. However, throughout various treaties, especially the Lisbon Treaty, the Parliament gained more strength and a louder voice within the EU. In 1987, the Single European Act was created which gave Parliament more opportunity for proposing amendments and blocking laws.² The Maastricht Treaty introduced co-decision procedures between the Parliament and the Council in several policy areas. Similarly, the Lisbon Treaty extended the Parliament's power of legislative power to forty new fields including agriculture, energy, security, immigration, justice, home affairs, health and structural funds.³ In addition to this, the Parliament's power of scrutiny was enlarged by giving it the responsibility to elect the President of the Commission, and approve the Commission members individually by a vote of consent.⁴ The Parliament also came to play a more prominent role in setting budgets, as it now decides on the entire EU budget along with the Council.⁵ However, such powers also increased scrutiny of the Parliament's legitimacy, accountability and transparency procedures. Yet the two recent accession waves of 2004 and 2007, as well as the economic and fiscal crisis, have focused Parliament's attention on new member inclusion and crisis management instead of addressing its internal and structural problems.

Communication and Voting

Voting is the formal mechanism to engage citizens in democratic governments. We would assume that as the Parliament increases its power, more citizens become interested in voicing their preferences for Members of Parliament (MEPs). Yet there is a considerable lack of interest among EU citizens to participate in the elections for the European Parliament. The turnout in elections has dramatically decreased since 1979. In the last elections of 2009, only 43% of eligible EU voters cast their ballots.⁶

Turnout since 1979



Source: European Parliament

In 2009, the Parliament made substantial efforts to organize campaigns, increase public visibility of events, and use traditional and new media to communicate with constituencies. The elections were promoted by more than 500 staff located in Brussels and 32 information offices in member states.⁷ Yet the voter turnout was still in decline. However, it is important to consider that campaigns for European elections are still quite resource poor—combined campaign efforts usually amount to between 10 and 30% of what is spent in national elections campaigns.⁸ In other words, the fact that national party organizations do little to promote elections to the EP and that transnational party organizations do not have adequate financing to launch comprehensive campaigns contributes to the lack of voter excitement about European elections.

Scholars argue that in the view of European citizens, the EP elections are classified as ‘second order elections’.⁹ Citizens simply perceive that there is less at stake compared to national elections. Moreover, in elections where people perceive there is not much at stake, smaller and more extreme parties tend to perform better. This also weakens the image of the Parliament. Since many citizens perceive the Parliament to be an unimportant institution, they do not vote as they would in national elections. Instead, they are okay with taking risks, such as voting for extreme parties because they believe that extreme parties in the Parliament will not have the same effect that they would if they were voted into a national institution.¹⁰

The main goal of the parliamentary elections is to engage citizens in a democratic process and thus foster identification with EU institutions. National media has had an important role as transmitters of information about the EP as an institution and about elections. Yet according to the Eurobarometer, only 44% of EU citizens have ever read anything in the press, internet or heard on

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radio or TV about the European Parliament. In 17 out of the 27 Member States, a majority of respondents remember some media coverage of the EP.¹¹ Yet in France, Italy and the UK, fewer than four out of ten citizens can recall any media coverage. In terms of gender, the Eurobarometer on public opinion shows that men are more likely than women to have some information about the European Parliament; this is particularly troublesome since the EU has put extensive anti-discrimination and gender equality measures in place.¹² Additionally, national media seems to be more focused on scandals and low points of the European Parliament than on its actual achievements.

However, tendencies in the media are not the only factor affecting how citizens identify with the EP. The Eurobarometer found that 26% of 26,594 citizens had a negative view of the European Parliament. Although the mental picture of the Parliament is highly shaped by the media, it is evident that many of the actions within the Parliament by individual members or lobbyists are contributing to such negative view. MEPs bending the rules, the high flow of lobbyists from private companies, and political scandals all have not contributed greatly to the connection between the European Parliament and the citizens.¹³ For example, various MEPs have been accused of misleading funds. In July, the Romanian Adrian Severin, representative and former foreign minister, was accused of helping Romanian companies sell “fictive service” that robbed the Parliament’s budget of €436,663. In concern to this, he declared his innocence by phone and refused to step down. At this point he can still enter the Parliament and cast his votes.¹⁴ It is events such as this that show a very weak, lawless Parliament. All these factors inhibit communication between the EP and citizens and collectively produce low voter turnout.

In relation to these factors, Nick Clegg and Michiel van Hulten, who in 1999 was elected Liberal Democratic MEP for the East Midlands and MEP for the Dutch Labour Party respectively, recommended reforming the European Parliament. They argue that:

The speed of European integration has left voters bemused or confused. Without clear and visible reform to make it more accountable, the body will continue to be held in low public esteem and regarded as a distant, unfamiliar entity. The “crushing myopia” of national media and political elites for depriving the European Parliament of the attention it deserves.¹⁵

The authors point to the dependency of the European Parliament on images constructed in national media and by national political elites. Neither one shows strong proclivities that highlight the importance of this supranational legislative body. The numbers from the Eurobarometer about informed people and the argument from former MEPs both express the nature of the relationship

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between the European Parliament and the media. In addition to this, it becomes evident that the nature of this situation needs to change if transparency is to be pursued by the Parliament.

Factors that affect political participation and engagement of EU citizens fall into different categories. First, there is a misunderstanding of how the EU institutions operate. In many of the member countries of the EU, there is an abundance of incorrect information, false assumptions, and misunderstandings.¹⁶ For example, most EU citizens do not know that overall more than 60% of their legislation is based on Brussels regulations and directives.¹⁷ Incorrect information and other false assumptions contribute to the estrangement between the Parliament and the citizens. There is also the role of different actors such as political groups, national governments, and lobbyists that complicate further the transparency legislative processes at the Parliamentary level. Moreover, transnational level politics are convoluted by the diversity in languages and nationalities.

Political Parties and Party Alliances

The Parliament is assembled of various political groups. The internal division of the Parliament can be both viewed in a positive and a negative light. On the one hand, the dividing line on most concrete subjects is not likely to appear between nations but between political viewpoints or sectorial interests.¹⁸ When dividing lines are between parties, solutions can be formulated faster because there is not the involvement of national interest. On the other hand, the organization of parties is considered to be particularly weak, as they are regarded as loose coalitions of vaguely aligned ideological orientations.¹⁹ Additionally, some critics demand that parties are more cohesive at the time of voting in order to increase stability and predictability inside the EP and as well as increase accountability to their constituents.²⁰ However to keep this cohesiveness, stronger parties can punish members who are not loyal enough. In the case of the Parliament,

Because MEPs are not dependent for their election on the patronage of the political groups to which they belong, they have only a minimal loyalty towards them. The primary political loyalty of MEPs remains towards their own, national political parties²¹

Analyzing the current internal party group setting, Gail McElroy and Kennerth Benoit, both Political Sciences professors at Trinity College and EU experts, explain that the reason behind party affiliation is to have policy congruence. In other words, national political parties will seek membership in EP party groups whose policy platforms are alike.²² Policy coherence enables MEPs to communicate more effectively with citizens. Additionally, within political affiliations at the Parliament, stronger party alliances have gained more power and cohesion which ultimately has led to internal individual loyalty.

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The party groups with the highest level of cohesion are called “whipping” parties in the Parliament. An example of a whipping party is the European People's Party (EPP Group).²³ The EPP group is one of the largest parties within the European Parliament consisting of 270 members as well as having the strongest representation in the European Council of Ministers. In addition to having a strong presence within the EP and within the Council, this political group has successfully reached out to their respective constituencies.²⁴ The EPP has engaged not only with respective national governments but has made serious attempts to connect with its actual constituencies. For example, they have implemented various informative videos on YouTube presenting the Parliament through their eyes aiming to inform citizens of how their representatives are working; but mostly they inform people about the almost invisible legislative processes.

In addition to party alliances, lobbyists also participate actively at the Parliament. There are an estimated 15,000 lobbyists operating in Brussels. Out of these, 70% are business, 20% international organizations, regions and cities, and 10% Non-Governmental Organizations (NGOs).²⁵ Considering that NGOs mostly advocate for human rights, environment, or other transnational issues, there is not a lot of advocacy for the immediate benefits of the citizens. On the contrary, there is a great emphasis on lobbying from businesses, especially from private companies. Moreover, the flow of lobbyists is extremely disorganized, which contributes to the accountability problem in the EP.

In other words, there is a complex political process within the Parliament and it lies within the lines of power dynamics within parties, between party alliances, and between national and supranational party organizations. Such power dynamics have somehow permitted the creation of a weak Parliamentary image. Even though the EP has evolved throughout many of the treaties, it still has an issue with effectively communicating with the EU citizens. Although there has been an increase in efforts by the EP to address this issue, the numbers of European political participation and information have not reflected this increase. Therefore, it is essential to address this issue when addressing the democratic deficit.

Options

Creating a Face for the Parliament

Few citizens know with certainty the nature of the process of legislation within the Parliament and when and where to intervene. In an attempt to bridge this information gap, the EP publishes documents from meetings and sessions online. However, this document database is

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currently extensive and overwhelming. The same holds for documents that specifically focus on the different MEPs and the president of the Parliament such as “The Faces of the European Parliament.”²⁶ One option is to establish a Public Diplomacy Task Force of the EP that addresses its communication strategies and innovates its online presentation. They should focus on streamlining the database of consultations and passed/proposed legislation in order to make it more user-friendly. The ultimate goal of this Public Diplomacy Task Force is to first reassess the nature of the relationship between citizen voters and the EP and secondly to improve current methods of communication with constituencies.

A second option is to increase the public visibility of the President of the Parliament. This implies that major party alliances nominate candidates for the Presidency before the elections and develop an active campaign strategy across the 27 member states to make these potential Presidents visible faces of the Parliament. However, a downside of this option is that increasing election campaign activity at the European level could potentially overwhelm citizens, especially if national elections were occurring at the same time. Citizens would be getting information about both levels. Instead of increasing voter turnout, this might actually decrease the amount of European citizens who would vote in EP elections. Thus, this option will not help to decrease the democratic deficit in the EU.

Instead, establishing a European Parliament Ambassador for each member state would be a more feasible option. EP Ambassadors would represent the European Parliament in each member state. However, this position is not to get confused with MEPs. MEPs are involved in legislation and communicate with their constituencies. The purpose of having an ambassador is that he/she is a neutral actor without party affiliation and at the same time limited to communication duties. EP Ambassadors would organize events with the national media to address the issues going on at the Parliament. These individuals would preferably work with information offices, who already attempt to work with citizens. Even when the MEPs work with the information offices, their Parliament responsibilities in Brussels, Luxembourg, and Strasbourg complicate smooth communication.

Increasing Access, Transparency, and Accountability

Part of democratizing the European Parliament is to increase transparency between interactions with lobbyist, NGOs and other interest groups. Currently, action has been taken in relation to lobbyists. According to Priestly and Clark:

A code of Conduct has been drawn up covering the nature of the contacts which may take place between MEPs and persons who wish to supply information to members within the framework of their parliamentary mandate in their own interest or that

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of third parties. Such persons are granted access to the building and are at the same time included at an official register.²⁷

Yet this Code of Conduct, established in January 2012, has considerable loopholes. One option is to evaluate the effectiveness of this existing code of conduct by 2014 and initiate a debate about improvements.

The Parliament has already taken notable steps towards outreach to voters. Among one of the most successful is a program that allows groups of visitors to the EP. Groups are invited by their respective MEP, and the purpose is to be better informed about the legislation process and how the MEP is working. As a follow-up activity, visitors to the Parliament are encouraged to follow the Parliament on Twitter and other social media networks. At the end of the visit, visitors can also opt to be on the newsletter of the EP.²⁸ One option is to broaden such outreach programs to constituents.

Another successful attempt to reach out to citizens is the creation of information offices. Information offices are located in the main cities of member states and their primary role is to raise awareness of the European Parliament and the European Union. Among their various duties, information offices answer questions from citizens about the EP and policies, provide citizens with important information and materials, organize press briefings, and work closely with teachers and academic organizations. Information offices have become beacons of activism when it comes to helping promote the European Parliament's interests; especially at time of elections.

Additionally, most MEPs communicate through websites and there is also an increasing use of social media through Facebook, Twitter and other tools to connect better with constituencies. The increasing use of the web has been attempted to engage citizens in a more informal way. However, some issues have also arisen. In terms of the credibility of the Parliament, the web can become a double-sided sword. As mentioned in the book "The EP: People, Places, Politics":

One of the issues that the Parliament must face in this new online environment concerns the role of civil servants in communication policy. The basic problem is that people do not talk to institutions, they talk to other people [...] If the parliament is to keep its interactive online presence, it has to acknowledge the fact that there are individuals behind scenes.²⁹

These reservations notwithstanding, MEPs can enhance communication through regularly scheduled live internet sessions where they answer questions from various constituents. Increased visibility online has been largely implemented by actors and actresses to promote themselves further and it has proved to generate attentive audiences. MEPs could use this as an example and devote at least 90 minutes a month to answer live questions coming in through social networks.

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This tactic could not only be used to actually answer questions from the constituencies, but it would enable the MEPs to be better informed of constituents' concerns.

A final option is for respective MEPs to deliver a district address in a more formal setting. This could take place once a year with the purpose of informing people about current and prospective legislation. Such a public address would be specially focused on the MEPs' respective constituency. There would be advertisement prior to the event and MEP would make this event as appealing as possible. In order to engage with individual citizens, the Parliament would also have to work on enhancing the relationship between the Parliament and the media. There already are formal seminars for journalists and informal sessions in which MEPs give background information to Brussels-based and national media. Yet, Parliament could establish a "European Seminar for Local and Regional Journalists" in Brussels where these regionally focused information transmitters would learn about the value of European integration and engage in translating their 'home' issues to a larger EU agenda.

Recommendations

- Establish Parliamentary Ambassadors in the European Parliament. These Ambassadors will be appointed by MEPs from the 27 member states and will not have a party affiliation. As Ambassador, his/her main purpose is to focus on communicating the role and the policies of the Parliament in respective member states.
- Establish a Public Diplomacy Task Force within the EP in order to assess existing and create new venues for engaging citizens.
- Evaluate the EP Code of Conduct in 2014 and establish whether the rule of engagement with lobbyists needs to be tightened.
- Hold a yearly district address for each MEP. The main objective of this address is to inform citizens about the activities of the EP and communicate the importance of citizens' engaging with their EU level institutions.

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The European Council and the Council of Ministers: Decision-Making and Improving Accountability

By Annie Kean

Issue

Out of all the institutions of the EU, the European Council and the Council of Ministers are where the member states are most directly involved. The European Council is a forum in which national heads of state meet and deliberate over EU policy. In the Council of Ministers, nationally appointed ministers debate on policy suggestions from the Commission.¹ Due to the great amount of national representation allowed within these two institutions, national interests can take precedent over EU level interests. Since the Maastricht Treaty of 1993 and especially in light of the Euro Crisis, national governments are hesitant about delegating more decision-making power to the community level due to the risks associated with losing national sovereignty and because they need to answer to their constituents.^{2,3} Instead, decision-making within the European Council and the Council of Ministers has become more intergovernmental. Intergovernmental decision-making promotes EU integration through “soft” policy coordination between member states. This is opposed to supranational, community level decision-making which involves the implementation of binding EU legislative measures across all member states.^{4,5} The type of decision-making within these institutions determines whom the EU citizens hold accountable.⁶ Intergovernmentalism allows national governments to focus on national interests within the European Council and the Council of Ministers and then individually implement EU policy at the national level. The European Council and the Council of Ministers are not held accountable by EU citizens because intergovernmental decision-making allows national heads of state to claim responsibility for the decisions made with these two Councils.

Background

Influence of the Treaty on both Councils

There have been several intergovernmental periods of EU history. Though it was popular during the 1960s in France under the presidency of Charles De Gaulle and in the 1980s during

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Margaret Thatcher's time as the Prime Minister of England, the current trend of intergovernmental decision-making within the European Council and the Council of Ministers can be strongly linked to the Maastricht Treaty of 1993.⁷ The Maastricht Treaty is most well known for the implementation of the European Monetary Union (EMU), which unites Europe's monetary policy. Article 108a states that "a regulation shall have general application. It shall be binding in its entirety and directly applicable in all member states."⁸ The treaty limits the amount of deficit each country can have and promises sanctions for non-compliant countries. It also establishes that the member states should not have any tariffs or restrictions on movement of bodies or trade throughout their countries. EMU restricts national sovereignty and unites the member states under the supervision of an independent supranational institution, the European Central Bank (ECB).⁹

However, there are two reasons why the Maastricht Treaty has led to an increased amount of intergovernmental decision-making within the European Council and the Council of Ministers. The first reason is the undefined nature of the fiscal policies of the EMU. The treaty states, "the community shall take action in accordance with the principle of subsidiary only if and in so far as the objective of the proposed action cannot be sufficiently achieved by the member states."¹⁰ This allows member states to make their own policies. The treaty only provides the member states with a general framework and loose guidelines of implementation. The treaty does suggest simply policy coordination within areas such as agricultural policy, environmental policy, commercial policy, fisheries and transport policy. Based on analysis of the Maastricht Treaty, Professor Uwe Puetter argued at the EUSA Conference in 2011 that "the final responsibility of formal decision-making in the field of economic policy formally stayed with the member states despite the acknowledgment of changed policy environment."¹¹ The fiscal policy of the Maastricht treaty has allowed policy coordination to flourish as the dominant type of decision-making within the European Council and the Council of Ministers.

The second reason there has been a shift toward intergovernmental policy coordination in the European Council and the Council of Ministers is the great loss of sovereignty and power that accompanied the implementation of the EMU and the consequential transfer of monetary governance to the ECB.¹² This extensive and unprecedented amount of integration led member states to be hesitant towards further integration. In Britain and Denmark, this skepticism about the infringement of national sovereignty led to a rejection of the EMU. Andreas Staab, founder and director of the European Policy and Information Center (EPIC) asserts that "the responses by European citizens to the Maastricht Treaty effectively placed a limit on the speed and extent of integration that the populace of the member states would tolerate."¹³ After EMU, the largest step

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towards supranational integration policy to date, the member states have shied away from integration policy. The implementation of EMU was seen by many member states as a large infringement of national sovereignty. The EU member states have preferred intergovernmental policy because it allows them to keep influence over the policies of their country. In another article about EU decision-making, Puetter argues that there was "...[a] rejection of any further significant transfers of formal decision-making competences to the EU level and the emphasis that ultimate decision-making responsibility in the field of EU economic and social policy continues to rest with the member states..."¹⁴ EMU represented a shift of power to the community level and because of this, the member states reacted by using intergovernmental policy coordination within the European Council and Council of Ministers, which protects their sovereignty.

Intergovernmentalism in the European Council

The European Council began at the suggestion of the French President Valerie Giscard d'Estaing at the Paris summit of 1974. The original idea behind the European Council was to provide national heads of state a stronger and more direct way to influence policy. The European Council was acknowledged by the Maastricht Treaty of 1993 and then officially became an institution of the EU in the Lisbon Treaty of 2009. The European Council now meets four times a year and based on Staab's definition "has five functions: setting the pace of integration, initiating major policies, resolving problems, acting as a decision maker, and being an international player..."¹⁵ Though the meetings are traditionally forums for the voices of national governments, meetings are planned through the consultation of EU actors. These include the Commission President, the General Affairs Council, and the European Council President.¹⁶ National heads of state created the European Council in order to maintain their influence. Since the institutionalization of the European Council, member states influence has grown stronger and allowed national governments a larger opportunity to compete with the institutions and representatives of the EU Community.

Before the institutionalization of the European Council, the Community Method was used as a means of decision-making. This method centered decision-making on the Commission, the Parliament, and the Council of Ministers, excluding national heads of state. But this traditional method of supranational decision-making was disrupted by the institutionalization of the European Council in the Lisbon Treaty of 2009.¹⁷ The institutionalization of the European Council gave the national governments a forum in which to pursue this type of decision-making. The institutionalization of the European Council allowed for a shift away from community level, supranational decision-making towards more nationally dominated intergovernmental decision-

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making. In his analytical book of the Lisbon Treaty Finn Laursen states that “The new functions such as the European External Action Service, the Permanent President of the European Council and the formalization of the European Council as an EU Institution reinforce, according to some, the intergovernmental sides of the EU.”¹⁸ The intergovernmental nature of the European Council is exemplified in the latest meeting about the EU budget. The first budget talk failed completely because national governments could not agree on the terms. The national interests of the member states dominated the second budget forcing the budget to be cut. The member states, especially the UK, were focused more on how the budget would affect their national economies rather than how it would affect the EU Community. For example, France was in support of a larger budget but was happy with the deal because heavy spending on farm subsidies was maintained. Smaller states were also concerned over how the decision would affect them. Baltic nations wanted farm subsidies that did not just benefit larger states.¹⁹ It was clear after this meeting that the creation of the European Council and its institutionalized role has enabled the continuation of intergovernmental decision-making and continues to be used as a forum to pursue national interests rather than community interests.

Intergovernmentalism in the Council of Ministers

The Council of Ministers is one of the legislative bodies of the EU. It has power to craft policy based on suggestions from the Commission. The Ministers are appointed by elected national governments thus they are not EU appointed officials. The Council of Ministers is actually not one council but ten different councils broken up by subject. For example all the national foreign policy ministers will deliberate on a foreign policy decision but will not necessarily participate in deliberation of other policy areas. Currently decisions made in the Council of Ministers are decided upon through Qualified Majority Voting (QMV) with the exception of more sensitive policy areas like taxation or defense. This kind of decision-making gives each state a weighted number of votes depending on their population. A qualified majority can only be reached if a majority of member states support the decision (two-thirds of the member states), if 73.9% of the total votes are in favor of the decision, and if 62% of the population of the Union supports the decision.²⁰ Also in Article 31 of the MAASTRICHT TREATY, the member states are granted an “emergency brake.” If a policy issue is of great importance, a member state can have it moved from the Council of Ministers to be deliberated on in the European Council based on unanimity vote instead of QMV. This allows member states to check EU policy.²¹ The President of the Council is appointed on a rotating basis. The presidency lasts six months and each member state gets to hold the position. During his term the president chairs the meetings of all the councils, is able to appoint national representatives to

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committees within the Councils, and can launch policy initiatives through the General Affairs Council.²²

Intergovernmental decision-making became more prominent within the Council of Ministers after the Euro Crisis of 2008. The crisis enhanced the need of national governments to answer to their national constituencies. Puetter affirms that “there is a tendency to perceive these matters of utmost concern to country’s own ability to cope with the crisis but also as highly important for how leaders are perceived by their national electorates.”²³ Not only did the crisis put pressure on national leaders, but it also brought about larger questions about the future of decision-making within the EU as a whole. Member states like France believed they should be given more jurisdiction over economic policy. Nicholas Sarkozy called for “un gouvernement économique” that was controlled by national governments rather than a more political and controlling EU. Even Dutch civil servants who are traditionally pro-Commission “reveal a hope that core areas of economic governance can be safeguarded by shipping them away from the Commission.”²⁴ The combination of needing to answer to national constituencies and skepticism about allowing the community level handle the crisis has led to more intergovernmental decision-making within the Council of Ministers.

The increase of intergovernmental decision-making is especially apparent through the great influence of Eurogroup on decisions made within the Council of Ministers. Eurogroup was created in 1988 and is an unofficial forum in which ministers of EMU countries meet to discuss socio-economic policy. This group excludes countries that do not use EMU. This group meets right before Economic and Financial Affairs Council (ECOFIN) meetings and is based off of consensus between member states. ECOFIN meetings include all member states and are supposed to be the official formal settings in which economic decisions are landed upon. Since the Euro Crisis, Eurogroup has



become the center of decision-making. This is because “... most parts of the coordination process are based on reaching mutual agreement among governments, which are ultimately responsible for policy implementation, and as the EU is lacking law-making powers in the issue areas under discussion, the achievement of informal agreement

From left to right: Mr. Tonio Fenech, Maltese Minister of Finance, the Economy and Investment; Mr Vassos Shiarly, Cypriot Minister for Finance; Mr Jean-Claude

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and/or a common understanding is a key feature of the coordination process.”²⁵ Eurogroup is the de facto setter of economic policy.

The informal meetings of Eurogroup lead to increasingly intergovernmental decision-making because national ministers are able to make decisions based on national interests with little input from the EU Community.²⁶ An example of this is when Eurogroup decided to give Greece €110 billion before the formal meeting of the European Council. This decision disregarded both Van Rompuy’s desire for the decision to be made in a formal setting and the Commission’s desire to maintain stability in the national markets.²⁷ Decisions made in Eurogroup have become based on consensus and private communication between member states. They are not being made in the more formal settings of the Council of Ministers, which can lead to decisions being more intergovernmental in nature.²⁸

The changes in ECOFIN after the crisis also exemplify a shift to more intergovernmental decision-making in the Council of Ministers. There has been both an increase in informal ECOFIN breakfast meetings and a shift towards intergovernmental policy coordination within the formal setting of ECOFIN. The breakfast meetings have become very long and sometimes last longer than the formal meetings. Like the decisions of Eurogroup, the breakfast meetings of ECOFIN often end with set opinions on the direction policy should go. The increase of these breakfast meetings and the changing policy of ECOFIN both exemplify that after the crisis, member states became more involved in making decisions within the Council. They were invested in the decisions and so have not allowed supranational unsupervised control of economic policy.²⁹

Options

Continuation of Intergovernmental Decision-Making

It has been argued that intergovernmental decision-making can solve the democratic deficit through the indirect legitimacy of national leaders. Referring to the definition of legitimacy written in this report, the citizens need to know that the EU is working for their interests. The citizens would be able to know this if intergovernmental policy coordination was continued. Simon Hix and Andreas Follesdal state in their article ““Why there is a democratic deficit in the EU,” that “a more important channel lies in the democratically elected governments of the member states, which dominate the still largely territorial and intergovernmental structure of the EU.”³⁰ Hix argues that the democratic deficit can be addressed through the dominance of national governments within the most intergovernmental institutions like the European Council and the Council of Ministers. EU

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decisions would appear legitimate because the national democratically elected government would implement them. The citizens would know the EU policies serve their interests because the EU would continue to be dominated by national, intergovernmental decision-making.

It can also be argued that intergovernmental policy coordination does not inhibit integration of policy between member states. Even without supranational decision-making, the EU can continue to move towards a more cohesive union. This has been proven through the Luxembourg Process of 1997 and the Cardiff Process of 1998. The Luxembourg Process was a European Council meeting that dealt with the unemployment crisis of the EU. It eventually led to the Treaty of Amsterdam, but before the treaty was ratified it addressed the crisis using policy coordination. It allowed member states to keep their national laws but generally guided their policies. The Luxembourg Process created general guidelines that involved annual employment guidelines, national employment action plans, and a joint employment report. Because these steps exemplified that national government are sometimes better suited to individually determine what the best policies are that fit their specific circumstances.³¹ The same kind of policy coordination happened at the Cardiff European Council in 1998, which created intergovernmental environmental policy.³² The success of these processes demonstrates that policy coordination is a viable method of decision-making in the European Council and Council of Ministers. Policy coordination can still lead to integration of EU policy, which would still help Europe become more united.

Intergovernmental Decision-Making and Accountability

Intergovernmental decision-making within the European Council and the Council of Ministers can address the democratic deficit through the established legitimacy of national leaders, but it is only indirect. Accountability would still be held at the national level.³³ The latest intergovernmental decision of the European Council demonstrates the accountability of national governments. After the European Council meeting in February 2013 and in response to the intergovernmental nature of the budget meeting, the Vice President of the Commission Viviane Reding “spoke of her distaste for the way leaders, when the EU negotiations were completed, went back to their own countries and claimed they had achieved a personal victory over the others as if it was a competition.” The author goes on to explain “that citizens already limited knowledge of how the EU works would be distorted by this process.”³⁴ Though policy coordination led to a budget agreement, it also allowed for national leaders to come out as winners while the EU was framed as a loser. The EU is not held accountable by the citizens because policy coordination allows national

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leaders to claim responsibility for the decisions made within the European Council and the Council of Ministers.

In a study of media representation within the EU, it was found that:

In sum one can say that, on average, national actors use sovereignty frames more often than do EU actors, but that both the nature of national political debates and the national newspapers' filtering strategies lead to reported EU actors' frames that reinforce the images of the EU created by national actors.³⁵

It is clear that though policy coordination is not a negative form of decision-making, it leads to the communication of decisions of the European Council and the Council of Ministers through nationalistic frameworks. This is detrimental to the accountability of these institutions. To fully address the democratic deficit within the European Council and the Council of Ministers indirect legitimacy of decisions through national leaders is not enough. Accountability needs to be held directly by these two EU institutions in order to enhance identification with the EU. Instead, enhancing the supranational style of decision-making within the European Council and the Council of Ministers would be a more tenable option.

Shift in Decision-Making within the European Council

To shift decision-making in the European Council to more supranational in nature, support of the national heads of state is critical. The governments of the member states have the ability to allow more supranational decision-making within the Councils and allow the EU to take credit for it. Van Rompuy has stated:

The members of the Union have to be strong and need to be united [but] what is clear however, that neither the French nor the German government is ready to give the principle of intergovernmentalism in the field of EU level socio-economic governance although the powers of the Commission maybe extended in some clearly confined fields of activity.³⁶

The member states have the power to allow the EU to be held more accountable to citizens but they are not yet willing to give up more sovereignty.

In order to impress upon the member states the importance of a shift to Europeanized decision-making, the European Council President, with the support of the Commission President and the European Parliament President, should publicly hold the national governments accountable. This would be possible through a speech and follow-up public discussion about supranational decision-making and how national governments play an important role in allowing this type of decision-making to happen. This event should not happen within the European Council because of the domination of heads of states within those meetings. Instead this should take place

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at the United Nations, where the European Council President (acting as a representative for the EU) can clearly express goals of Europeanization and future decision-making. This setting would also allow the EU to obtain the public support of international actors, such as Barack Obama, who have stakes in the further evolution of the EU. This support would put pressure on the member states to comply with the changes asserted by the European Council President. The speech should discuss how the decision-making tendencies of the member states and their presentation of these decisions on the national stage have been impediments to the accountability of the European Council. It should clarify that decisions need to be made for European interests and presented as European. To obtain this goal, the speech needs to emphasize the need of member state support. It is impossible for decision-making within the European Council to change unless the member states allow it to. The member states should be persuaded to not base their decisions off of purely national interests and to allow the European Council as one body to be held accountable for European Council decisions.

The European Council's Rules of Procedure

Another option to transition away from intergovernmental decision-making would be to change the procedures of the European Council. The Lisbon Treaty did not set specific guidelines for the process of decision-making within the European Council. However Van Rompuy has used his position as European Council President to work towards Europeanization of the European Council. He responded to the lack of decision-making guidelines in the Lisbon Treaty by suggesting a set of guidelines that support a transition from intergovernmental decision-making to more centralized supranational decision-making. He expressed the intention to make meetings subject-based and focused. He also wanted to make sure that specific conclusions were summarized after each meeting and effectively communicated to the European public. Van Rompuy's suggestions show the potential enhancement of supranational decision-making within the European Council.³⁷

Van Rompuy's suggested changes to the methods of decision-making should be formally annexed into the Rules of Procedures of the European Council. His increased emphasis on presenting clear and concise conclusions to the European public would help the European Council become more accountable to the citizens. It would help the European Council present its decisions as community level decisions rather than national level decisions. He also wanted to distinguish between informal and formal meetings. This is important but it is also very important to increase formal meetings compared to informal meetings. This would lessen the amount of intergovernmental decision-making. As discussed earlier, informal meetings like those of

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Eurogroup or the breakfasts of ECOFIN become forums for intergovernmental decision-making.³⁸ If all European Council and Council of Ministers meetings took place in more formal settings then decisions would be more supranational, increasing the Councils accountability to the citizens.

Decision-Making within the Council of Ministers

Expanding the realms of policy that are decided upon by QMV could also enhance supranational decision-making within the Council of Ministers. QMV replaced unanimity decision-making in the Council of Ministers after the Lisbon Treaty of 2009 except in the areas of foreign policy and taxation. This move towards majority based voting is more supranational than consensus voting because each member state does not have equal say in the voting, regardless of the size of their population. QMV forces ministers in the Council to make decisions based on the interests of all EU citizens rather than on solely national interests. The purpose of supranationalism is to protect the rights and interests of citizens against majoritarian decisions of a member.³⁹ Though there is skepticism about QMV among member states, it allows the Council to be less inclined to support individualistic national interests. QMV still allows ministers to consider national interests, but it also forces them to compromise. This can be compared to the unanimity decisions of the European Council which can completely destroy policy initiatives.

This is why the slow implementation of QMV into larger policy realms within the Council of Ministers is recommended. Currently, QMV covers most policy areas but not all. Ideally it should eventually be the only type of voting that takes place in the Council of Ministers. Right now, it does not apply to foreign policy, economics, or taxes.⁴⁰ Increasing the amount of QMV voting would take more power away from national decision-making and focus decision-making in the Council on issues that affect the entire Union. This would allow more general majority opinions to flourish, but there would also still be checks on this kind of majority-based decision-making. Due to their influence over policy, the rotating presidency and the power of the European Council would still balance QMV voting with intergovernmental influence. The position of the rotating president allows each member state a short period of time to plan and chair all the Council meetings, thus allowing to influence policy.⁴¹

A further extension of this option would be to eliminate the “emergency break” mechanism given to the European Council regarding the decisions of the Council of Ministers. This mechanism allows a member state to switch the vote on a certain policy from QMV within the Council of Ministers to a unanimity vote in the European Council. This stipulation perpetuates national decision-making within the Council. Allowing the finalization of all policy to happen in the Council

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of Ministers by QMV would allow decision-making to be more Europeanized. Also, it would encourage leaders to use formal centers of policy deliberation such as ECOFIN as a forum for discussion rather than the informal and less accountable meetings of the Eurogroup. Member states would be more invested in participating in formal meetings because final decision-making would happen in the Council of Ministers. This would increase the accountability the Council of Ministers.

Recommendations

- Have the European Council President give a speech at the UN endorsing the Europeanization of decision-making within the European Council. This gives the President a medium to express general goals of deeper EU integration. It also would hold the member states publicly accountable for pursuing intergovernmental policy within the European Council.
- Annex the suggestions of Van Rompuy on the working methods of the European Council into its Rules of Procedure. These address accountability of the European Council through the formality of meetings, the communication of meeting conclusions to the public, and the specification of the subject matter of each meeting.
- Implement the use of QMV in all policy decisions in the Council of Ministers. This would force the Council of Ministers to be more accountable to the majority of EU citizens rather than just their national governments.

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³ Laursen, Finn. *The Eu's Lisbon Treaty: Institutional Choices and Implementation*. Ashgate Publishing, 2012.

⁴ Staab, 5-6.

⁵ "Open Method of Coordination." *Eurofound*. February 14, 2013. www.eurofound.europa.eu.

⁶ Majone, Giandomenico. "The European Union's Democratic Deficit: Back to the First Principles." *The European Parliament-Towards Parliamentary Democracy in the European Union?* EUROPEUM Institute for European Policy. 2008.

⁷ Staab, 11,16.

⁸ "Consolidated versions of the Treaty on European Union and The Treaty on the Functioning of the European Union" *Official Journal of the European Union*. October 26, 2012. eur-lex.europa.eu.

⁹ Puetter, "Organizing the EU's responses to the global economic and financial crisis-the role of the European Council and the Council", 9.

¹⁰ Subsidiarity. *Eurofound*. February 24, 2013. www.eurofound.europa.eu.

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- ¹¹ Puetter, "Organizing the EU's responses to the global economic and financial crisis-the role of the European Council and the Council", 11.
- ¹² "Consolidated versions of the Treaty on European Union and The Treaty on the Functioning of the European Union" *Official Journal of the European Union*. October 26, 2012. eur-lex.europa.eu.
- ¹³ Staab, 23.
- ¹⁴ Puetter, Uwe. "Europe's deliberative intergovernmentalism: the role of the Council and European Council in EU economic governance." *Journal of European Public Policy* 19, no. 2 (2012): 161-178.
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- ¹⁶ "The European Council Decision 1 December 2009." *Official Journal of the European Union*. December 2, 2009. L315 51-55.
- ¹⁷ Laursen, 22.
- ¹⁸ Laursen, 24.
- ¹⁹ Kanter, James and Higgins, Andrew. European Leaders Agree, Finally, on a Lower Budget. *The New York Times*. February 8, 2013. www.nytimes.com.
- ²⁰ "Weighting of Votes in the Council." *Europa Glossary*. February 4, 2013. europa.eu.
- ²¹ Laursen, 26.
- ²² Staab, 59-64.
- ²³ Puetter, "Organizing the EU's responses to the global economic and financial crisis-the role of the European Council and the Council", 20.
- ²⁴ Laursen, 25.
- ²⁵ Puetter, "organizing the EU's responses to the global economic and financial crisis-the role of the European Council and the Council", 16.
- ²⁶ Photo, "The Council of the European Union."
- ²⁷ Laursen, 24-25.
- ²⁸ Puetter, "Europe's deliberative intergovernmentalism", 165.
- ²⁹ Puetter, "Europe's deliberative intergovernmentalism", 173.
- ³⁰ Follesdal, Andreas, and Simon Hix. "Why there is a Democratic Deficit in the EU: A Response to Majone and Moravcsik." *JCMS: Journal of Common Market Studies* 44, no. 3 (2006): 533-562.
- ³¹ "The Luxembourg Process." *Eurofound*. February 14, 2013. www.eurofound.europa.eu.
- ³² "Cardiff Process." *Eurofound*. February 14, 2013. www.eurofound.europa.eu.
- ³³ Puetter, "Organizing the EU's responses to the global economic and financial crisis-the role of the European Council and the Council", pg 2.
- ³⁴ Mason, Daniel. Reding Criticizes EU Leaders' Summit Victory Parade. *Public Service Europe*. February 22, 2013. www.publicserviceeurope.com.
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- ³⁶ Puetter, "Organizing the EU's responses to the global economic and financial crisis-the role of the European Council and the Council", pg 22-23.
- ³⁷ Puetter, "Deliberative Intergovernmentalism", 174.

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³⁸ Puetter, "Organizing the EU's responses to the global economic and financial crisis-the role of the European Council and the Council, 20.

³⁹ Majone, Giandomenico. "Europe's 'democratic deficit': The question of standards." *European Law Journal* 4, no. 1 (2002): 5-28. Pg 12.

⁴⁰ Laursen 26.

⁴¹ "What is the EU Presidency." eu2013.ie. March 1, 2013.

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Section II: Creating Solidarity and Cohesion

Civil Society

By **Alexandria Walker**

Civil Society lies outside of the government and outside of business. It is made up of non-governmental organizations (NGOs) and lobby groups, as well as individuals in a society. Civil Society Organizations (CSOs) represent the values and goals of groups and individuals within the European Union. Because of this, Civil Society serves as an important intermediary between the government and individuals. This link is important in creating a more democratic EU because it connects citizens with the European government and enables them to participate more on the European level, thus reducing the democratic deficit.

In order to increase its legitimacy and accountability the EU has created two specific venues through top-down initiatives for citizens to engage in constructive dialogues and influence the EU government: the Transparency Register and the European Ombudsman. The Transparency Register is a venue for NGOs, lobby groups, and other organizations to provide information to the public, such as their activities that influence European-level politics and how much money they spend. The Ombudsman investigates complaints from European citizens about maladministration from EU institutions.¹ Both of these venues attempt to alleviate the democratic deficit by providing means to engage citizens. However, there are several changes that can be made to both the Transparency Register and the European Ombudsman to further increase citizen participation.

Lobbying and interest groups play a crucial role in the decision making processes of the EU. Policy-making has largely relied on the information provided by actors from different institutions and interest groups, upon which collaboration and competition over influence occurs. These various actors from private and public interest groups can influence decision-making, through formal consultation or as sources of information, expertise and mediation between other institutional actors. In addition, the development of European institutions and the increasing complexity of their procedural structures have led to a growing number of interest organizations at the European level. Although there has been increased suspicion by academics, politicians, civil servants, business elites, and the European public concerning the democratic credibility of interest group activity,, this sector of civil society can positively impact EU democratic processes, as this section will demonstrate.

Although Non-Governmental Organizations are not formally connected to the institutions, they communicate with them on a frequent basis, especially with the Commission and Parliament.

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NGOs within the EU have the potential to play a large role in addressing the democratic deficit due to the fact that they serve as the link between the public and institutions. They also can represent citizen groups without a large voice in EU civil society, namely citizens in the newly-admitted Central and Eastern European countries. Giving these member states an equal opportunity to participate remains a struggle that this section address.

The Civil Society Contact Group (CSCG) unites NGOs based on different interests. Currently, there are eight sectors related to culture, the environment, education, development, human rights, public health, social issue, and women's rights.² This group plays an important role in bringing similar NGOs together, increasing the amount of potential influence these groups can have on EU policy-making. However, there is still room for improvement within the CSCG and addressing these improvements is essential to empowering European citizens.

¹ European Ombudsman. <http://www.ombudsman.europa.eu/home.faces>. Accessed March 2, 2013

² EU Civil Society Contact Group. <http://www.act4europe.org/code/en/default.asp>. Accessed March 2, 2013

Connecting with Civil Society Through Institutions: The Transparency Register and the European Ombudsman

By **Stephanie Loh**

Issue

Sensing the lack of legitimacy and accountability that citizens feel towards the European Union, the EU has initiated different measures to address the problem of the democratic deficit. Two such measures come in the form of the Transparency Register and the European Ombudsman. The formation of the Transparency Register reflects the strong desire of the EU policy-makers to increase their visibility to European citizens. Through the Transparency Register, policy-makers aspire to maintain an open dialogue with representative associations and civil society. This is of high importance because transparency at the EU decision and policy-making level is a vital ingredient that enhances democracy, which in turn will reduce the issue of the democratic deficit in the EU.

On the other hand, the European Ombudsman is empowered by the Maastricht Treaty to “receive complaints from any citizens of the Union or any natural or legal person residing or having its registered office in a member state concerning instances of maladministration in the activities of the community institutions or bodies.”¹ Thus the establishment of the European Ombudsman allows EU citizens to exercise one of their democratic rights—the right to have their complaints heard by officials. When citizens are able to exercise this right to have their complaints heard, they are providing valuable inputs and criticism regarding EU governance. This in turn can be an effective approach for addressing the issue of a democratic deficit.

Though the Transparency Register and the European Ombudsman can be two useful tools in reducing the EU democratic deficit, there are some challenging issues related to both the Transparency Register and the European Ombudsman that require immediate action. This chapter explores some of these issues at stake that may threaten the integrity and effectiveness of both the

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Transparency Register and the European Ombudsman, and proposes a series of recommendations that may aid in alleviating the EU democratic deficit.

Regarding the Transparency Register, the debate on a mandatory versus a voluntary registration of various lobbying actors at the EU decision-making and policy-making level has entered its fourth year, with minimal signs of a cool down. This debate is closely related to the transparency level of EU institutions because EU citizens have a right to know what, who, and how different individuals and organizations are influencing EU policies, which will in turn affect their daily lives. If EU citizens are unable to exercise this right effectively, then this can create a lack of transparency, which in the long run may perpetuate the EU's democratic deficit.

Besides that, for all organizations and individuals who are currently registered with the Transparency Register, each is required to submit and update a set of information online. The information required concerns the finances of the respective organizations and individuals, their clientele information, and the main legislative areas covered by these organizations and/or individuals.² However, there are a number of disparities and inaccuracies in the required information, especially in the financial information submitted by each registrant. This complicates the aspiration of maintaining a true practice of transparency within the EU. The current Transparency Register separates potential registrants into three categories, of which each group of registrants is required to submit different financial disclosures.³ This creates a divide between registrants which further undermines the credibility of the Register in its attempt to make the lobbying scene in the EU more transparent to EU citizens. Deterioration in transparency will mean a reduction of the legitimacy of EU institutions in the eyes of EU citizens.

As mentioned earlier, aside from the Transparency Register, the European Ombudsman is another measure undertaken by the EU to mitigate a democratic deficit and it has been established for almost two decades. However, the European Ombudsman is at risk of being unable to play his or her role effectively for two reasons: one, EU citizens still lack knowledge of the exact role and nature of the European Ombudsman relative to other institutions. Secondly, many European citizens lack a healthy interest in the European Ombudsman. Both these reasons reflect the current state of citizens in the newer and mostly CEE member states. If EU citizens, regardless of whether they reside in the older or newer member states, are unclear of what the European Ombudsman can do for them and continue to exhibit a lack of interest in the European Ombudsman, this means that EU citizens will lose a valuable medium of access to the EU. As a consequence, the EU will miss out on a variety of valuable inputs from EU citizens, exacerbating the democratic deficit.

Background

Transparency Register

In 2010, the Commission and the Parliament agreed to launch a common register known as the Transparency Register. It is built on the Register of Interest Representatives which the European Commission set up in June 2008 as an outcome of the European Transparency Initiative.⁴ The joint register was the result of lengthy negotiations between the Commission and MEPs. While a majority of Parliament favored a mandatory system with comprehensive disclosure, the Commission was unwilling to go much beyond the terms of its existing register. The outcome was a compromise that maintained the voluntary approach with a few new elements.

Under the new Transparency Register, all actors, as individuals or as groups, “involved in activities carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions” are expected to register.⁵ There are no privileges per se attached to registration, but those who do register will receive two helpful benefits:

- Registered organizations and individuals will receive email alerts from the Commission when the Commission launches a new roadmap or carries out public consultations in the field in which the registrant has indicated an interest for. Any contributions made by the registered organizations and individuals and received by the Commission will be listed and published in order to enhance transparency.⁶
- Fast track access cards to the European Parliament’s buildings will be available or issued to registered organizations and individuals that fall within the scope of the Transparency Register. However, registration does not confer automatic entitlement to such a card.⁷

Currently, the number of registered organizations and individuals stands at 5,550.⁸ In June 2012, the Alliance for Lobbying and Ethics Regulation (ALTER-EU) published a report stating that some major players in the field of various interest representations, such as law firms and major business interests, continue to be missing.⁹ These unlisted lobbies include Brussels-based large law firms such as Covington & Burling, financial lobbies such as the Futures and Options Association (FOA), drug companies such as Abbott Laboratories and large agribusiness corporations such as Heinz. As these missing lobbies potentially yield a certain degree of influence at the EU decision and policy-making level and not having them on the register alludes to lobbying-in-the-dark, and thus points to another aspect of a lack of transparency within the EU.

The registration of various lobbying actors is seen as an important step towards increasing transparency within the EU. This is because through such a registration, EU citizens will gain the

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knowledge of what, who and how different individuals and organizations are influencing EU policies. However, due to the voluntary nature of this lobbyists' registration, it indirectly implies that the Transparency Register is not as transparent as it claims to be. To ensure perfect transparency, all concerned firms, organizations and individuals should register with the Transparency Register. It is only when all organizations and individuals are mandated to be a part of the Register that EU citizens will be able to find out and identify what is happening and who is influencing decision- and policy-making at the EU level. A greater transparency thus translates into an improvement of EU citizens' trust for the legitimacy of EU institutions.

As mentioned, all organizations and individuals that are registered with the Transparency Register are required to submit and update a set of information as set forth in the Code of Conduct.¹⁰ However, ALTER-EU exposed a series of discrepancies in the information provided by the registrants of the Transparency. First, there is an issue of under-reporting of the number of lobbyists by the registrants. This is evident in the fact that some registrants actually reported having fewer lobbyists than they have EP access passes. A perfect case of this would be the Association of European Airlines, who claimed to have 1.5 lobbyists. Though in reality, this association holds a total of three EP fast-track access passes.¹¹ Similarly, BP has seven accredited lobbyists but reports only having five lobbyists to the Register.¹² Such scenarios occur precisely because of the voluntary nature of the current Register which does not mandate the registration of the individual lobbyists working for various EU-lobbying groups and organizations.

Second, registered law firms and consultants are required to provide a full list of clients for whom they lobby and disclose the amount spent on lobbying for each of their clients.¹³ In reality, some have managed to evade this requirement by either leaving the client's field blank or giving redundant answers on the online submission form. For example in 2012, the law firm White & Case LLP, a big player in lobbying, entered the following statement in the field intended for disclosing clients lobbied for: "All client information is confidential and protected by bar rules and regulations."¹⁴ This is clearly a violation of the Code of Conduct, which states that registrants shall specify the clients they represent, as well as ensuring that, to the best of their knowledge, information they provide upon registration is complete.¹⁵

Third, some information provided by the registrants is more than two years old. ALTER-EU reports that they found no less than 62 entries where financial information was provided by the registrants over two years ago.¹⁶ Even a random spot-check conducted on February 2, 2013 found that registrants such as British Airways, European Consulting Brussels and Whirlpool Europe S.r.l.

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had not updated their financial information since the fiscal year of 2010. It is thus evident that these registrants have failed to update their declarations whenever there has been a significant change or at least once a year, as required from them by the Register. Up-to-date and accurate information is of high importance because it helps EU citizens keep track of and better understand how someone or some organizations are using their resources in influencing policy outputs. The existence of such informational discrepancies and inaccuracies therefore causes EU citizens to question the level of transparency that they are entitled to and at the same time, reflects badly on the Transparency Register as well as on the credibility of the whole EU system.

The Transparency Register groups the applicants under three different categories based on differences in terms of financial disclosures. Each category is as follows:¹⁷

- **Professional consultancies/law firms/self-employed consultants:** Details must be given of the turnover attributable to the activities falling within the scope of the Register, as well as the relative weight attaching to their clients according to the following grid:

Turnover in Euros	Bracket size in Euros
0 -499,999	50,000
500,000 —1,000,000	100,000
> 1,000,000	250,000

- **In-house lobbyists and trade/professional associations:** An estimate must be given of the cost of activities falling within the scope of the register.
- **Non-governmental organizations, think tanks, research and academic institutions; organizations representing churches and religious communities; organizations representing local, regional and municipal authorities, other public or mixed entities, etc:** The overall budget must be specified, together with a breakdown of the main sources of funding.

At first glance, there seems to be nothing wrong with this measure. But such categorization should not exist because citizens have a right to know exactly how much each registrant is spending on lobbying activities at the EU level, as well as where their main sources of funding are, regardless of the category the group or individual falls under.

In June 2011, the current European Commissioner for Inter-Institutional Relations and Administration, Mr. Maroš Šefčovič, claimed that “We are very serious about verifying all financial disclosures. This is very important for the credibility of the register.”¹⁸ In practice however, as the

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Transparency Register's current financial disclosure requirement does not demand for a comprehensive disclosure, there is a distinct possibility that EU citizens will not be able to learn the true amount of financial resources being mobilized by a myriad of lobbying actors, thus raising doubts on transparency. Not only will this shatter the credibility of the Register, it will also not help solve the EU's democratic deficit as transparency is a central concern in the realm of a democratic civil society.

European Ombudsman

The European Ombudsman is another measure created by the EU to address its democratic deficit. Although first proposed by the Legal Affairs Committee of the European Parliament in May 1979, the actual establishment of an ombudsman as an institution for the European Union came only after the signing of the Maastricht Treaty.¹⁹ The European Parliament elects the European Ombudsman for a renewable five-year term.²⁰ Based in Strasbourg, the current European Ombudsman is Mr. Nikiforos Diamandouros. A former Ombudsman in Greece, he was first elected into office in April 2003 and was re-elected in 2010.

Today this position within the European Union is seen as an integral part of gathering citizen input for the EU regarding maladministration, which the Ombudsman defines as a failure "to respect fundamental rights, legal rules or principles, or the principles of good administration."²¹ The European Ombudsman describes his job as investigating complaints about maladministration in institutions, bodies, offices and agencies of the European Union.²² This means that the Ombudsman does not investigate complaints relating to national, regional or local authorities in the individual member states, even when the complaints are related to EU matters. He also does not investigate the activities of national courts or other ombudsmen, as well as complaints against business or private individuals.²³ Some examples of valid complaints to the European Ombudsman are those concerning administrative irregularities, unfairness, discrimination and abuse of power. Every citizen of the EU or resident of a member state is eligible to procure the service of the European Ombudsman via three methods—mail, fax or email. This makes the European Ombudsman one of the primary channels through which EU citizens can have access to the EU government by providing their inputs and criticisms.

Despite that, a body of evidence suggests that the European Ombudsman is unable to play its role effectively in the EU because EU citizens do not understand the position of the Ombudsman relative to other institutions, such as the national and regional Ombudsmen and the European Parliament Committee of Petition. This is first evidenced by the number of complaints which the

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Ombudsman has to redirect or reject solely on grounds that the complainants are petitioning the wrong office. In 2011, for example, in 76% of the cases examined by the Ombudsman advice was given or the case was transferred. Of these transferred cases, 47% went to either a national or regional ombudsman or to the European Parliament Committee on Petitions.²⁴ Another 11% of these complaints were also transferred to the European Commission.²⁵ Much of the confusion for citizens was separating which complaints should be directed to local or national ombudsmen and institutions and which complaints dealt with supranational, EU-wide issues which are handled by the European Ombudsman.

Furthermore, in a special Eurobarometer survey conducted at the request of the European Parliament and the European Ombudsman in 2011 approximately half of the survey respondents (that is 48% out of 26,836 respondents) said that they are not interested in knowing the responsibilities of the European Ombudsman.²⁶ Figure 1 on the following page shows and compares the individual statistics for the member states in this special Eurobarometer survey²⁷:

The European Union average for this survey is 49%. However, looking at individual statistics from member states, it is only in 11 member states that at least half of the respondents say they are interested in learning more about the European Ombudsman.²⁸ This means that in the remaining sixteen EU member states, more than half of the respondents continue to exhibit a lack of interest in knowing the responsibilities of the European Ombudsman. For example, in the newer member states countries such as Bulgaria, Czech Republic, Latvia and Slovakia, only 34%, 39%, 30% and 21% respectively, of people surveyed declared an interest in knowing the responsibilities of the European Ombudsman respectively. This lack of interest among EU citizens in the European Ombudsman implies two issues—that EU citizens are unaware that they have access to the EU institutions that are capable of making a difference at the EU level through the European Ombudsman, and that the democratic deficit is not just a passing stage.

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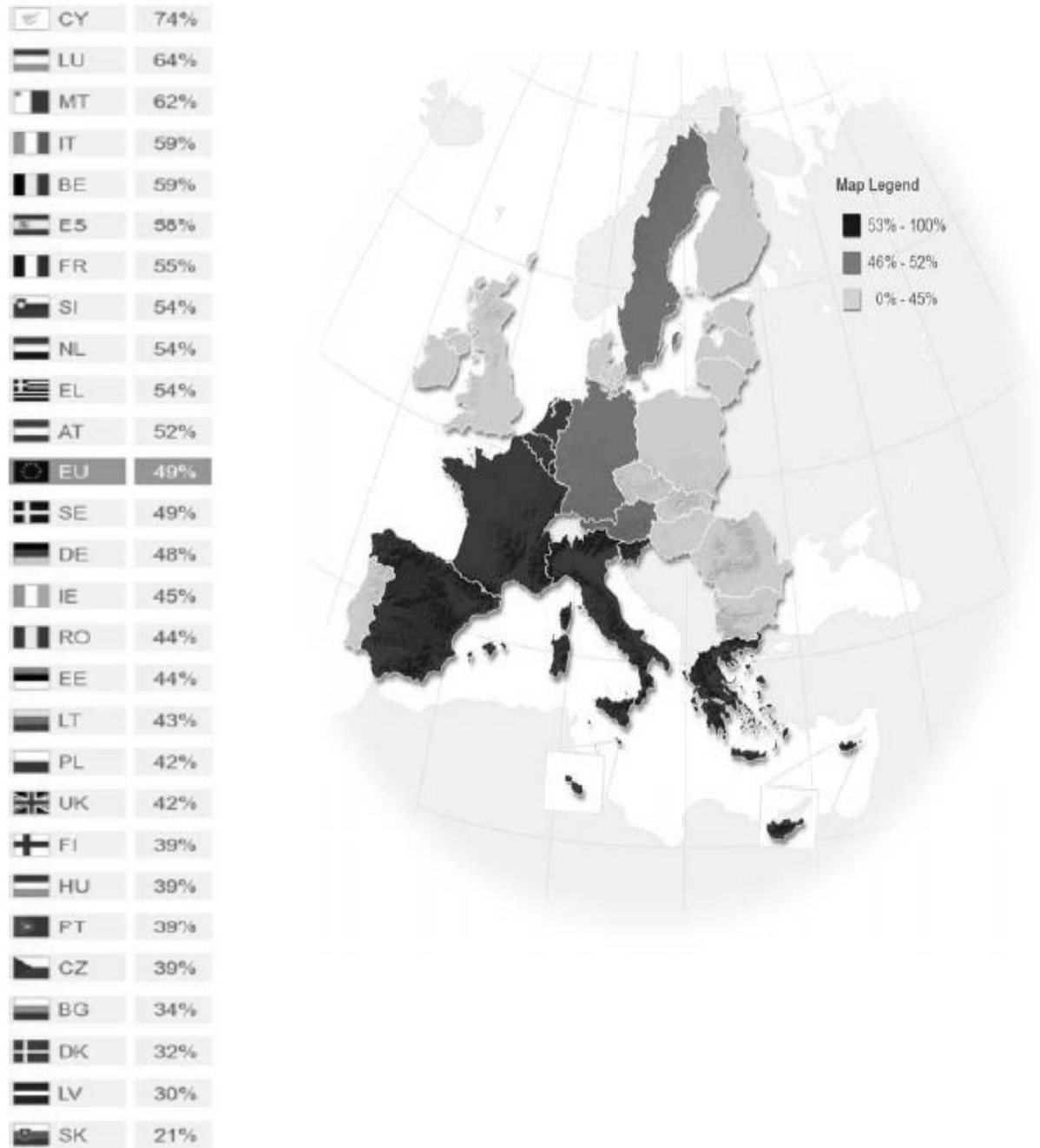


Figure 1: Distribution of Respondents who answered “Total Interest” to the Question: How Interested Are You Personally to Get Informed about the Responsibilities of the European Ombudsman?

Options

Transparency Register

There are two clear options available which would enlarge transparency and subsequently reduce the current democratic deficit in the EU. First, registration with the Register should be made mandatory for all organizations and individuals who intend to continue their direct and indirect pursuits of influencing the formulation of EU policies. This idea of having a mandatory registration for lobbying groups in the EU has already received strong support from the European Parliament.²⁹ The European Commission, on the other hand, continues to be on the fence about the issue, although the first annual report of the Joint Transparency Register seems to suggest that the Commission would reconsider its stand.³⁰ Mandatory lobbying registrations in the U.S. and Canada, for example, have shown that having a mandatory registration of lobby groups has effectively reassured the public that lobbyists are not able to have improper influence on the political system.³¹ This transparency will then result in increased accountability in the EU political system.

Should the move towards a mandatory registration materialize, the current transparency requirements will be largely insufficient. Thus, some adjustments will be needed. First under-reporting of the number of lobbyists by the registrants needs to be eradicated. Instead, registrants should disclose the full name of each person in the organization. These names will be found on the Parliament's fast-track access cards given to those who are registered with the Register. Upon access to the Parliament, the identity of the access-card owner can be verified. This will help the Register keep track of the number of lobbyists that are reported to the Register. This approach will give a realistic picture of the registrants' lobbying capacities and activities.

As for clientele information disclosure, there are two ways to ensure that all consultancies and law firms comply fully with this requirement. The Register can implement a system of regular checks on the registrations of every registrant. When a consultancy or a law firm is found to be unable to provide its clientele information to the Register, the concerned consultancy or law firm will face suspension from the register and all Parliamentary fast-track access cards in their possession withdrawn. The loss of this access-card means that the consultancy or law firm will lose the ability to engage in lobbying activities for their clients and this certainly is not a desirable outcome for the concerned consultancy or law firm.

This system of regular checks will also help tackle the problem of the provision of outdated information, especially financial information. It is important that all lobby expenses refer to the

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most recent calendar year so that citizens will be able to find out how financial resources are mobilized by current lobby actors. Therefore, conducting a regular check on the information submitted can ensure that all information, especially financial information, supplied by the registrants is not only accurate but also up-to-date. The Register can also enforce a new requirement for all registrants: registrations must be updated twice a year, on fixed and publicly known dates, in order to improve transparency and compliance. Any organizations and individuals who fail to do so will also risk having their registration suspended and their fast-track access cards to the Parliament withdrawn.

Besides that, the Register can also engage the help of citizens to ensure that all information is updated by the registrants. This can be done by setting up a complaint mechanism through which any citizen who found any form discrepancies or inaccuracies while browsing the Register's website to alert the Register via emails, fax or an online complaint center. This engagement of citizens will reflect the most basic and practical tenet of democracy—participation of citizens.

Ideally, there should also be a uniform financial disclosure submitted by the different categories of registrants. A level playing field should be created and maintained so that all organizations and individuals submit identical financial information to the Register including, but not limited to, annual budgets, annual turnover, and a comprehensive breakdown of funding sources. This will allow the EU public to keep track of how different organizations and individuals are using their resources in lobbying activities at the EU level.

An opposing option to a mandatory registration (with all the necessary changes mentioned above fully administered) is to maintain the system that is already in place. Registration will remain voluntary and no changes and amendments need to be implemented. Those who are registered can continue to reap the advantages of being registered, i.e. holding fast-track access cards to the Parliament. Since voluntary registration continues to be in effect, the Register shall continue to expect the registrants to update information on their own. A caveat to this is that self-regulation will never be taken seriously by the general public since an independent oversight authority is critical for matters of public credibility.³² All of this will cause a low level of transparency to continue plaguing the EU lobbying mechanism, which will jeopardize and reduce the legitimacy of EU institutions among citizens.

European Ombudsman

The European Ombudsman is one of the useful and visible mediums available for EU civil society to use to relay their input to EU decision-makers. The input from EU citizens is the

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manifestation of civic participation—a basic feature of democracy. The provision of civic inputs has the potential to aid the mitigation of an EU democratic deficit. However, EU citizens are not aware that the European Ombudsman can be used as a means for them to submit their opinions and criticisms. One available option to solve this problem is to engage citizens via a campaign to increase their awareness, knowledge, and interest in the roles of the national, regional and European Ombudsmen. This campaign will focus on a series of advertising and marketing approaches using both traditional and social media. Advertising the responsibilities and roles of the European Ombudsmen via traditional media such as newspapers, magazines, radio and television can be implemented continuously, especially in the newer member states of the EU since social media penetration is considerably lower in those member states.³³ In light of the 2014 EU elections, this advertising and marketing campaign can also use this occasion to potentially generate a certain degree of newsworthiness for the European Ombudsmen in order to attract journalists' coverage. Therefore, traditional media remains a strong and effective tool for the European Ombudsman to reach out to a wider EU public.

This campaign should not be a one-sided affair but instead, the national and regional ombudsmen should be actively engaged in providing citizens with the essential knowledge about the roles of all three of these ombudsmen institutions. For example, in 2011 the European Ombudsmen attended a seminar to meet and discuss with members of the European Network of Ombudsmen to discover better ways to inform citizens throughout Europe of their rights. More cooperation along this line should be conducted—frequent meetings should be held between these ombudsmen institutions in any given year. Using the latest communication technology such as Skype, frequent meetings and seminars between the ombudsmen can be conducted without having to gather them all together at one geographical location. Skype-conferencing makes frequent meetings cost-efficient, while significantly reducing travel time for all the ombudsmen. When the European Ombudsman is able to work closely with his national and regional counterparts, he/she essentially creates a strong network of ombudsmen from which significant benefits can be reaped. For example, the national and regional ombudsmen have often established strong rapports with national and regional traditional media with which the European Ombudsman can utilize for his or her advertising and marketing campaign.

Besides that, the European Ombudsman can also set up a “one-stop shop solution”. This “one-stop shop solution” essentially calls for the establishment of a single trans-EU telephone number that is provided at no extra cost for EU citizens, a concept similar to the 1-800 toll-free number used by different organizations and businesses in the United States.³⁴ Potential users of any

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of the ombudsmen institutions can dial this specific number directly and be connected to an operator who can guide them to the right ombudsman, thereby saving them effort, energy and time in trying to find out the relevant information. As of now, the European Ombudsman is also reachable via telephone, but this one-stop approach would be more effective because it will direct the users to the right ombudsman without much hassle.

Setting up such a telephone system across 27 structurally and geographically different member states can be a daunting task. However, an example illustrates that this option is completely functional -- Europe Direct³⁵. Europe Direct operates a free phone number that allows anyone within the EU, as well as those who have questions about the EU, to call. Based on the available expertise from this Europe Direct model, it is possible to build a similar model for the European Ombudsman. Together with the interactive and informative website that the European Ombudsman currently utilizes, this combination can potentially yield significant results and improvements.

There are two concerns related to this option: the training of at least 27 telephone operators for the 27 member states in the EU and the scale of this project. These telephone operators should ideally be well-informed about the roles and scopes of the different ombudsmen institutions. This is significant because they will be the ones referring EU citizens to the right ombudsman. By no means is the training of at least 27 telephone operators an easy task but proper training and preparation can ensure that they will be able to function effectively. The scale of this one-stop-shop-approach is massive, covering 27 different member states and involving at least 27 different languages. There is a probability that this large project can drain financial and human resources from the office of the European Ombudsman and the EU. But by extracting and borrowing the expertise and past experiences from Europe Direct, the creation of a single trans-EU telephone number for the European Ombudsman can materialize properly without exerting extreme pressure on both the European Ombudsman and the EU.

A final option would be for the EU to not employ additional resources to make any changes to the existing European Ombudsman institution. Rather, resources should be channeled into current efforts that are aimed at restructuring and clarifying the roles and operations of other existing EU institutions as to make them more accessible and less confusing to the general public of the EU. The European Ombudsman would not need to be the primary channel of access for the people of EU to provide their inputs to the EU government. Hence, should this option be implemented, it will result in a decrease in incorrect submission of complaints to the European

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Ombudsman without having to pressure on the EU budget. There is a risk associated with this option—the EU public may overlook the significance of the European Ombudsman.

Recommendations

For the Transparency Register

- Registration should be made mandatory for all organizations and individuals intending to influence decision- and policy-making at the EU level.
- Create a level playing field within the organizations or people using the Register - i.e. all registered organizations and individuals should submit identical information. This required information shall include the full annual budget, annual turnover, amount of EU funding, clientele disclosure, as well as the scope or areas of EU policies that are of interest to the registrant.
- Require the Register to conduct frequent checks to verify the accuracy of information provided by the registrants. Also, devise a complaint mechanism so that any EU citizen can alert the Register whenever he/she identifies wrong and outdated information being submitted.

For the European Ombudsman

- Launch a campaign to inform and educate citizens about the roles of the national, regional and European Ombudsmen. Engage the national and regional ombudsmen in this campaign so that citizens can distinguish the differences between these three Ombudsman organizations effectively.
- Set up a one-stop call center specifically for potential users of any of the ombudsman institutions (European, national and regional Ombudsmen). This enables potential users from across the EU to be directed to the right ombudsman to help them with their complaints.

¹ P. Nikiforos Diamandouros, Introduction to *The European Ombudsman: Origins, Establishment and Evolution*. (Luxembourg: Office for Official Publications of the European Communities, 2005), 1.

²Transparency Register. Official FAQ. Joint Transparency Register Secretariat. 2012. Accessed February 2, 2013.

³Transparency Register. Part B of 2 to the Financial Agreement. Pdf. http://europa.eu/transparency-register/pdf/annex-2b_en.pdf Accessed February 2, 2013.

⁴Text of the European Parliament and European Commission joint agreement on a Transparency Register. Interinstitutional Agreement. July 22, 2011. Accessed February 2, 2013.

⁵Ibid.

⁶Transparency Register. Official FAQ. Joint Transparency Register Secretariat. 2012. Accessed February 2, 2013.

⁷Ibid.

⁸Transparency Register, Statistics for the Transparency Register.

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<http://ec.europa.eu/transparencyregister/public/consultation/statistics.do?action=prepareView&locale=en#en><http://ec.europa.eu/transparencyregister/public/consultation/statistics.do?locale=en&action=prepareView>. Accessed February 24, 2013.

⁹Dodgy Data: Time to fix the EU's Transparency Register. The Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU), June 2012. <http://www.alter-eu.org/documents/2012/06/dodgy-data> Accessed February 2, 2013.

¹⁰TransparencyRegister, Code of Conduct. http://europa.eu/transparency-register/about-register/code-of-conduct/index_en.htm. Accessed February 2, 2013.

¹¹Dodgy Data: Time to fix the EU's Transparency Register. The Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU), June 2012. <http://www.alter-eu.org/documents/2012/06/dodgy-data> Accessed February 2, 2013.

¹²Ibid

¹³Ibid

¹⁴Ibid. As of February 27, 2013, however, White and Case LLP is found to be no longer registered with the Transparency Register.

¹⁵Transparency Register, Code of Conduct. http://europa.eu/transparency-register/about-register/code-of-conduct/index_en.htm. Accessed February 2, 2013.

¹⁶Dodgy Data: Time to fix the EU's Transparency Register. The Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU), June 2012. <http://www.alter-eu.org/documents/2012/06/dodgy-data> Accessed February 2, 2013. A random check conducted on February 2, 2013 found that British Airways, European Consulting Brussels and Whirlpool Europe S.r.l. have not updated their financial information since the fiscal year of 2010.

¹⁷Transparency Register. Part B of 2 to the Financial Agreement. Available: http://europa.eu/transparency-register/pdf/annex-2b_en.pdf Accessed February 2, 2013.

¹⁸Quoted in p. 23 of Parliament Magazine. http://ec.europa.eu/commission_2010-2014/sefcovic/documents/022-025_parliament_27_june.pdf. Accessed February 2, 2013

¹⁹ Hans Gammeltoft-Hansen, "Trends Leading to the Establishment of the European Ombudsman." In *The Ombudsman: Origins, Establishment and Evolution*. (Luxembourg: Office for Official Publications of the European Communities, 2005), 14.

²⁰ Europa.eu: How the EU Works: Institutions and bodies —European Ombudsman. Available: http://europa.eu/about-eu/institutions-bodies/ombudsman/index_en.htm . 2013. Accessed February 2, 2013.

²¹ Problems with the EU? Who Can Help You? European Ombudsman. p. 5. 2011. Available: <http://www.ombudsman.europa.eu/atyourservice/whocanhelpyou.faces#/page/4> Accessed February 2, 2013.

²²Ibid

²³Ibid

²⁴ Annual Report 2011. European Ombudsman. 2011. Available: <http://www.ombudsman.europa.eu/activities/annualreports.faces>

²⁵Ibid.

²⁶ Special Eurobarometer Report: European Ombudsman. 2011. p. 10. http://www.ombudsman.europa.eu/en/press/statistics/eb751_eb_report.faces Accessed February 2, 2013.

In contrast only 49 percent of the respondents said that they are interested in knowing more about what the European Ombudsman does. Another 3 percent of the respondents replied "Don't know."

²⁷Special Eurobarometer Report: European Ombudsman. 2011. p. 11. http://www.ombudsman.europa.eu/en/press/statistics/eb751_eb_report.faces Accessed February 2, 2013.

²⁸Ibid

²⁹New EU Register to go Online in June. Published May 11, 2011.Updated May 18, 2011. Available: <http://www.euractiv.com/pa/new-eu-lobby-register-go-online-news-504751> Accessed February 2, 2013.

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³⁰Annual Report on the Operations of the Transparency Register. 2012. Available: http://europa.eu/transparency-register/about-register/official-documents/reports-and-publication/index_en.htm Accessed February 2, 2013.

³¹Raj Chari and Gary Murphy, "Examining and Accessing the Regulation of Lobbyists in Canada, US and the EU." pg. 51. 2007. Available: <http://www.environ.ie/en/LocalGovernment/LocalGovernmentAdministration/StandardsinPublicLife/PublicationsDocuments/FileDownload.14572.en.pdf>. Accessed February 2, 2013.

³²Steven Billet, "The Theologies of Transparency in Europe: The Limits and Possibilities of Fusion in the EU Transparency Regime", *Journal of Public Affairs*, 7 (4), (2007): 319-330. 2007. Available: <http://onlinelibrary.wiley.com.offcampus.lib.washington.edu/doi/10.1002/pa.271/pdf>. Accessed February 2, 2013.

³³Internet World Stats: Usage and Population Statistics. Available: <http://www.internetworldstats.com/europa.htm>. Accessed February 2, 2013.

³⁴A similar idea was proposed by the European Ombudsman himself as early as 2005 in "*The European Ombudsman: Origins, Establishment and Evolution*"

³⁵Europe Direct. Available: http://europa.eu/europedirect/call_us/index_en.htm. Accessed February 2, 2013. This specific website informs visitors about the telephone service provided by Europe Direct. Information provided includes how to call Europe Direct, the hours of operation etc.

Bridging the Democratic Deficit: The Role of Lobbying and Interest Groups

By Sarah Kantonen

Issue

European civil society needs to integrate the collective interests of all stakeholders outside of its political institutions. Therefore, lobbying and interest groups play an important role in democratic participation. EU citizens, however, have expressed concern that influence of interest groups is unevenly distributed with well-endowed and connected groups gaining more access over resource poor groups that represent marginalized social interests.¹ The underlying issues behind the democratic deficit and the questioning of procedural legitimacy within the EU, stem from the absence of a European demos and the structure of its institutions.

The democratic process at European level--even more so than at the national level--must provide a range of participatory structures in which all citizens, with their different identities and in accordance with their different identity criteria, can be represented, and which reflect the heterogeneous nature of the European identity.²

However, within this context, the strength and diversity of interest groups within EU civil society helps redeem its accountability and procedural legitimacy by reducing structural barriers to citizen involvement, encouraging debate, and strengthening influence on decision-making.³

For the purpose of this chapter, the terms “lobbying” and “interest groups” will be used interchangeably, where lobbying is defined as the “attempted or successful influencing of legislative-administrative decisions made by public authorities through the use of interested representatives.”⁴ A lobbyist is an individual that seeks to influence policy, but does not seek to be elected.⁵ Currently, there are several hurdles facing lobbying and interest groups, which impede the EU’s ability to move towards a new chapter of legitimacy and should be addressed if there is any hope in forming what can be considered “a healthy interest group ecology.”⁶ This chapter will focus on three of the critical issues that currently impact the capabilities of interest groups to uphold the importance of civic participation, maintain the EU’s accountability, and support its democratic legitimacy. First, the shortfalls of the current systems for measurement obfuscate our understanding of the extent of influence that interest groups have in decision-making. While

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dramatic progress has been made in some areas of research on interest groups, other topics have either been ignored or have been the subject of inconclusive studies due to a lack of resources for conducting a comprehensive investigation.⁷ A second issue of concern is the asymmetry of information given to policy-makers and the effects of resource discrepancies amongst various interest groups in determining both the outcomes of policy as well as, how these groups impede fair and open democracy. Finally, the deficiency in representativeness and accountability by both interest groups and politicians has permitted various scandals and other loopholes to remain unseen. One of the most publically criticized characteristics of interest groups is the lack of transparency between actors who are influencing policy and EU officials. These weaknesses, however, can be largely attributed to the limited or vague regulations that are in place to normalize these interactions. After exploring these three issues in depth, this chapter will conclude with a proposed set of policy recommendations to be implemented by associated institutions and actors as a means of regulating this area of civil society and beginning to bridge the democratic deficit that has been chipping away at the EU's legitimacy.

Background

Measuring Influence

To understand the impact of interest group lobbying, further exploration of today's systems for measuring influence is necessary as a means to shed light on the current deficits that often categorize this specific field of research. Baumgartner and Leech, scholars well-known for examining the methodological and conceptual problems that have beset this field, single out interest group studies by citing a review from the early 1980s:

Interest groups also seem to have attracted relatively little scholarly attention given their presumed importance. Here, surprisingly, the field is theory rich and data poor...there are relatively few empirical studies of how various groups operate politically.⁸

In the years since this review, a resurgence in the study of interest groups has transformed the field through hundreds of projects that collected data on specific groups and their lobbying activities.⁹ However, despite this vast outpouring of scholarly energy, it seems the wealth of available theories continues to outweigh viable explanations for policy outcomes or quantifiable measurements of influence. Additionally, the growing number of groups that actively lobby decision-makers has further increased the importance of understanding influence for the purposes of "explaining and normatively evaluating policy-making."¹⁰ Though the issue of influence should

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not be neglected when considering the impacts on the democratic process, contemporary studies that attempt to measure influence have been obstructed by direct and indirect complexities such as the existence of different channels of influence; the occurrence of counteractive lobbying; and the influence that can be wielded at different stages of the policy process.¹¹ In addition, the difficulties of measuring influence are magnified due to the lack of a unit of measurement or practical means for providing simple influence rankings that can be understood by everyone from EU officials to the average European citizen.¹²

Two recent studies shed light on the existing processes for measuring influence and their drawbacks. Andreas Dür, a PhD and lecturer in the School of Politics and International Relations at University College Dublin, compares three broad methodological approaches, process-tracing, assessing attributed influence, and gauging the degree of preference attainment. He also presents his own alternative called 'methodological triangulation.'¹³ In contrast, Heike Klüver, a PhD and junior professor at the Department of Politics and Public Administration at University of Konstanz, uses Dür's findings as a stepping stone to introduce a new methodological approach, which is a large-scale measurement of interest group influence. The exploration of these studies provides a basis for analyzing how we may be able to improve on the current approaches to measurement.¹⁴ For the purpose of this chapter, an in depth explanation of the technicalities behind each approach will not be discussed; instead it will focus on the subsequent findings pertaining to the research including general drawbacks of each method. Klüver's analysis of the results from influence measuring techniques has been described as follows:

Although process-tracing provides high internal validity and is proficient for checking rival theories and generating new hypotheses, it is limited to the analysis of one or just a few policy issues. The attributed influence method draws either on the self-evaluation of interest groups or on the assessment of experts and can be applied to a large number of cases. However, it measures perceived rather than actual influence. The preference attainment approach compares the policy preferences of interest groups with the policy output in order to draw conclusions about the winners and losers of the decision-making process.¹⁵

The consensus is that the preference attainment approach is the most promising of the three methods since it provides an objective measurement, covers multiple channels of influence and can be applied to a large number of cases. However, a major problem associated with the preference attainment technique is how to measure policy preferences. Klüver's proposal for a new methodological approach also has drawbacks, but it can pave the way for more refined measurement systems in the future.

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After considering these separate studies, it is clear that the goal of measuring influence is more than presenting a mere quantitative number and should seek to eliminate inherent problems within these approaches. For example, methods for the measurement of influence mostly neglect the possibility that influence may be exercised through so many different channels. If researchers increased awareness by explaining the problems they encountered, future studies would exhibit lower levels of uncertainty in the findings and facilitate meta-analyses of many studies with more conclusive results. Therefore, this field of study will remain rich in theory until explicit discussion by researchers and scholars prompts new designs, whose approaches are cognizant of the various problems and biases of influence.

Asymmetry of Influence and Resources

The Commission, EP, and the role of lobbyists are evolving as the institutions are maturing and their power and influence further extends to national policies. While the groups have not always followed the democratic evolution of the EU, they have been actively involved in pushing the EU in new directions by following the latest opportunities for influence as they have presented themselves. As a result, a second more widely recognized issue surrounding interest groups is the asymmetry of influence between different groups and the effect this has on EU policy-makers. Historically, business and labor groups have been the most active interest groups because economic issues typically drove the process of integration.¹⁶ However, as the EU won new powers over “competition policy, mergers, and the movement of workers,” business and labor groups have made greater efforts to influence the Commission and the Council of Ministers.¹⁷ At the same time, the Commission has encouraged interest group activity for several reasons: it utilizes groups as a source of expert knowledge, to test the viability of new laws, and as a means to monitor the compliance by member states. Lobbying exists at all governance levels, so interest groups and lobbyists substantially impact policy outcomes from local to global levels, which can be observed across all stages of the European policy process. Interest groups influence agenda setting in the Commission, policy reformation in Parliament, ratification of regulations and directives of the Council, and the application of law in nation-states.¹⁸ It is for these reasons that many scholars assert that the EU relies more heavily on civil society actors than any other government in the world.

Therefore, the most effective lobbying organizations are those that produce valuable information and provide consultation to EU institutions. The direct exchange of information has made the Commission the primary target for consultation with lobbying groups because ideas and

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information are extracted from outside sources during the early stages of preparing legislative measures. Lobbying groups have enough influence during this phase to tilt legislative decision-making in their favor as officials rely so heavily on the information that the lobbyists provide. Lobbying in the EU is a controversial topic because the self-serving interest groups control the flow of information upon which decisions are made. Determining a coherent and straightforward answer for how and why asymmetry exists is by no means something that can be solved by a few studies due to the countless variables and groups that exist.

Asymmetry of influence is considered the driving force behind certain groups possessing better access and more representation at the institutional level of policy-making, as such interest representation is a central theme in contemporary debates among theorists concerning Europe's democratic deficit. Before outlining the methods of research and subsequent findings, it is important to note that officials of the Commission maintain almost as many contacts with interest organizations as with MEPs or officials in the Councils of the EU.¹⁹ As a method to explain lobbying successes and failures, scholars largely focus on the characteristics of individual interest groups such as the concentrated interest, actor type, or resource capabilities. In one study, Bandelow suggests that concentrated interests exert substantial influence over EU decision-making. He comes to the conclusion that large firms had substantial influence on policy outcomes in the EU. Other theories suggest that through greater resources, higher access is granted, which is a prerequisite to influencing policy-makers in the case of direct lobbying. Many studies that have focused on these characteristics have often come back with mixed results and inconclusive evidence. This can be attributed to the lack of a comprehensive process for measurement. The goals of the aforementioned studies have largely been to identify a concrete answer for why asymmetry exists within this area of civil society. Even though in the cases of actor type and resource capabilities, the evidence is inconclusive, there is a strong correlation between this topic of study and the democratic deficit.

Dr. Christine Mahoney, at Moynihan Institute of Global Affairs, suggests that policymaking processes in the EU often lead to more compromised conclusions than in the U.S., allowing all sides to achieve some of their goals.²⁰ However, it is recognized that these patterns are tendencies not absolutes, meaning other factors including the specific issue and interest group characteristics are needed to explain variations in lobbying success. Before turning to the issue-level factors and access patterns, examining a specific case in more detail can clarify some current criticisms the public has about the dominance of business interests. EU institutions are currently working on addressing the unbalanced interests of expert groups. The Commission relies on hundreds of

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“expert groups,” consultative bodies created by the Directorates Generals of the Commission, to advise the Commission on the preparation of legislative proposals and policy initiatives, the implementation of legislation, programs and existing Union policies, and the preparation of delegated acts.²¹ However, over the past few years, it was clear that business lobbyists dominated the Commission's advisory groups on a vast range of issues such as environmental pollution and consumer protection.

Research published by the Alliance for Lobbying Transparency and Ethics Regulation (ALTER-EU) reveals that two-thirds of the European Commission's Directorate General for Enterprise and Industry advisory groups were dominated by big business interests, with more than 480 big business representatives providing the Commission with advice.²² After the release of this information, the Parliament's budget committee blocked 15% of funding for the work of expert groups in November 2011 because of concerns over the lack of balanced interests.²³ The Parliament set four clear conditions to lift the reserve, namely around stakeholder balance, stopping lobbyists from sitting in on groups as independent experts, obligatory public calls for group membership and complete transparency. However, due to a lack of progress by the Commission, the Parliament reiterated its stance in both October 2011 and May 2012.²⁴ Acting in good faith, MEPs decided to lift the reserve in September 2012 upon an agreement with the Commission to rebalance problematic expert groups across all Directorate Generals, as well as enter into an informal dialogue to draw up guidelines for all new groups.²⁵

The academic community often embraces studies that compare interest groups who represent diffused interests versus those representing concentrated interests as a means of understanding lobbying successes and failures. Comparing groups who are well endowed in terms of resource capability against those that are poorly equipped is a fundamental area to consider. The goal of Ranier Eising's study on access patterns of business interests to the EU was to identify potential imbalances in the access of EU associations, large firms, and national associations to the EU institutions. Despite the assertion that the “evidence does not hint at the emergence of elite pluralism in the EU,” we can use this as a basis for understanding the construction of bias through these access patterns.²⁶ Preceding his study, Pieter Bouwen presented his starting hypothesis on access patterns, where he suggested that the “access goods” of interest organizations account for the access patterns: “The private actors who can provide the highest quantity and quality of the critical access good in the most efficient way will enjoy the highest degree of access to the EU institution.” Since measuring influence is rather problematic, instead of focusing on influence, Bouwen studies the access of business interests to the EU institutions involved in the legislative

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process. He compares three forms of organizations to support the claim that these types of organizations deliver different “access goods,” which are defined as being:

...goods provided by private actors to the EU institutions in order to gain access. Each access good concerns a specific kind of information that is important in the EU decision-making process. The criticality of an access good for the functioning of an EU institution determines the degree of access that the institution will grant to the private interest representatives.²⁷

Bouwen’s argument centers on the kind of information that these organizations can provide to the financial sector, or the demand side, and his conclusions depicted some interesting results. According to Bouwen, “not all private interests have the same capacity to provide access goods. The organizational form is the crucial variable for determining the kind of access goods that can be provided.”²⁸ Although these respective findings indicate the difficulty in targeting the levels of access and specific reasoning for inequity between groups due to the variables in lobbying activities, there have been clear cases for unequal access in terms of policy-making, especially within expert groups in the Commission.

Accountability and Representativeness: Interest groups and Politicians

The third issue, which remains elusive to tangible study but nevertheless is of high importance, surrounds the representativeness and accountability of both interest groups and politicians to the general population. As Saurugger points out, the accountability and representativeness of interest groups is a source of tension between actors and the EU institutions, namely the Commission.²⁹ The general population continues to voice criticism regarding the lack of information surrounding lobbyists who are active at the EU level. There are no disclosure requirements for lobbyists, signifying that information such as financial resources remain concealed and has added to the debate of legitimacy.³⁰ Many scholars well versed in this area of study make the point that no country in the EU, with the exception of Germany and the United Kingdom, has rules to govern lobbying. If we are to consider lobbying regulations in the context of the United States, it has been an issue since the 1940s both in the form of registration and limitations.³¹ In comparison, in most European countries special interest groups have been regulated to a far lesser extent. In a report titled “Regulating Lobbying: A Global Comparison,” which provides a comprehensive assessment of lobbying regulations around the globe, the term “regulations” for lobbyists is defined where “political systems have established rules, which lobby groups must follow when trying to influence government officials.”³² As an example, the most basic rule is that lobbyists have to register with the state before contact is made with public officials. Other lobbying regulations that have been put into place dictate that special interest groups have to

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indicate which public actors they intend to communicate with, that they provide the state with both individual and employer spending records, and that there has to be a publicly available list with lobbyists.³³

After considering these regulations, or the lack thereof in the EU context, it is clear that transparency is a central concern in this realm of civil society. Without regulation there remains “quite a big problem with the dark side of this natural part of the democratic decision-making processes: corruption.”³⁴ This cause for concern is not only on the side of the lobbyist, but as it stands, there is no single organization that can determine if an EU official has acted unethically. In order to demonstrate the magnitude of this issue, we can look at two recent cases. The first case discusses the widespread criticism regarding the “revolving door,” that is, when EU officials leave their job in the EU to only then begin working immediately for an industry or lobby firm in the same policy area they just left. The revolving door happens in reverse as well, when lobbyists begin working for EU institutions. In February 2013, the EU Ombudsman launched an investigation into Commission’s alleged failure to curb conflicts of interest via the revolving door. This investigation follows the mysterious resignation of former health Commissioner John Dalli in October 2012, over a tobacco lobby scandal. With this investigation, transparency campaigners will be granted access to the Commission’s list, to which they were previously denied, that indicates all revolving door cases over the last three years. A second case is the “cash for laws” scandal prompted by revelations in the *Sunday Times*, which offered bribes to several MEPs. *Sunday Times* journalists, posing as lobbyists, contacted around sixty MEPs and attempted to bribe them with offers of cash in return for postponing amendments to draft EU legislation. Of those contacted, four MEPs were accused of accepting bribes raising the question how the scandal would prompt the EP to reform its Rules of Procedure. This behavior can be accredited to the symbiotic relationship between EU officials and lobbyists, more often referred to as a resource-dependent relationship because most MEPs, assistants, and parliamentary policy advisors cannot imagine conducting their work without interest groups.³⁵ Lobbyists provide information and translate complex and technical information into brief digestible notes for the MEPs. Rasmussen (2011) quotes one policy advisor who affirmed:

We cannot do our work without the information from interest groups. They send us amendments and voting lists prior to the committee and plenary vote. Sometimes it is very tempting to copy and paste their amendments and voting lists. I mean we are all so busy in Parliament.³⁶

But neither time constraints, nor a resource dependent relationship, justify the necessity for these MEPs to agree to bribes from lobbyists.

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After some MEPs were caught accepting bribes, Jerzy Buzek, then-president of the European Parliament, started a process to set up an ethics code that the institution had been missing. In January 2012, the Code of Conduct for Members of Parliament with respect to financial interest and conflict entered into force. The Code implemented a tool that requires each MEP to submit a Declaration of Financial Interest (DoFI), which encompasses a number of elements, from previous occupations to income.³⁷ However, assessments show, since the Code entered into force, the DoFIs submitted by MEPs were inaccurate or seriously lacking in information. To illustrate these inaccuracies, figure 1 and figure 2 depict examples where the information provided was questionable or left empty; these sections are explained under article 4(2)(a) of the Code of Conduct:

The Member’s occupation(s) during the three-year period before he or she took up office with the Parliament, and his or her membership during that period of any boards or committees of companies, non- governmental organizations, associations or other bodies established in law.³⁸

Erhvervsarbejde eller deltagelse	Indtægtskategorier ¹			
	1	2	3	4
1. <i>Master of the univers</i>	X	X	X	X
2.				
3.				

Figure 1: Danish trans. English: “erhvervsarbejde eller deltagelse” - “occupation or membership,” and “indtægtskategorier” - “categories of income.”

Figure 1 is a portion of the DoFI submitted by Denmark’s Jens Rohde of Alliance of Liberals

and

Attività o partecipazione	Categorie di reddito ¹			
	1	2	3	4
1. <i>ATTIVITÀ 2006</i>				X
2. <i>PARTECIPAZIONE 2006</i>				X
3. <i>ATTIVITÀ 2007</i>				X
4. <i>PARTECIPAZIONE 2007</i>				X
5. <i>ATTIVITÀ 2008</i>				X
6. <i>PARTECIPAZIONE 2008</i>				X

Figure 2: Italian trans. English: “attività o partecipazione”- “activity or participation,” and “categorie di reddito”- “categories of income.”

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Democrats Party, who has been a MEP since 2009. He indicated that before taking office he was "Master of the Universe" with a monthly salary above €10,000 by marking past the highest income level.³⁹ Figure 2 is a portion of the DoFI submitted by Italy's Antonio Cancian of European People's Party, who has been a MEP since 2009. His responses are vague by simply stating "activity" and "participation" but not what the nature of his occupations was during these years.⁴⁰ In addition, Parliament recently returned to the debate over a loophole within the Code of Conduct that enabled lobbyists to fund MEPs' non-business-class flights and to pay for hotel accommodation of up to €300 a day without disclosure. The common denominator amongst all EU officials and lobby groups is the lack of regulation and thus accountability. Although launching the Transparency Register for lobbyists in 2010 and implementing a Code of Conduct for Parliament in 2012 have been fundamental steps for an otherwise regulation-free zone of the EU, more can be done to eliminate underlying issues between associated actors.

"What is lobbying" is an important question to answer from the lobbyist's perspective, as it leads to a deeper insight into civic influence in policy-making. From the EU lobbyist's perspective, the goal is influencing decisions made by legislators and officials in the government by individuals, other legislators, constituents, or advocacy groups. Over the last decade, academics, politicians, civil servants, business elites, and the European public have become concerned that lobbying in the EU "exacerbates issues of unequal access to political institutions and asymmetrical information provision."⁴¹ This problem is recognized by all sectors because the asymmetry of influence poses major risks to the EU's democratic legitimacy. In a 2012 presentation on the ethics of lobbying at Maastricht University, David Earnshaw, the CEO of the Brussels office of Burson Marsteller, highlighted this problem:

Politicians risk being absorbed by the lobbyists...In other words, politicians who are dependent on the lobbyists for their information risk favoring those interests. Here is also a risk of asymmetry, in that, obviously, groups with the biggest financial resources or brainpower can far better defend their cause than those who are spread out or badly organized. And then there is a risk for the image of democracy in the European Union.⁴²

His statement illustrates many of the current issues with lobbying such as measuring the influence certain groups have in comparison to others, enabling interest groups that lack the resources a means to intervene in the policy-making process, and especially, the accountability of politicians and lobby groups.

Options

Transparency Register Safeguards and Full Disclosure

In order to increase transparency by lobbyists, one option is to instate safeguards and full disclosure requirements to supplement a mandatory register. As mentioned in chapter seven, registration in the Transparency Register should be made compulsory. This would facilitate the assessment of asymmetry regarding access and influence by ensuring disclosure by all major actors. Over time, this would create a more complete and accurate picture of lobbying in Brussels, especially concerning corporate privileges and secrecy. To add another layer of controls and enhance a mandatory register, the Commission should establish safeguards against under reporting by lobbyists. The previous chapter identifies that the register would implement regular checks on registrations. However, significant enforcement of the rules to highlight any loopholes, while ensuring full disclosure by all actors, is also a meaningful addition to this option. Due to the subsequent changes, lobbyists would likely require guidance on disclosure requirements. A further option to address this aspect is to establish an advisory board by which lobbyists could voice their concerns or questions as a means to reduce the margin of error of disclosure and increase the credibility of information provided by the register. Moreover, the board could annually publish the names of lobbyists that have been found to be in breach of the rules as an accountability mechanism so that this can be transparent for public scrutiny.

When considering policy options to address accountability and representativeness, the major question posed is how to best regulate the lobbying process at the EU level in order to ensure transparency as well as equal and full access for the public. For this sector of civil of society, there is currently no uniform way of consulting all stakeholders in the EP. Instead, it is left to individual MEPs to decide how they want to consult lobby groups.⁴³ Therefore, the EU should focus on improving the lobbying consultation process. By prompting open and equal discussion of issues that prevent narrow-minded decision-making, all stakeholders would have a chance to present their views. The EP should facilitate a system, deemed a “lobbying interaction report,” whereby the public can see which interest representatives the MEPs consulted. The report would require individuals working on legislative texts to list all individuals and interest groups they have consulted with or received advice from during each stage of the drafting process. The purpose of the “lobbying interaction report” is to bring additional transparency to the policy process by allowing constituents to see which specific interest groups or stakeholders their MEPs have contacted and provided input to in the process. The information published on the website would

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pertain to meetings where they would list the names of all MEPs involved in the discussion, when and where the meeting was held, the name of the lobbyist and their organization's title, respective clients, and the issue discussed. MEPs would also publish a list on their associated website indicating consultation opportunities as well as, any formal prearranged meetings that were held with lobbyists bimonthly.

Revamp the MEP Code of Conduct and Establish a Committee of Ethics

The next set of options targets the weaknesses in the Code of Conduct for Parliament as well as, establishing a Committee of Ethics for Parliament. Despite enacting a Code of Conduct for MEPs in 2011, critics have pointed to several weaknesses that have led to ambiguities pertaining to full disclosure. As mentioned in section C of the background above, the EP recently returned to the debate over a loophole that enabled lobbyists to fund MEPs' non-business-class flights and to pay for hotel accommodation of up to €300 a day without disclosure. It is troubling that flaws such as these exist within a Code of Conduct whose enactment aims to uphold the accountability of EU officials and decrease conflicts of interest. Currently, it is not uncommon for EU officials to receive gifts from lobbying companies, which enables the practice of using these financial gifts or bribes as a means for successful lobbying. Transparency campaigners argue that officials rarely declare the small gifts and hospitality they receive from businesses with a vested interest in the work they do as legislators, or give an extensive account of their external parliamentary activities.⁴⁴ On one hand, active engagement with outside interests allows for further insight into specific policy areas and sectors, but on the other, these meetings may compromise the impartiality and objectivity of EP policy makers. The term gift or special benefit is elusive in the regulations of the EU institutions. The current Code of Conduct for MEPs is vague, especially in comparison to its detailed counterpart in the Commission, which includes declaration of interests such as a detailed account of outside activities, financial interests, and even spousal professional activities.⁴⁵ These matters need to be well defined in all Codes of Conduct in order to reduce the real or perceived conflicts of interest.

As discussed, the 2011 Code of Conduct requires MEPs to make a detailed declaration of their professional activities and financial interests but the Code has no enforcement or accuracy statutes behind it. By revamping the Code of Conduct to replace vague language with more strict and mandatory rules, MEPs would be held more accountable. First, clearer regulations should be put in place to address the format of DoFIs submitted by MEPs to replace the current illegible handwritten format that many of these declarations tend to demonstrate. To enhance transparency in this disclosure, the Parliament should introduce a central and searchable, online database for all

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declarations and implement a fixed deadline for updates. Standardization of DoFIs should not be limited to format, but also should also address language barriers that come with the submission of the current declarations. The online database should allow for the translation of these declarations into at least one of the “procedural languages” of the European Commission. Reducing barriers that are inherent in the current format would allow for better access and scrutiny by citizens, journalists, and other stakeholders. Declarations should be reviewed for accuracy because, as illustrated in Figures 1 and Figure 2, DoFIs submitted by MEPs have frequently contained limited or irrelevant information about their activities. These reforms would be carried out by a Committee of Ethics that would work in cooperation with the current advisory board, but act as its own body. The advisory board would continue its current duties such as conducting reviews and looking into general complaints. However, the Committee of Ethics would take a proactive monitoring and investigative role that the current advisory board does not have the capacity or resources to develop. This committee would be responsible for assessing potential conflicts of interest for MEPs that have outside financial interests, conduct random checks of DoFIs to assess the validity of the information provided by MEPs, and pre-approve any trips for lobbying consultations made by decision-makers to help eliminate some of the disclosure loopholes. If the Commission establishes an independent ethics committee for Parliament to take on these responsibilities and create clearer rules for MEPs, the EU could eventually remove the “middlemen” in policy-making.

Considering the scope of these changes in the Code, this option would also require specific training of MEPs and lobbyists about the new rules and disclosure requirements. It has been suggested that some MEPs lack knowledge about lobbying in general. As a lobbyist himself, David Earnshaw acknowledged that parliamentarians and officials frequently lack the political and personal confidence to confront and challenge the ideas of lobbyists.⁴⁶ Some say it’s up to EU actors to argue and question the lobbyists; therefore control can only begin once they obtain the ability to resist influence through education on this area of civil society. Another viable option to enhance these changes is reforming the Code of Conduct for Interest Representatives, which as it stands, does not specifically state anything about offering financial inducements or other forms of improper influence.⁴⁷ Therefore, the ETI should clearly state rules that prevent lobbyists from exercising undue influence or conflicts of interest by offering money, gifts, or inappropriate hospitality to decision makers, as well as sanctions on lobbyists that encourage decision makers to break the ethics rules of the EU institutions.

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Balancing Commission Expert Groups

The following option targets the skewed composition of Commission expert groups, which has been brought to its attention multiple times in the past few years regarding specifically, the asymmetry of business interests. Despite the financial hold imposed by Parliament in 2011, there has been little progress in rebalancing these groups. One option to address this issue is to reinstate a budget reserve hold at 20% until two major objectives are accomplished:

- The Commission provides the MEPs and public with an updated list of all expert groups and a separate list of the groups that need rebalancing due to asymmetry of representation
- Specify clear wording within the Code of Conduct for Parliament and the Commission that bans lobbyists from sitting in expert groups in a “personal capacity”

After these tasks are implemented the Parliament should reinstate funds on the condition that Commissioners agree to work in cooperation with Parliament towards more transparency and reduce the imbalance of influence. This cooperation should allow for the Commission to draft new rules to propose to Parliament, which would replace vague language with clear rules about an obligatory and open selection process announced to the public. In addition, the rules should include safeguards against domination of any one special interest so no single interest category is allowed to be the majority of the expert groups. Similar to the recommendation posed to the Parliament, the Commission should then provide an online resource that would ensure that the civil society organizations are informed of upcoming opportunities. Whereas Parliament members provide a “lobbying interaction report,” Commissioners compose expert group reports that provide information concerning the activities, members, minutes, and agendas, which would be made accessible to the public online. Furthermore, the Commission uses the new list of all expert groups to publish the mandate of each expert group, to ensure that balanced representation has been established. The combination of these reforms would help eliminate the asymmetry of influence within these expert groups by transforming this area into a more public and systematic process.

Blocking Conflicts of Interest

Preventing conflicts of interest is very important in maintaining democratic legitimacy, but has been a difficult issue to address in terms of implementing a viable policy. However, one option is to block the “revolving door” discussed earlier in this chapter. This often allows corporate groups to gain inside knowledge, vital contacts, and above all, powerful influence. As a result, Brussels becomes even more industry dominated and more distant from citizens’ concerns and the public interest. One way to tackle this particular conflict of interest situation is instituting a mandatory

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ban of two years for all EU institution staff members entering new posts which involve lobbying or advising on lobbying, or any other role which may be perceived as a conflict of interest with their work as an EU official. As with most rules there are generally loopholes, so identifying and diminishing these gaps in the current rules such as the exclusion of staff working on temporary contracts. In addition, there should be increased scrutiny of all staff joining EU institutions for potential conflicts of interest from their previous employment or activities. In the case that a conflict of interest arises between their former job and their new EU role, those persons would be disqualified from working on such matters. This option includes the establishment of an ethics committee and other monitoring bodies to ensure sufficient resourcing is available to investigate and monitor possible revolving door cases. In addition, the monitoring bodies would be in charge of establishing a full and updated list of all revolving door cases on EU institutions' websites to make it more available for public scrutiny.

Recommendations

- Publish the names of lobbyists that have been found to be in breach of the rules as an accountability mechanism. Increase transparency in the lobbying consultation process through the enactment of “lobbying interaction reports” for MEPs, which can be accessed online for public scrutiny. Provide guidance by an advisory board to lobbyists on disclosure requirements of the mandatory register.
- Revamp the 2011 Code of Conduct of the Parliament to entail stricter rules and disclosure requirements of the MEPs. Standardize the format of DoFIs (Declaration of Financial Interests) and create an online database to compile information so it can be easily searchable and accessed by the public. Establish a Committee of Ethics for Parliament that would take a proactive and investigative role and provide training of MEPs regarding the lobbying processes and the updated Code of Conduct.
- Parliament reinstates a budget reserve at 20% on the Commission until preliminary conditions for the rebalancing of expert groups is met. Subsequently, Commission works in cooperation with Parliament to propose reformed rules surrounding expert groups and implement safeguards against domination by any one special interest. Commission composes expert group reports to be accessed by the public and creates an online resource that would ensure that more civil society organizations are informed of upcoming opportunities.
- Block the “revolving door” by establishing a committee for investigating conflicts of interest. Mandate a 2-3 year ban against EU staff members entering new posts with lobbying groups.

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Closing the Gap Between Non-Government Organizations and the European Citizen

By **Janina Klein**

Issue

Non-governmental organizations (NGOs) play a critical role in bridging the gap between ordinary European citizens and the political institutions of the EU. It is vital to nourish this connection as it provides the opportunity to communicate citizens' voices, concerns and interests to policymakers, thereby making the EU a stakeholder for all citizens across Europe rather than merely a "project for the elite."¹ EU institutions continue to push efforts to provide an open, transparent and consistent interaction between citizens, organized civil society and the EU. This communication is important to consider in order to increase efficiency and establish a space for "civil dialogue" and "participatory democracy,"² which will increase the EU's input legitimacy and the sense of a common European citizenship.

Acknowledging NGOs as an important link between the general public and the EU, it is advantageous to then examine the relationship and communication between NGOs and the Commission as well as NGOs and civil society. Among others, scholars Sandra Kröger and Dawid Friedrich have voiced concern about the representation of civil society and the interchange between NGOs and their constituencies. The lack of an accountability system questions whether NGOs adequately portray interests on behalf of groups that do not have a voice in society. Along the same lines, it may be questioned whether umbrella NGOs adequately portray member NGOs. These concerns call for an established place for the public and member organizations to voice their concerns by means of accessible and transparent communication. It is important to consider the means of interaction between the Commission, NGOs and the public, to enhance representation and efficiency. How problems are represented is also important, as currently the presence of a certain issue may be more severe in one country than in another. Currently, problems are not given representation depending on their severity, but rather a country's population size. This also speaks to the lack of available funds and resources in certain countries, as well as lack of knowledge about these funds. Furthermore, a lack of presence of NGOs from CEE in relation with western NGOs at the

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EU level displays an imbalanced representation. This challenges how the EU can increase assistance to these regions of Europe as well as increase personal contact. If CEE presence is enlarged, it may constructively increase the equality of the EU. The increased public scrutiny brought on by current crisis presents NGOs the opportunity to encourage involvement thereby boost European integration.

Background

NGOs in Brussels

NGOs present an opportunity to deepen European integration as actors that exist to “mediate the views, opinions, and preferences of citizens at national and local levels.”³ Therefore, NGOs act as a voice for the public in politics, a link vital to a society which increasingly feels distant to those who hold power in decision-making, a phenomenon described as “policies without politics.”⁴ Giving the public a voice at the EU level helps to regain citizens’ trust in politics and also gives policy makers the benefit of feedback on their work. It is thus favorable for society and government to increase NGO presence in Brussels.

In turn, NGOs have a multitude of reasons to setup an office in Brussels in order to function at the EU level, maximizing their effectiveness, networking with other NGOs and gaining influence in policy-making. There are currently more than 800 registered NGOs in Brussels,⁵ but these numbers are a moving target as new and unregistered organizations always arise. Brussels offers the opportunity for different organizations across the EU to come together and establish umbrella organizations—organizations in the same sector that pool together knowledge, interests, and resources. Cooperation initiatives that foster knowledge of specific expertise in the hope of influencing policies and increasing funding are also important. They help in “managing, monitoring and evaluating projects financed by the EU.”⁶ NGOs are important to the Commission because they give input regarding policy creation and implementation. They also help provide information and data on the public since they are in contact with the poorest and most disadvantaged populations.

Imbalance of Resource Funding for CEE NGOs

After decades of political instability, NGOs from the newer member states of Central Eastern Europe receive noticeably weaker support than that of NGOs located in Western Europe. This is supported by research from scholars Christine Mahoney and Michael J. Beckstrand, who analyzed a database of 1,164 civil society groups, which received “funding from the European Commission

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from 2003 to 2007, compiled from funding documents recently released through the European Transparency Register.”⁷ This analysis shows that CEE member states receive less funding and questions whether the Commission practices patterns of unequal funding behavior. Figure 1 displays the “aggregate number of grants and amount of grants by member states in CEE and those in the West.”⁸ The data includes umbrella organizations both at the EU level and below, but regardless of this, the difference shows a bias in favor of western-based organizations. Figure 2 takes into account population difference, but displays a considerable difference in funding for various member states. Further research shows that “five old Member States [Germany, Belgium, France, Italy and Spain] command more than half of the grants received (59 per cent) and the preponderance of total funds (72 per cent)”⁹ Figure 3 also shows the wide range of funding support to European countries, noticeably Romania and Slovakia with the lowest funding. This research emphasizes that the Commission’s rhetorical support for social cohesion is not followed through on funding patterns, further suggesting that if these imbalances have been acknowledged, too little has been done to create serious changes.

Figure 1

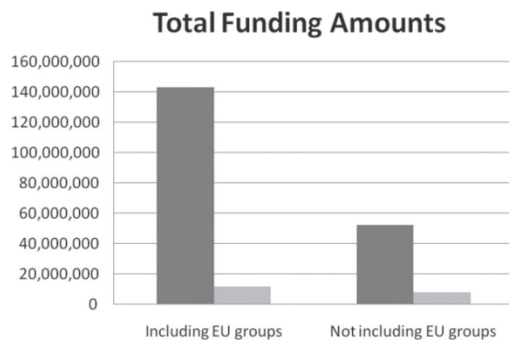
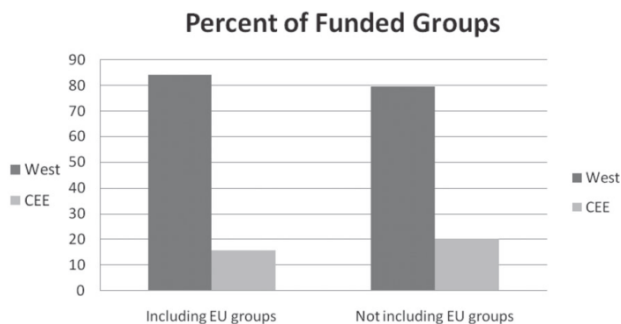
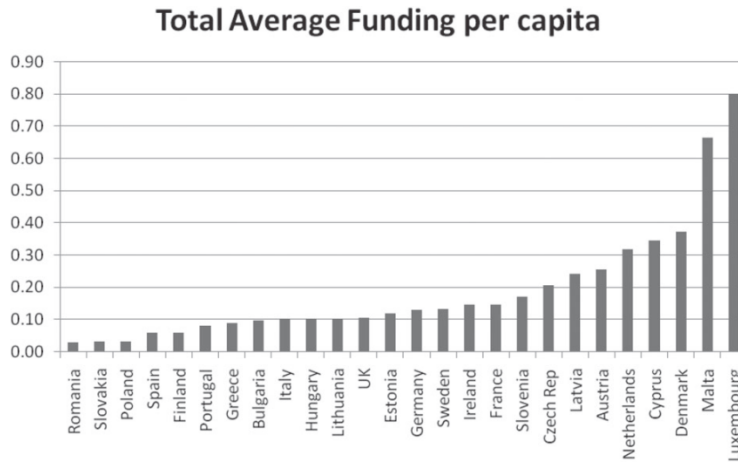


Figure 2



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Figure 3



The data questions why the CEE members do not receive more funding, for which there are a few possible explanations. First, the Commission may only fund projects which it receives, thus if an organization does not have enough resources and is too weak to submit or develop a proposal, it is unlikely to gain funds because it is in competition with other well-funded organizations. Older member states from the West tend to have organizations that are better equipped to make appealing proposals compared to under-resourced CEE organizations.

Contracted and payment ratio, 2007-10

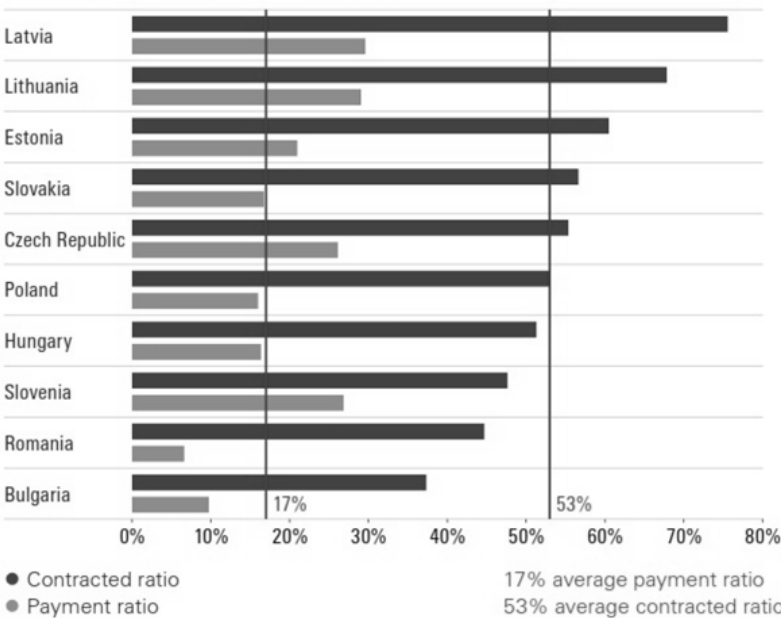


Figure 4

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Regardless of receiving less funding to NGOs, new member states receive a budget from the EU, but marginally disperse funds to their full capacity. Figure 4 shows new member states contracted ratio—funds they were allocated from the EU and their payment ratio—funds that were dispersed. In the period from 2007-2010 the EU set aside €208.2 billion available for the improvement of economic and social cohesion. A report from Mahoney states that “during the first four years of implementation of EU co-funded programs beneficiaries signed contracts totaling nearly €110.2 billion. This amount is about half of the available budget for the 7-year programming period. Considering the region’s population, this equates to €1,079 in contracted grants per capita. Regarding payments, by the end of 2010 more than one-third of the contracted grants i.e. €36.3 billion were disbursed to the beneficiaries.”¹⁰ This data illustrates that funds are in low distribution and may suggest that the majority of NGOs in new member states are in a developing stage. This may mean that they have scarce funding from the national government to meet the requirements of gaining EU funding and/or do not have the knowledge or the capacity to submit funding applications.

Second, when considering the inequality of funding for CEE countries and the lack of fund usage, it is also important to consider the historical causes that affect today’s social situation in these countries. Many of these newer member states are former Soviet Union states that had poor experiences with political transparency and therefore tend to mistrust public organization. For example, scholar Michal Tyrakowski states that NGOs in Poland have in the past been seen as consumers of public funds or as organizations, which pronounce legal objectives, but tend to use funds for particular interests in certain social groups. Thus NGOs often are not viewed as being beneficial to the public¹¹. However, data from recent years shows that the mindset is changing in Poland as NGOs are becoming more visible and transparent in society and individuals are becoming increasingly aware of and trusting of EU social funds. To give an example of this progress, during the first two years of EU membership Poland received €8.3 billion in Structural Funds for the period from 2004 to 2006, but only 11.6% of the funds were used.¹² However, the latest statistics published on the webpage of Polish Development Ministry show that 85.5% of allocated funds available from the Cohesion Fund from the EC were used by the end of June 2012¹³. These statistics show that Poland has substantially increased its knowledge about opportunities and has promoted participation from its citizens. However, citizen activity may still be dire in other CEE countries, as the mistrust of public resources from the “distant” EU and “self-absorbed” NGOs remains problematic.

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Funding Applications

Some NGOs see the funding application process as too complicated. Furthermore, the application is not equally accessible to NGOs in all member states, thus making it a point of exclusion. The *Commissions Discussion Paper* of 2000, reports that “there is a lack of sufficient information for NGOs in particular on funding and financial procedures. Better guidance on application procedures and more comprehensible application forms would be much appreciated.”¹⁴ Communication has improved since the publication of this report, such as in Poland. However, there remains much room for improvement. The need for accessible, approachable and active information is especially applicable to new member states that, as already observed, lack funding and at times the motivation to overcome bureaucratic obstacles. Updated online media and advising is cost effective and easily accessible, but it is worth implementing other proactive and approachable methods to make funding applications efficient in a democratic way so that they can be accessible to all citizens across Europe.

Communication and Participation

The communication between NGOs, the Commission and EU citizens establishes efficiency of these actors functional collaboration, which affects their ability to make use of resources. Thereby, it is important to continuously evaluate the communication of NGOs especially because they do not merely communicate on their own behalf but on behalf of the public. Analyzing this communication facilitates efficiency, participation, transparency, and representation between constituencies. Scholar Sabine Lang offers a framework that may help to consider the strength of how associational publics communicate quantitative and qualitative data through the density, modes, and target of communication.¹⁵ The modes of communication that NGOs participate in include internal or reflexive communication (communicating with its members), institutional communication (“communicating with institutions or organizations that it is trying to influence”), and public communication (communicating with citizens in order to gain support).¹⁶ These modes of communication can help to understand NGOs to be in constantly interacting on various levels.

If NGOs can be understood to function as “transmission belts between the citizenry and political institutions,”¹⁷ they can work as a communicator between EU policymakers and the public. This transmission belt of communication has far reaching effects because there are many constituents. For example, in one umbrella organization the communication travels from the Commission to the NGOs in Brussels, to their member NGOs and then to EU citizens. To assess the

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effectiveness, quality of representation and consummation of these channels of communication, it is valuable to look at research studies that disclose the satisfaction of these various actors.

Case study: Communication between EU CSOs and Member Organizations

Scholars Sandra Kröger and Dawid Friedrich surveyed the relationship between EU CSOs and their immediate member organizations, assessing effectiveness and CSOs representativeness with the argument that if the communication at the internal level is poor, then it will likely be dysfunctional further down the communication belt. This study is valuable when considering that if NGOs are to “mirror societal interests”¹⁸ it is worthwhile to first assess the “inner-organizational point of view in regard to the question of whether CSOs comply with their self-set standards of speaking for their members.”¹⁹ Assuming that if umbrella organizations reflect their member organization’s interests, it will be helpful for them to further represent society and move towards what some scholars call “wider, broader, closer, deeper”²⁰ representation. This is significant for NGOs regarding a transparent and democratic representation of their constituents.

This research was based on interviews with both Brussels based CSO representatives and member organizations who were asked the same questions in regards to three categories which include formalistic (member accountability), participatory (member participation) and substantive (member satisfaction) representation. Furthermore, it should be noted that this study pertains to member organizations and that small problems arising here can be expected to increase further down the chain of communication.

First, regarding formalistic representation, the study shows that when it comes to holding CSO’s Brussels officers accountable, there is a lack of a formal complaint procedure set up for member organizations. This is in contrast with CSO members, who have knowledge of where they may submit criticisms to the Commission. Second, concerning participatory representation, interviews show that there is substantial communication between EU officers and members of organizations, but this varies depending on member participation. Third, regarding the concerns of EU officers, the study shows that out of thirteen Brussels officers, half were satisfied with general member communication while the other half voiced a desire for more feedback from members. This compares to a three-fifths satisfaction rating from member organizations. Many reasons that members put forth in regards to their dissatisfaction included that “Brussels officers send out too much information for members to process [...and] they received important information too late”²¹

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One interviewee suggested however that this was not the umbrella's work, but largely due to the Commission's way of working, "a dilemma that has been reported elsewhere."²² Among non-Brussels based members, two claimed a language burden, stating that documents used "...Brussels language, a kind of technocratic, made-up language that I don't always understand and that usually takes up three pages for what could be said in one."²³ Members also indicated that the most valued communication was face to face interactions, which represents an imbalance, since not all members share the same opportunity for this type of communication. Most disadvantaged members are non-Brussels based organizations that may only interact biannually as they are "without funding for regular flights to Brussels"²⁴ and do not have the opportunity to meet elsewhere.

Synthesizing this research shows a few surprising outcomes. First, "shortcomings in formalistic and participatory representation are accompanied by positive assessments of substantive representation,"²⁵ signifying that members that have a shortcoming in accountability and are not active in participating, may still be satisfied. This speaks to the fact that Brussels officers engage in an adequate amount of advocating for and representing their member organizations, but only to a certain degree. The outcome questions why member organizations are satisfied with limited input and may suggest that they have maximized what they are capable of contributing. Since fewer resources are available, they may not have high expectations and are satisfied to "receive the service of being represented without extensive involvement as long as they agree with the general policy direction."²⁶ Thus, the effectiveness of representing member organizations may be somewhat sufficient, representation is not equal. In reality, there is lack of input from smaller members due to limited capabilities. Secondly, because members are generally satisfied, this research indicates that a smaller percentage of organizations more actively communicates and voices opinions to policymakers. This suggests that larger organizations receive a greater voice. In order to practice democratic representation, the EU should incorporate smaller organizations.

NGOization

The challenges of communication and lack of NGOs represented has caused a notable shift of NGOs striving to operate on "vertically structured, policy-outcome-orientated organizations that focus on generating issue-specific and, to some degree, marketable expert knowledge or services." Scholar Sabine Lang describes this as the "NGOization" of civil society, or a shift from "loosely organized, horizontally dispersed, and broadly mobilizing social movements to more professionalized, vertically structured NGOs."²⁷ This trend has helped NGOs in a number of ways,

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such as increasing efficiency, influence on policy-making, and organizational development. However, this structure also poses problems of representation and communication with the public because institutionalizing has often favored public relations rather than public engagement. For example, NGOization has increasingly displayed that it favors policy-making by institutional negotiations rather than by involving public discussions.²⁸ Such a move away from actively engaging the public threatens decreased participatory democracy. NGOization thus “has effects on the kinds of publics that NGOized civil society creates, interacts with, and sustains.”²⁹ This development of NGOization encompasses limited communication with the public and thereby threatens to minimize public advocacy and exclude EU citizens from policy-making.

Options

It can be argued that, although an imbalance of funding for CEE countries exists, a laissez-faire approach that gives the most funding resources to those with the most qualified funding proposals should be taken. Following that line of reasoning, it makes sense to follow the current path of funding to support whoever outcompetes the others because, from a free market perspective, to give the better equipped NGOs more funding is an assurance of good returns in services. As such, CEE countries will need to either strengthen their ability to submit successful funding requests or continue face increasingly high levels of competition. However, because CEE NGO's do not have the resources to actively participate, the latter is more likely. A hands-off approach is a limited to an “instrumental understanding of participation, by which only the CSOs that promised helpful expertise for respective public institution [are] actively included.”³⁰ This explains how participation becomes a competitive advantage and that NGOs seek ways to enhance their participation by, for example, providing the Commission with useful public data. However, for the Commission to consider such information could promote voices by favor for the exchange of services or valuable goods. This behavior may foster a tendency for informality and further “an [asymmetrical] relationship between the participant and the receiving institution.”³¹ Such funding habits are prone to creating problems in terms of transparency, and more significantly cause CEE countries to be excluded, due to the fact that they are too weak to compete. Therefore, if these organizations are not deliberately aided but participate in a competition they cannot win, the development of CEE civil society will not be supported. Furthermore, “not strengthening civil society in its public sphere mode creates a ‘democratic time bomb’ that breeds disappointment.”³² European cohesion will not increase if competition creates deeper and wider separations between developed and developing NGOs.

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Nevertheless, it is not a poor idea to make NGOs compete for funding because one should be able to assess where to implement funding so it may be put to the best use and benefit the public good. One of the best ways to determine this is to assess NGOs, consulting their proposal, commitment, eligibility etc. However, if the platform for competition is unequal, current NGOs that are stronger and more developed will defeat developing ones. Consequently, CEE NGOs will see very little increase in their funding from the EU, which in turn could lead to a weakness of European integration. It should be acknowledged that CEE NGOs tend to be weak and have difficulty receiving funding even at the national level. This may be due to the fact that CEE member states retain the stigma of their past political systems and are still in the continuous process of building up a fractured civil society. The awareness of the lack of resources for NGOs in CEE countries and undisbursed money for NGOs may raise questions about NGOs ability to seek money.

The Commission therefore may at best seek to deliberately allocate funds for the use of developing NGOs in CEE member states. The purpose would be to help develop CEE member states by aiding the development of NGOs and enlarging the disbursement of funds, as well as aid their future funding opportunities. A good resolution would be to implement a onetime non-renewable seed funding program specifically for small, developing NGOs in the CEE member states. Seed funding could be competed for, still ensuring the money goes to the best project and also motivating developing NGOs to come up with their best project plan. To make competition fair, the NGOs who would be eligible for seed funding would have to pass the criteria in regard to their size and location. This option would strive towards creating a proactive and effective approach to target developing NGOs in new member states and thus could be a good way to foster European integration and promote closing the gap between CEE and western countries. In the long term, this solution will give a chance for CEE NGOs to establish resources and be able to compete with other member state organizations in the future on equal footing.

Another valid option to help the funding of CEE NGOs is to distribute the consideration of NGO funding to various cities throughout member states. This would diversify potential funding recipients to create a more accessible and lateral system of hearing NGOs in across the EU. This system would support underfunded NGOs that cannot afford to hold an office in Brussels, substantially improving European awareness in neglected or less developed regions. However, the establishment of offices in various reasons is costly for the EU; thus seed funding is a better use of funds as the EU builds up CEE NGOs in prospect of better competition.

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However, seed funding is not enough to ensure a positive growth for CEE NGOs if there is no knowledge of funding opportunities. Data shows that there is currently funding available, but that these funds are not distributed, which leads this paper to conclude some possible causes for situations of lack of funding. First, NGOs are unaware of funding or as scholar Michal Tyrakowski suggested, NGOs do not trust the opportunity. Additionally, small NGOs may not have the capacity to ask for funding and are discouraged by an elaborate funding application. To combat these obstacles it would be most beneficial to implement an awareness campaign in the aim of promoting the existence of EU funding and seed funding as well as to educate NGOs about funding processes and direct them to where they could receive help (such as funding offices).

According to a Eurobarometer survey in 2011, the most widely used media sources—as discussed in chapter twelve—include television, radio, press and online networks.³³ Awareness campaigns should use these tools to promote NGOs, as they are an accessible means of marketing. It is best to focus the marketing in economic and political magazines and in electronic media in order to target developing NGOs. Correspondingly, broadly advertising in places such as television, radio, press and online networks will boost the public's awareness of NGOs, which also adds to NGO support. The recent development of Poland's use of funding represents the effectiveness of this method as there has been an upsurge of available procedures and easily accessible and understandable information on funding and procedures. Many webpages related to the government or EU offer explanations and links to help on funding applications. This has proven to be an easily approachable and cost effective method of conveying information and would be beneficial to actively apply in other CEE member states.

As NGOs serve as a link between civil society and EU institutions, they are representatives of society but, in order to be true advocates of their constituents, they need to “reveal which interests they represent and how inclusive that representation is.”³⁴ This speaks to (1) transparency of NGOs and (2) maintaining close contact with “constituents by a variety of communication and participation channels [...] to ensure receptiveness to their demands.”³⁵ Only through communication can the Brussels-based umbrella organizations be assured that they are adequately representing their members.

The case study by Sandra Kröger and Dawid Friedrich shows that members lack of the knowledge or the place to submit complaints about CSOs and umbrella organizations in Brussels. This is a lack of bottom-up input and limits the ability of member organizations to be adequately represented by their correspondence in Brussels. Essentially, the lack of established space for

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member organizations to voice critiques represents in part the presences of the democratic deficit. A formal complaint procedure would thus be beneficial for a democratic, mutual dialogue between these actors. To increase the effectiveness of this dialogue and attend to member concerns, it would be beneficial to create a liaison position in Brussels dedicated to the communication between member organizations throughout the EU and their correspondence in Brussels. This liaison would attend to the needs and concerns of non-Brussels based member organizations thereby establishing a space for them to turn.

It is inevitable to have varying degrees of participation among member organizations; nonetheless, the reason behind this should be investigated closely in order to limit unequal participation. The case study alludes to the fact that members would like to be more involved, but either do not have the resources or the capacity to do so, for example insufficient funds for travel expenses for conferences. If participation is limited because of the lack of resources, the Commission and the EU institutions should make an effort to “bridge the gap between members with different amount of resources and ensure that all those wanting to participate are given the”³⁶ chance to do so. To best meet the concerns and limits of member organizations it is valuable to consider the complaints of members (discussed in the last paragraph) and the resources member organizations would like but are unable to receive.

The case study revealed that members complain about accessible resources, lack of timeliness, too much information to process, and language barriers. The “mismatch between the amount and kind of information distributed by the EU officers and the ‘absorption capacity’ of members”³⁷ can be addressed by sending information consciously and by considering the time, manner, length and use of language. It is difficult to set exact criteria for communication, but in order to make it easier, messages would benefit from being shorter and clearer. Further, to avoid an overload of email, biweekly newsletters could be sent with pertinent information. However, in the big picture, it would be more adequate to address such details in a continuous dialogue about communication. Thus, a short survey of communication run every six months could be useful to provide current feedback, track progress and adapt to the needs of organizations. This survey could be set up by the CSCG and sent out to all registered NGOs and actors who communicate with NGOs, such as the Commission and the CSCG (which should also be included). A budget would need to be established for this project to adequately assess feedback and send a compiled report back to constituents who took the assessment survey. In the long run, if people read the report and applied feedback to how they communicate on a daily basis then it would produce more effective, timely communication between various actors and NGOs.

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The case study also indicates that a majority of members voiced “face-to-face contact [as] most important,”³⁸ however, the frequency of personal meetings “varies considerably from biannual General Assemblies to daily chats in the elevator.”³⁹ This is to the disadvantage of non-Brussels based members and especially to those that may not have enough funding to fly to Brussels for meetings or conferences. To attend to this disadvantage and increase personal contact, regional conferences should be held, encouraging more members to attend and easing attendance costs. For those who may not have enough funding to attend, transportation subsidies can be provided, regulated by an application that NGOs will submit to receive cost coverage.

This option does not only favor member organizations but also helps the Commission increase contact and input from organizations. This is especially valuable considering that a complaint made by the CSO states that they “would like to receive more feedback”⁴⁰ from members. Regional conferences thus cater to the concern from the Commission as the importance of meetings cannot be overemphasized as they nourish existing contacts and influence policy making processes. Widespread communication is long sought in conferences with high levels of cooperation as “networking among NGOs is an institutional priority within the EU, which helps to organize transnational civic practices.”⁴¹ The participation of NGOs in advisory committees has greatly benefited the policy making process and should continue. Conferences are a platform to establish communication among actors and to work together. Concerning these benefits it may be also favorable to provide transportation subsidies in the future to other meetings, bi-annual conferences and ad hoc meetings.

Regional conferences may further be established as local conferences benefitting the establishment of a close communication platform for NGOs and the greater public. This close and local communication would increase lateral means of communicating and collaborating, thus increasing public interaction and decreasing NGOization which prefers policy creation in forms of institutional negotiations over public involvement. Yet, an organization needs input from its bottom in order to make better-informed policies at the top-level of decision-making. Conferences could reflect to actively and deliberately engage the public by increasing communication, the exchange of information, and interaction thus allowing citizens to be directly involved at the EU level. This option would not only benefit the public, but inviting scholars, professionals and students to join could also enrich the NGO network. Collaborative networks could be established such as “velvet triangles,” the cooperation of professionals, policy makers and scholars. Conferences would then foster a collective system increasing EU citizen involvement.

Recommendations

- Implement a seed funding program specifically for NGOs from CEE member states. Funding should be non-renewable, and should support projects that strengthen both the capacity for these organizations to compete for grant-funding on the EU-level and bolster civil society more broadly in the CEE region.
- Organize a campaign to promote CEE member states promoting the existence of EU funding and seed funding as well as to educate NGOs about funding processes and direct them to where they could receive help (such as funding offices). This campaign would be carried out by marketing through digital media, press, radio, television and online networks.
- Increase communication between member organizations by (1) inputting a liaison position in the Commission to communicate with member organizations concerning their needs and complaints establishing an accessible channel of communication. (2) Implement a six month survey of communication (organized by CSCG) to provide current feedback in communication methods and adapt to the needs of organizations.
- Increase personal contact between NGOs and the Commission and NGOs and the public by (1) creating regional conferences for NGOs to network and by (2) providing NGOs with subsidies covering transportation costs to attend conferences.

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Partnership with the People: A Review of the CSCG Towards Administering Influential Participation in EU Policy

By **Kate Faoro**

Issue

The role of civil society organizations (CSOs) within the larger political sphere is irreplaceable; it is a pervasive form of outreach and representation, in which common social interests receive attention within the greater realm of governance. Public participation in voluntary associations cannot be compensated for by business groups, interest groups, or lobbyists because these other organizations do not provide the wealth of access to core social priorities across and within communities. The Civil Society Contact Group (CSCG) was conceived on the European level and transitioned from the foundation of a transnational European organized civil society laid by the European Economic and Social Committee (EESC) in 1957 to an umbrella organization of various civic interest arenas. The CSCG brings together eight rights- and values-based NGO umbrella groups that cooperate on cross-sector activities, initiatives, dialogue, and advocacy measures at the national and European level. However, the direction of the development of EU institutions, poor exercise of communication in the process of policy creation and participation, and member state expansion have all created inconsistencies and inefficiencies that prevent the input of civil society from being equitable and effective on the transnational legislative level.

More specifically, the lack of communication facilitated between the civil society sector and EU institutions has produced fragmentation of dialogue throughout the policy-making process. Not only has the policy-making process become inefficient, but the influence of civil society groups lacks a concrete measure of effectiveness in European debate, and private sector actors and interest groups hold the greatest sway over the creation of European policy. The CSCG is a representative body capable of taking initiative and making amendments to both its structure and procedures in order to achieve effective participation in European legislation, namely by (1) revamping the financial and dialogue structure between the CSCG and EU institutions, (2) making participation in organized civil society groups have a direct effect on policy and funding, and (3) setting standards

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for transparency and stakeholder balance. Without fighting for equal footing alongside interest groups, business representatives, and private sector actors, the CSCG will continue to perform a limited role as a discussion forum for civic and social issues and will lack a foothold to advance the will of the European people.

Background

Historical Overview of Regional Civil Society Organization

The Western focus on the role of social capital in political culture and civil society is derived from a long history of political liberalization and social movements. The work of Robert Putnam points to social networks and rich associational life as the core element of civil society. It is also a major influence on the health of democracy within a nation and the performance of social institutions, a key institutional focus in Western European governmental institutions.¹ Civil society in Eastern Europe made membership in CSOs more inclusive in order to bridge societal divides and incorporate increasingly democratic procedures. Many Eastern European dissidents embraced the concept of civil society as “the counter-ideal opposed to socialist repression, as the public space open for free political articulation and activity opposed to state surveillance.”² Today, Eastern Europe’s civil society groups are comparatively weaker than the West’s in terms of membership in organizations, employment capacity for the non-profit sector, and state funding.³

German political scientists Merkel and Lauth identified a model of five functions of civil society based on their research on system transformation in Eastern Europe, as well as practical case studies of the role of civil society in different contexts. In this model, civil society is seen as an analytical category, rather than a specific historic form. Decoupling civil society from history helps isolate the functions of civil society in relation to democracy, and creates a model that can be applied to different regional and cultural contexts and societal conditions.⁴ The five roles that civil society plays in this model are: protection, intermediary between state and citizens, participatory socialization, community building and integration, and communication.⁵ These are all roles that both Western and Eastern European actors can agree upon in regards to the responsibilities of civil society.

Currently, the transnational-level CSCG serves the latter three roles, but lacks an enforcement arm to protect and serve as a true intermediary between its umbrella organizations and the EU. The CSCG also does not have the resources to ensure that all EU institutions uphold the rights outlined by the Minimum Standards for Consultation of interested parties, a crucial

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determinant in increasing the effectiveness of civil society input. The Minimum Standards produced by the Commission in the White and Green Papers was an institutional acknowledgement of the importance of and increased demand for civil society involvement in policy-making at the transnational level. In it, the Commission defined a new methodology for “impact assessment” of constituencies affected by policy decisions.⁶ However, instead of providing a defined framework for the consultation process, the Commission suggested some key principles that should govern the process in which consultation already applies. The Minimum Standards are non-binding, Commission-focused, apply in cases ambiguously defined as “major policy initiatives,” and do not have a source of accreditation or representativeness for the CSOs that take part.

On a transnational level, the informality of the consultation process has left a large burden of the work on the Commission. The responsibilities of the Commission in the consultation process include participating in biannual meetings, multi-stakeholder forums, meso-policy level and technical dialogue, consultative committee and expert groups, public internet consultations, regular information meetings with NGOs funded by specific programs, ad hoc meetings on specific issues, seminars and workshops, open hearings, focus groups, citizen panels, and studies.⁷ With all of these various forms of citizen input, there exists a great deal of overlap and inefficiency before the impact of consultation can even be determined. The CSCG has partnered with the Commission and the EESC on certain initiatives in order to encourage the opening of the consultation process throughout all of the EU institutions, but the failure of this mechanism is largely borne by the individual CSOs themselves. Thus, large umbrella organizations like the CSCG should become more organized and integrated into the process in order to unite the individual CSOs in a common cause for consultative reform.

Merkel and Lauth also point to “regime context” as a necessary element in defining the precise contribution of civil society within a democratizing system of governance. The three phases of democratic transformation distinguished by scholars are (1) liberalization of the autocratic regime, (2) institutionalization of democracy, and (3) consolidation of democracy.⁸ The European community has undergone its initial liberalization phase, where civil society acted as a counterpart to an individualist Europe and supported the unification of a European community. Civil society then took a backseat as EU institutions began to organize themselves, remaining partner to unification efforts but distinct from the institutional framework (referred to as “strategic civil society”).⁹

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The EU finds itself today in the second stage of democratic transformation, unable to agree upon a framework in which all member states conform to the same standards of supranational participation and membership. While the Lisbon Treaty entering into force and actions taken to address the Euro crisis might otherwise indicate a consolidation of democracy, the fragmentation present in modern dialogue addressing issues like austerity packages, EU budget increases, and the contentious status of British participation indicates that the EU has a long way to go before fully embracing a supranational power. In this stage, “constructive civil society” can help install a new democratic constitutional order, communicating and cooperating with reform forces, acting with strength through unity, and remaining sensitive to developing and particular interests to retain the spectrum of interest characteristic of liberal democracies.¹⁰ CSOs are the most efficient channel to communicate with the citizenry and involve them in the development of a supranational political body with institutions capable of mirroring the will of the people. CSOs are by definition “non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their member or others, based **on ethical, cultural, political, scientific, religious or philanthropic considerations,**” **drawing their activities and initiatives directly from the European public.**

Actively engaging with an umbrella for EU CSOs would afford the institutions the effective outreach they desire with the broad European citizenry. Currently, the CSCG is an umbrella encompassing a set of umbrellas, each with their own policy focus. The Minimum Standards for Consultation produced by the Commission create an outline for consultation between EU institutions and representative interest bodies, like CSOs, but it is very general in its guidelines and lacks a system of checks or enforcement. The CSCG and EU institutions have not conducted their communication on a regular basis, and are letting a resource go to waste in one another that could otherwise be used towards facilitating input across regional and policy-focused lines. Adhering to a set of guidelines for communication and cooperation would help the EU become a consolidated democracy with clear lines of communication and consultation between the institutions, the intermediaries, and the constituencies.

EU CSCG Organization

In 2001, the European Council of L aeken established the CSCG to accompany the convention’s work, and was partially supported by Convention and Commission means. The CSCG is an organization put in place to organize, unite, and empower European civil society by providing a framework for discussion and cooperation. Their stated mission includes empowering CSOs to

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become strong political actors, promoting a transparent and structured civil dialogue with lasting access to information from European institutions, and encouraging participation of European citizenry in policy discussions.¹¹ The group is composed of eight large rights and value based NGO sectors:

1. **CONCORD (European NGO confederation for Relief and Development):**

CONCORD membership consists of 25 National Platforms and 18 International Networks representing over 1,800 NGOs to coordinate the political for relief and development at the European level.¹²

2. **Culture Action Europe (Forum for the Arts and Heritage):**

Culture Action Group has over 65 independent member organizations, most of which focus on pan-European cultural issues. The main aim of the group is to provide information, facilitate dialogue, organize political representation, and provide access to EU decision makers.¹³

3. **EPHA (European Public Health Alliance):**

EPHA consists of public health organizations representing health professionals, patients groups, and health promotion and disease specific NGOs, and is funded by the Public Health Program of the EU.¹⁴

4. **EUCIS-ILL (European Civil Society Platform on Lifelong Learning):**

This platform supports NGOs working in the field of education and training, pulling from the experience of volunteers and professionals.¹⁵

5. **EWL (European Women's Lobby):**

The EWL brings together over 4,000 women's organizations in 26 member states working to achieve the respect for gender quality and women's rights in all EU policies.¹⁶

6. **Green 10 (group of leading environmental NGOs active at EU level):**

The Green10 is composed of the largest European environmental organizations and networks to coordinate joint responses and recommendations to EU decision makers.¹⁷

7. **HRDN (Human Rights and Democracy Network):**

The HRDN is an informal group of NGOs at the EU level focused on human rights, democracy and conflict prevention. The network aims to influence EU and member state human rights policies and programming.¹⁸

8. **Social Platform (Platform for European Social NGOs):**

The Social Platform is an association for 40 European NGOs, federations and networks working towards an inclusive society and promoting the social dimension of the EU.¹⁹

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seminars. However, with the end of EU funding in 2005 came the end of active surveying and campaigning, the tools that made the products of the CSCG so effective to their constituencies. Without these systematically implemented programs for citizen outreach on the European level, the CSCG lacks the tools to remain an effective partner to EU institutions for advice and representation of civil interests in policy. While EU actors would like to believe that they have ascended the institutionalization process and entered into the consolidation of democracy, it should be acknowledged that core elements of a democratic order are yet unresolved on the larger scale of the EU. The CSOs can best determine and execute the most effective role they can play in this model.

Impediments to the Input of Civil Society in EU Governance

Under the constraints of an institutionalizing democracy, a transnational civil society organization cannot yet undertake a high degree of separation or the development of new concepts of the state. While equal standards of membership on the supranational level are not commonly shared, civil society should retain a high degree of cross-sector unity in order to gain precedence and build a reputation with the evolving EU institutions. The Commission was the first EU institution to take an effective and continuous role in cooperating with civil society actors, but there exists an absence of binding representative criteria for specific organizations interacting on behalf of civil society at the EU level.²³ The EP and European Council have been increasingly engaging civil society sectors in case-specific areas of policy but not on the level of the Commission. This disparity exists due to the informal and ill-regulated system of consultation between EU institutions and civil society actors. Channels of lobbying and dialogue swing from formal to unstructured depending upon the channels used. The Commission appears the main driver for structured forms of interaction in its efforts to increase accountability and the quality of decisions, followed by the EESC.²⁴

The EP has elected for more informal channels of interaction with civil society groups that vary on a case-by-case basis between MEPs and organizations with particular policy interests. The European Council has and continues to be marked by its selective approach to NGOs and the wider public.²⁵ The General Principles and Minimum Standards for Consultation implemented a consultative framework in 2002 for individual consultation of interest groups with the Commission, requiring a form of feedback to the interest groups consulted in order to assess their impact on the policy-making process and improve their interaction in the EU political arena.²⁶ However, the General Principles have been meagerly applied depending upon the policy matter and groups consulted. DGs of the Commission lack coordination on cross-policy issues, and are often

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earmarked targets of only certain policy actors. Civil dialogue is unevenly developed throughout policy areas as a result of these inconsistent scales of interaction on the EU level, and all parties would stand to benefit from a functioning intermediary body to hold EU institutions accountable to civil society representatives, as well as hold civil society representatives accountable to their national and local organizations.

It is the role of civil society to remain separate from the state and maintain an analytical stance on critical developments, but the CSCG has not yet become an active partner to EU institutions in the policy-making sphere.²⁷ The tasks that transnational CSCG organizations take should primarily work to gain active roles of participation within the EU policy-making process. As a body associated with a European civil society autonomous from the state, the CSCG has the potential to represent transnational interests very boldly, especially with the tools and expertise provided by their member NGOs.

Due to the lack of an outlined, linear structure of civil society organization, NGOs in Europe have organized themselves in the following ways: promoting national organizational solidarity, setting up international NGO representation in Brussels, creating umbrella organizations for NGOs working on similar policy issues, and creating informal partnerships to pool resources on similar issues. While some of these forms of organization have proven beneficial in influencing policy, they have also created a great deal of horizontal inefficiency by hosting separate forums tackling the same issues and failing to coordinate their efforts among representative groups. If the CSCG was established as the sole facilitative group of and contact point for these various partnerships and umbrella groups, it would create an accessible resource for civil society contact and communication with which EU institutions can effectively consult. While there are always concerns about maintaining a representative forum for small organizations with so many umbrellas involved, holding each of these member organizations responsible for producing their own reports on activity ensures that they are equally reviewed and thus, represented.

A format for public sector funding and financing should follow in order to make the CSCG an effective communication tool, without being influenced too highly by EU institutional forces. The priorities of the CSCG and the standards for membership should to be narrowed in order to become more horizontally efficient, and to gain a prominent voice in the policy-making process. The CSCG will continue to experience great inefficiency and slow growth under their current operational norms; instead, it should move towards more efficiently organization to fulfill a facilitation role that

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provides tools for active input on the EU level, while ensuring that NGOs and CSOs are responsive to the citizenry.

Options

It should be noted that the EU CSCG has previously conducted a survey on how to improve the relationship between NGOs and the European Council. The major findings of the survey revealed that contacts between the European Council and CSOs remain very informal and rely largely upon CSO efforts towards building relationships. Contacts are useful for intelligence gathering and organization profiling, but the impact of the position on European Council decisions is difficult to evaluate. EU presidencies working with CSOs at the national level can more effectively partner to formalize contacts with the European Council and Ministries. Recommendations by the CSCG survey to the European Council and member states apply to the EU and national levels, and include developing dialogue involving CSOs, appointing permanent representatives for CSOs, developing tools for communication and access to information, and exchanging good practices between member states. Survey recommendations to CSOs target national and local organizations, and include more anticipatory involvement in EU policy-making, improving coordination, building long-term trust relationships, adopting messages according to target level, and including the European Council early in the building of advocacy, communication and media strategy.²⁸ Some of these recommendations are integrated into the options below but have been made more explicitly defined. The options herein address the manner in which reforms can either enhance or eliminate the role that transnational organized civil society could play within the EU.

The CSCG was conceived at the 2001 European Council of Laeken under the act4europe campaign, and subsequently co-financed by the Commission and the Charles Stewart MOTT foundation.²⁹ Until 2009, the CSCG received regular grants from the King Baudouin Foundation and the Charles Stewart MOTT Foundation for specific projects (often granted to active NGOs around the “Future of Europe” debate), and has been financed through membership contributions since. The annual budget in 2010 amounted to €36,000.³⁰ The constraints imposed by reduced funding and grant backing has limited the activities carried out in the last five years. With proper funding, the CSCG has and could continue to expand the active contact network, monthly meetings, press releases and joint statements, various toolkits and seminars used to educate and assist NGOs on proposed EU legislation, and the news section on the act4europe website.³¹ All of these activities were supported and maintained by the CSCG as part of the act4europe Project Report of 2005 to

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financiers, but activities were reduced to meetings of the steering group five times a year and position papers on a quarterly basis.³²

With the decrease in funding, a decrease in functionality, legitimacy, and efficiency soon follows. In order for the CSCG to gain true prominence on the EU institutional stage, the institutions should have an invested interest in the functional and accurate input of civil society in legislative action. The Commission is comprised of non-elected politicians, and the departmental organization of DGs inherently puts Commissioners at a predisposition to consult specific interests and representative bodies (see Figure 1). The initial conception and backing of the CSCG by the Commission may go a long way towards explaining the functioning relationship between the two, whereas a relationship between civil society and EP is on a selective basis, and hardly exists with the European Council. The Commission is the most visibly interested institution in the initiatives of civil society due to its former financial investment in the CSCG, its 33 DG Departments, and its growing number of Expert Groups and consultative committees, and should thus find purpose in funding the organization of civil society and its organizations via the CSCG. The Minimum Standards for Consultation also compel the Commission to consult civil society and interest groups, and the Commission stands to benefit from a well-funded and efficiently-operating CSCG with the capacity to conduct field research and bring relevant consensus to DG operations. Through this funding, the Commission and DGs would enable the CSCG to resume its surveys and studies of national and regional concerns over legislation, enable the CSCG to allocate funding for public works projects the institutions do not have the capacity to oversee, and gain a direct link to a legitimized organization at the fore of civil society developments.

Provision of public sector funding would represent European investment in the succinct organization of European civil society, and is not only accessible to the Commission. The growing legislative role of the EP forces MEPs to consider factual and technical expertise while legislating. Because MEPs are elected officials, there is greater pressure for them to represent civil and societal concerns in public forums and debates. The physical distance between Brussels-based MEPs and their constituencies often created knowledge gaps about preference intensity of their constituencies. Additionally, information confined to MEPs' local constituencies is insufficient for them to evaluate legislative proposals from a broader European perspective. Increasing the capacity for the CSCG to conduct surveys, meetings, and various other civil society interactions through funding would provide a body of both specific and diverse information on the civil society concerns of national, regional, and diverse interests from Brussels. Should the EP support the

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funding of the CSCG, they stand to gain a valuable partner rich in information regarding the interests of the constituencies that elect them as European representatives.

In a similar vein, the European Council stands to benefit from a well-funded, informed and functional CSCG. Though the European Council is not a forum for public debate, it does contain electorally accountable politicians loosely influenced by national parliaments. European Council decision-makers are closer to the domestic arena where consequences of legislation are felt, and thus are susceptible to domestic interests. The CSCG could become a reliable consultative body in order for the European Council to gauge domestic concerns, a consideration for which they do not have a reliable source of input in their meetings beyond the representatives of the member states present. The European Council is also subject to EU-level political pressure, seeing as they receive an issue only after it is viewed by the Commission, EP, EESC, Committee of Regions (CoR), and the press. The increased role of the media also subjects the Council to additional national and domestic pressures. By approving funding to the CSCG, the European Council gains a reliable and cooperative partner in assessing and addressing the concerns of the public, without opening up the Council to public debate and criticism itself.

The CSCG has been in place for over a decade and has been ill-funded for the last four years. The organization suffers from a lack of funding, horizontal inefficiencies, and a clear role in transnational EU operations, all crippling its capacity to conduct meaningful dialogue with EU institutions, and now, between NGOs. While provisions in the Constitutional Treaty (rejected in 2005) included a budget for the support of civil society and its consultation with EU institutions, there is no promise of funding outside of membership contributions in the near future. If funding cannot be increased in the near future, the CSCG can streamline its organization in order to make more cost-effective decisions.

The CSCG under its current organizational structure is composed of eight large rights and value based NGO sectors (each individual sector is hereafter referred to as a member). As they stand, the umbrella sectors under which these CSO groups are organized provide forums for cooperation to gain funding and execute projects for the benefit of civil society. These sectors should remain the core focus groups for the CSCG, and additions to these sectors can be contingent upon the member demand for new group classifications. The CSCG, as an umbrella of umbrellas, should act as the forum for communication between these sector umbrellas, as well as with EU institutions on the whole. Current operations are managed by a steering group composed of two representatives from each member, and meet at least five times a year to develop common

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positions, monitor policies, disseminate information, develop briefings, organize events, and facilitate cross-sector campaigns. In light of the limited resources of the CSCG, these objectives might be met under a more rigid and vertical calendar structure. The CSCG could mandate biannual meetings of the steering groups, requiring that prior to said meeting:

- The CSCG receives the European Council agenda in order to incorporate the information in their own informational publication seven weeks prior to Council meetings;
- The CSCG publishes and distributes a proposed agenda to all steering group representatives and organizations within each sector;
- All members host a panel inviting all organizations of their respective sector five weeks prior to steering group meetings, termed “sector consultations”, in which a communication survey would be conducted in addition to the panel agenda (for more information on the communication survey, please see “Option III” of the NGO Chapter);
- The minutes of sector consultations be published within a week of the meeting and distributed to all organizations within the sector, to which organizations have two weeks to produce written replies and correspondence to steering group representatives;
- Steering group representatives produce a written summary of the sector consultations and subsequent correspondence to the CSCG, and represent the findings of these events in steering group meetings.

While there would be fewer meetings conducted on a yearly basis, it would allow time to conduct the sector consultations to adequately survey the individual organizations within the larger umbrella groups, or CSCG sectors, and provide a mechanism for direct input into CSCG operations. Additionally, decreasing the frequency of meetings at the top and providing a regular schedule for CSCG meetings provides sector organizations the space and opportunity to organize and provide well-prepared input regarding the issues relevant to CSCG meetings. In a case study of the issues and challenges to NGOs during the European Convention and Constitutional Treaty, it was found that the failure to engage national NGOs or to organize national-level debates created a gulf in perceptions held by those inside and those outside of Brussels.³³

Providing a succinct system of notification and a foreseeable agenda would streamline the consulting operations of the CSCG, while also saving on administrative costs. Restructuring the CSCG agenda would also put pressure on the European Council to coordinate with the CSCG and provide agenda documents with enough advance notice for the Contact Group to integrate it into their own agenda, providing the Council constructive feedback within a relevant timeline. With a decrease in administrative costs, the CSCG could amend its electoral procedures to extend the terms of steering group representatives to a two-year term, allowing more representatives to gain experience in the position and utilize it to improve the functions of their post.

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The steering group representatives could also be in charge of working with the CSCG to organize consultative meetings for their respective sector organizations with various EU institutions. With representatives for each sector responsible for organizing meetings, the administrative costs of the CSCG would be reduced, and organizations within their sector would have a direct point of reference for being actively involved in the schedule of each meeting. The CSCG could set guidelines for good meeting practices, and recommend that each sector complete a certain number of meetings with the DGs, Commission Expert Groups, some of the European Council configurations, and a certain number of MEPs. Under this scenario, the CSCG steering group representatives would be well equipped for influential and efficient meetings with these institutional representatives, being able to contribute the information from their sector consultations, the resultant feedback, CSCG group meeting procedures, and the support of member organizations. A well-organized and accountable CSCG is also a more useful tool for EU institutions and actors to understand the concerns of civil society and how that affects policy. The clear organizational and communication structure demonstrates a legitimacy of process, which in turn gives legitimacy to the information input offered regarding civil society.

The CSCG could also set hard standards of membership beyond the measures already in place. While the organization has a mission statement and basic resource and time commitment criteria, it does not go far enough to set concrete standards for organization membership and does not provide a concrete source of legitimacy for its members as a result. The CSCG could agree to standards of membership that required member organizations to perform set amounts of fieldwork and research; produce a quarterly, biannual, or annual progress report; submit themselves to domestic and constituency reviews on an annual basis; provide evidence of impactful civil sector activity; or set other standards of tangible progress and proof of civil society representation and advancement. The CSCG could hold each of their affiliated organizations accountable to standards of research, domestic consultation, national coordination, and cross-sector communication, the weight of their political input would carry considerably further in all of these respective arenas. A respected process for research, critiques, and communication of concepts lends credibility to and engenders respect for the input provided.

Civil society on the European level requires a platform from which to organize and coordinate their actions should they have any hope of making their voices heard on the European level. The only way to achieve such a presence is by restructuring the CSCG in order to increase the appeal of its practices and uses to the larger EU community. By vertically streamlining the meetings and procedures of each sector, and creating greater horizontal efficiency at CSCG operational

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meetings, less resources requiring less funding would be used, and the precedence of a truly representative body would be fulfilled and held accountable. The terms of elected office for steering group representatives would allow them increased time to pool resources and effectively make connections within the EU community for the purposes of cooperative partnerships and the potential to expand into lobbying activities more effectively. Restructuring the standards of membership for organizations would provide the CSCG with the tools to hold each organization and sector accountable for being representative; founded in research; accountable to local, national and transnational civil sector bodies; and thus create the knowledge-base to establish more authoritative and concrete lines of communication and relationships with EU actors and institutions. The recognized legitimacy of this input by civil society lends legitimacy to the EU as a governing and representative body which could move the EU to the next level of progress.

In contrast to the refinancing and restructuring options above, the CSCG could choose to remain a consultative body for the foreseeable future. Because there is no promise of increased funding in the short-term, and a restructuring of the CSCG requires a great deal of initial resource investment and leadership initiative, a safe option would be to render the CSCG a consulting body for NGOs, functioning in a similar vein to its current operations. The organization could retain its current practices, continuing to bring together various NGOs under common policy objectives and arenas for exchange and debate of current legislation and civil sector concerns. These sectors could look towards creating partnerships with the various organizations in and around Brussels in order to increase the visibility of their initiatives, and reach the Commission, EP, and European Council through these ties. The EESC has a history of working as an intermediary between civil society and EU institutions. Though NGOs do not necessarily support the EESC as an intermediary (especially during the Convention on the Future of Europe), they have acknowledged the effectiveness of the body as a resource.³⁴ Together, the two organizations could work towards more effective tools of communication, such as renovating the Commission CONECCS database in order to better tailor it towards increased visibility and utility for NGOs and civil society.

CONECCS could become a great tool for direct survey and communication with individuals and constituencies on local and regional civil concerns within the EU, upon which the CSCG and EESC could delegate task forces or research groups of NGOs to follow up. Through a partnership with the EESC, the CSCG could also explore potential common business interests to partner alongside in lobbying efforts, gaining a new channel to reach EU institutions. Seeking sources of partnership with other EU civil society coalitions, like ALTER-EU, and the EESC would pool the resources and expertise that the CSCG cannot currently fund, and would unite NGOs for projects

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and communication efforts that would eliminate wasted resources on all accounts. Partnerships would also increase the capacity for these organizations to carry out effective EU programs and policies which fall in accordance with civil society needs, thus providing the human resources the Commission lacks and positioning the civil society sector as a valuable resource for institutional implementation of policy. There is a risk that this option would render the CSCG weak and dependent, whereby groups can easily decline requests for cooperation, and the CSCG could easily be ignored, thus becoming a wasted resource.

A final, sweeping option is to eliminate the CSCG altogether. The lack of willful funding in the last four years could be a sign of the unwillingness of both grantors to invest in CSOs and of EU institutions to consider an organized civil society group as a partner in politics. The Eurozone crisis has posed an ongoing economic battle between EU member states, and a cooperative civil society sector may not be the largest priority on the agenda for many EU institutions and national governments. So long as there exists little financial backing outside of member contributions, the CSCG will continue to operate only in forms of published opinion and meager consultation. Being limited financially to an online presence and few representative meetings could be considered a waste of resources for member organizations, who would rather invest elsewhere their efforts at providing their constituency a voice. In such a case, it could be advantageous for the CSCG to disband and allow the member organizations to reorganize either on a sector-basis or national basis. However, while a viable option, the absence of a powerful effort to foster a supranationally-organized civil society would communicate to CSOs and European citizens that the EU does not value the input of the civil sector on par with lobbyists, interest groups, and other forms of political input coordinated between actors and the EU. While input from CSOs is hard to organize and obtain, it is highly important for the EU to assert an effort towards an active, continued relationship with CSOs in order to obtain equity of input from socially-supported interests across Europe.

Recommendations

- Make available the agenda of the European Council to the CSCG and other representative civic organizations and individuals seven weeks prior to Council meetings. Advance notice of the Council's agenda on transnational matters would allow the CSCG to conduct meetings congruent with EU-level concerns, and give them the time to produce ideas and input that would aid transnational policy-making.
- Restructure the CSCG into a more vertically and economically efficient representative body within the next five years—promoting multi-level NGO cooperation and foundation in research—that pools knowledge and resources to actively exchange with EU institutions. A civil society umbrella on the transnational European level would create better organization and coordination, making more efficient use of communication and

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contact resources in and between European institutions, national, and local CSOs. The recognized legitimacy of this input by civil society lends legitimacy to the EU as a governing and representative body which could move the EU to the next level of progress.

- Use the foundation of the CSCG in research and representativeness as means to lobby for increased funding from European institutions, if the CSCG succeeds in implementing the above recommendation. The EC, EP and Council all benefit from a civil society organization capable of providing accurate reports on sector-based constituencies, as well as an organization able to implement European policies and programs on the ground that the institutions do not have resources nor time to complete. As a partner for increased civil involvement, the CSCG is justified in a claim to EU funding or grants for programs and policies in the direct interest of European legislation, and towards advancing the will and prosperity of the European people.

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Identity

By **Alexandria Walker**

Founded on voluntary cooperation and multidimensional integration, the EU represents a remarkable example of a supranational political and economic entity composed of a collection of independent nation-states, each with their own distinct ethnic, religious and social compositions. Member states established their national identities—encompassing such elements as language, history, cultural traditions, ethnicity and religion—long before the formation of the European Union. The deeply rooted national identifications visibly working within each of the 27 member states are a permanent and valuable characteristic of the EU and something that must be actively addressed. However, citizens identify more with their national countries (e.g. “Germans” or “Italians”) than as a “Europeans”. As a result, many seem to be less inclined to participate in European politics and prefer to stay within the realm of their respective national political sphere.

This section does not want to promote a “European identity” that replaces national identity. Rather the following chapters make suggestions about how to foster a new and secondary level of identity as a European Citizen. In order to foster this new identity layer, we will focus our chapters on four different areas—EU-wide citizen participation programs, nationalism and regionalism, ethnic and religious discrimination, and education, and here specifically the Erasmus program.

The Union has sought to establish a cohesive European community founded on the celebration of difference and diversity because they understand the need to draw the EU citizenry closer to both the institutions and each other. With the implementation of cultural policy seeking to increase intercultural dialogue and communication, the EU has sought to increase interaction between individuals of different member states as well as to increase participation in European-level politics. Ultimately, however, the lack of attachment felt by the average European to a “European” identity illustrates the lack of overall success these efforts have had. Although the Union has not seen great success in this arena to date, the changing sentiments of European youth provide a promising vision for the future.

Another factor to consider in promoting a European identity is that Europeans tend to have strong ties with their regions and nations—at times contributing to separatism from instead of engagement with the EU. Promoting collaboration among regions as well as cross-cultural travel and education, especially in language, has the potential to open European citizens’ eyes up to the rest of their European community and thus reduce strong bonds solely to nations or regions.

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A negative aspect affecting the creation of a European identity is the amount of ethnic and religious discrimination that currently occurs in member states. Member states are becoming increasingly diverse—not only ethnically but also religiously. Discrimination against these groups is an impediment to increasing democracy in the EU because citizens will not feel strongly united to a socially cohesive community until they all respect each other's differences. While we cannot try and change an individual's opinions, we believe that the action an individual's respective government takes does have a small effect on opinions. By working with member states to amend policies and directives to help stop hate crimes and reduce discrimination, we believe that we can create a better sense of a "European" identity.

Finally, the Erasmus program is a European Student exchange program for college students in Europe. Students have the opportunity to travel to another country to study or intern in a different European country. While this program has been largely successful in creating a more socially cohesive Europe, there is room to improve and expand the impact that the program has on citizens' identification with the EU.

“United in Diversity”: European Identity and Community Building

By Kaitlyn Bauer

Issue

The contention between national, regional and European identities as it relates to the effectiveness of the EU has been a marked characteristic of much academic literature surrounding the European integration project. According to a representative from the EESC, “the EU’s problem is its legitimacy in the eyes of citizens.”¹ Therefore, a clear focus on the *citizen* is an important starting point in the EU’s search for a stronger claim to deepen legitimacy. Sebastian Boll, whose work on the European Union has been published in *The Interdisciplinary Journal of International Studies*, effectively summarizes an important phenomenon occurring within the borders of the EU. Despite the fact that “the EU is increasingly influencing the life of its people, the latter have not responded with a simultaneous, increased affiliation towards the Union.”² A report by the European Commission’s Eurobarometer in 2010 supported this conclusion, showing that “for the Europeans polled, the strongest feeling of belonging is to a nation (94%), followed by a region (91%). Some way behind these comes ‘feeling European’” (74%).³ A comparison between voter turnout in national and EU parliamentary elections put out by the European Commission reveals a trend towards higher participation in national elections and ultimately, these trends can be considered a reflection of the detachment European citizens feel from the polity within which they live.⁴

In order to effectively increase the Union’s legitimacy in the eyes of its citizens, this sense of detachment should be addressed. Bridging the gap between individuals of different nationalities and increasing their sense of affiliation with the European Union as a governing polity requires a strengthening of the European collective identity. An *imagined community*—envisioned by Benedict Anderson as a community not necessarily defined by its borders, but rather by a shared sentiment of identification and belonging would create a resilient feeling of commonness that would have the potential to translate to better communication, a greater degree of active citizen participation, and allow for deeper political and economic integration.⁵ This chapter will address the issues of citizenship as they relate to identity constructs and the acting out of particular identity associations in the context of the European Union’s democratic deficit and lacking legitimacy. I argue that a strengthening of the European collective identity—one which seeks not to supersede or overpower

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existing national and regional identities but rather emerges as equally strong and valuable to European citizens—would aid in the construction of a stronger, more deeply integrated and significantly more legitimate European Union.

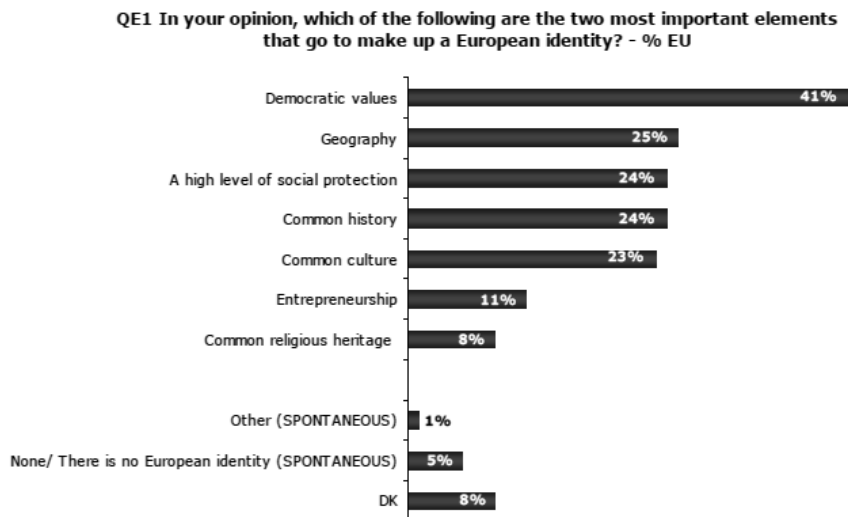
Background

Before addressing the EU's democratic deficit and legitimacy issues, a foundational understanding of the term *imagined community* is necessary. In his book *Imagined Communities*, Benedict Anderson explores the themes of nationalism, identity, the nation-state and political legitimacy and the interplay of these themes in the modern global community. In his analysis of the development and the enduring nature of nationalism, Anderson focuses on the idea of the nation as an imagined community—a community of individuals founded not on the basis of its physical boundaries, but rather on the inherent relationship between the members of that community under the acceptance of the pretense that they share a common identity.⁶ He asserts that members of imagined communities are undeniably bound together and feel a sense of “deep, horizontal comradeship” despite the fact that “the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion.”⁷ The cohesiveness that emerges as a result of this communion of individuals significantly impacts both the day-to-day lives of those living in the given community as well as the political legitimacy of the governing body.

This understanding of an imagined community certainly calls into question what factors contribute to the establishment, development and maintenance of a collective identity that works to unite individuals of a given group. There has been much academic discussion devoted to the origins of collective identity; scholars have identified contributing factors ranging from language, ethnic background, religion, common narratives and culture and have made compelling arguments about the degree to which each of these factors encourages the establishment and endurance of group identities. Because this chapter is centered on identity within the European Union, however, I will use the research done by the European Commission to establish a working framework of what elements comprise identity in the minds of Europeans currently living within the European community.

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In the Eurobarometer report referenced above, respondents were asked what they believe works to make up a European identity.⁸ The data presented in the graph immediately below reveals a few important points. First of all, we are reminded of the importance of democratic values as they relate to identification with the European Union. This understanding effectively reiterates the point



that a democratic deficit could potentially do damage to whatever collective European identity has been established and developed to date and reminds us that correcting the democratic deficit and the issue of collective identity go hand in hand.

Additionally, we see that apart from democratic values and geography, social protection, common history and common culture are viewed as the most significant contributing factors influencing the European identity. Not only are these factors viewed as highly important, but they are inherently difficult to establish in the context of the EU, being that it is a supranational entity. While these collective identities emerge more naturally on the national level, uniting transnational population groups requires more attention.

This has been the challenge of the European Union to date. Emphasizing similarity between individuals living within all 27 member states despite the competing narratives and cultures that exist within the borders of the Union has presented a challenging but necessary task. It is the dynamic nature of the European Union itself—composed of nation-states with strongly engrained and widely accepted national identities that are markedly different from one another—that motivated the European Union to adopt a motto that effectively communicates its uniting goal. Officially coined in the year 2000, “United in diversity” represents the official stance of the European Union and has been a physical symbol of the European identity that the Union has aimed to establish. According to EUROPA, the official web portal of the European Union, this motto “signifies how Europeans have come together, in the form of the EU, to work for peace and prosperity, while at the same time being enriched by the continent’s many different cultures, traditions and languages.”⁹

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With the idea of unity in diversity at the cornerstone of its social and cultural policy, the EU has made a concerted effort to develop a singularly European identity founded on the celebration and acceptance of difference. Beginning with the most visible actions taken by the Union to perpetuate this identity, consider the symbols created to represent Europe on the whole. Apart from the creation of the EU official motto, the Union has adopted its own flag and the European anthem. These symbols are tangible and easily visible evidence “not only of the European Union but also of Europe’s unity and identity in a wider sense”, according to EUROPA.¹⁰ Additionally, the Union has created Europe Day—a day of commemoration for French foreign minister, Robert Schuman who presented the ideas behind the European Union in 1950 and laid the groundwork for what has been accomplished since then—as “an opportunity for activities and festivities designed to bring the EU’s institutions closer to the public, and the bloc’s people closer to one another.”¹¹

Having recognized the need to draw together the people of Europe and forge an attachment to the Union’s institutions, the EU has gone further than simply creating visible symbols of the unity for which they strive. Apart from these symbols, the Union has sought to reach these ends with the implementation of various social and cultural policies. As illustrated above, citizens of the European Union grant most significance to democratic values, geography, common history and common culture as factors playing into the European identity they subscribe to. Therefore, it has been the goal of both early and recent EU social and cultural initiatives to create and more widely circulate these elements of European identity. Because EU policies and initiatives aimed at perpetuating a European collective identity and building a European imagined community are so vast in number and scope, I will focus on an assessment of some of the most significant instances of providing for the emergence and development of the European collective identity.

One of the most remarkable strides made by the European Union towards this effort to date has been the successful establishment of the Schengen Area. The free circulation of European “citizens, many non-EU nationals, business people and tourists” has resulted in a degree of fluidity and movement that would otherwise be entirely impossible.¹² In the context of this discussion on European collective identity, the Schengen Area has done a great deal to aid in the development of a transnational community. In a paper prepared for the European Consortium for Political Research (ECPR) Fourth Pan-European Conference on EU Politics, Jeroen Moes explains that the Schengen Area has allowed for “social, cultural, economical and political cross-border flows [to] intensify” which in turn “affects the *imagination* of the nation-states and of Europe.”¹³ In simple terms, this means that the intensification of cross-border flows has changed the way individuals view Europe. The removal of physical barriers between member states has effectively resulted not only in a

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lessening of perceived division among member states of the EU but has also allowed for a greater fluidity of transnational cooperation and interaction.

Regardless of the goals that were initially being pursued when the Schengen Area became a reality, it has had significant implications on the emergence and development of the European collective identity and imagined European community. Being that the free movement of people has allowed for a greater degree of transnational communication, cooperation, awareness and understanding, it is effectively allowing for a social, cultural, political and economic exchange between individuals of different member states thereby encouraging the development and maintenance of transnational relationships and understanding. Maintaining this emphasis on the value of social and cultural interaction between individuals with different national identity associations, it is important to consider other EU sponsored programs that have been specifically designed in the effort to encourage cross-border interactions like these.

Given the fact that the EU has proposed an astounding number of programs and initiatives to this effect, I will narrow this discussion by focusing primarily on those that fall under the realm of European Cultural Policy and the European Agenda for Culture. Stemming from their position that a European collective identity must embrace and celebrate difference and given that culture represents a key element in identity formation and maintenance, the European Commission has invested a great deal of resources into the promotion and expansion of the cultural policy sector. In an official publication on the importance of culture in the context of European integration published in 2002, the Commission states that its intentions are “to create a ‘Europe of the peoples’...using culture as a vehicle.”¹⁴

The manuscript’s introduction effectively defines the relationship between culture and collective identity formation from the official position of the European Union. It states, “transcending all manner of geographical, religious and political divides, artistic, scientific and philosophical currents have influenced and enriched one another over the centuries, laying down a common heritage for the many cultures of today’s European Union.”¹⁵ Data from the Eurobarometer on European Cultural Values—which was conducted in 2007—shows that European respondents agreed with the Commission’s position on the value of culture in the European context. The data collected in this report shows that 77% of respondents feel that culture—regardless of how it is defined—is an



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important element of their lives as Europeans.¹⁶

Having established the significance of culture as it directly relates to the EU's intentions of encouraging the development of a European collective identity, the Commission explains that "the aims of the EU's cultural policy are to bring out the common aspects of Europe's heritage, enhance the feeling of belonging to one and the same community, while recognizing and respecting cultural, national and regional diversity, and helping cultures to develop and become more widely known."¹⁷ In effect, what this means is that the EU recognizes the undeniable connection between culture and its identity-forming potential and seeks to celebrate the diverse wealth of cultures that characterize the Union while at the same time promoting intercultural understanding, awareness and mingling as a means of fostering this European identity and increasing the acceptance of Europe as an imagined community.

Out of these understandings, the European Union has promoted culture through policy, programs and initiatives. The European Commission's Culture Program (2007-2013)—with "a budget of €400 million for projects and initiatives to celebrate Europe's cultural diversity and enhance [the] shared cultural heritage through the development of cross-border co-operation"—states on its official website that its three main objectives are to "promote **cross-border mobility** of those working in the cultural sector; to encourage the **transnational circulation** of cultural and artistic output; and to foster **intercultural dialogue**."¹⁸ For the achievement of these three main objectives, "the program supports **three strands of activities**: cultural actions; European-level cultural bodies; and analysis and dissemination activities."¹⁹ The program guide outlines its goals, responsibilities and the measures it will take to determine where its budget will be used. The long list of potential areas of culture to which the program will allocate its funds include support for European cultural festivals, literary translation projects, cooperation projects and support for organizations active at the European level in the field of culture.²⁰

Several distinct initiatives aimed at accomplishing these Commission goals emerged out of this program. Firstly, consider the European Capitals of Culture, a program designed to "highlight the richness and diversity of European cultures", to "celebrate the cultural ties that link Europeans together" and ultimately to "foster a feeling of European citizenship."²¹ Similarly, the European Commission and the Council of Europe support European Heritage Days, a locally-led initiative which allows for "more than 20 million people [to] enjoy access to thousands of rarely opened sites and unique events" which highlight the richness of the *European* heritage on the whole.²² A final initiative that deserves attention here is The European Year of Intercultural Dialogue of 2008.

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Despite the fact that it took place several years ago, the European Commission still reserves a place for its story on their cultural policy website which points to the identity-forming effects it allowed for during that year and after it ended. It was “a year of projects, festivals, debates, information campaigns, competitions, articles, speeches, networking and reflection all aimed at: **raising public awareness**...of the need for intercultural dialogue to help us adapt to an increasingly mixed and complex world, **involving many people** in exploring what intercultural dialogue means in their daily life, [and] **promoting the role** of intercultural dialogue in...fostering active European citizenship and a sense of European belonging.”²³

With a brief review of the program guide and the initiatives that fall into its scope, it is clear that intercultural dialogue and cooperation are at the top of the Commission’s list of priorities in this specific sector. In the context of a European identity, cross-border cultural cooperation and interaction is surely a reasonable thing to invest in, however, culture isn’t the only arena in which the EU is seeking to promote the development of European identification and community-building. Apart from the cultural policy sector, the Union has invested a great deal of their budget into using the educational sphere as a means of encouraging the development of the European identity and fostering a sense of a European imagined community. In the education and training sub-section of the European Commission’s informative website, the Commission outlines a program that provides a foundation for the initiatives that fall into this area. The Lifelong Learning Program “funds a range of actions including exchanges, study visits and networking activities” which are “intended not only for individual students and learners, but also for teachers, trainers and all others involved in education and training.”²⁴ The sub-programs within The Lifelong Learning Program—Comenius for schools, Erasmus for higher education, Leonardo da Vinci for vocational education and training and Grundtvig for adult education—encourage involvement from individuals of all European nationalities and from all age groups.²⁵

Of these sub-programs, Erasmus represents perhaps the most successful attempt at encouraging the development of a European imagined community founded on a collective European identity. Coming up on 25 successful years of mobilizing European youth and mediating the academic exchange of more than 3 million students since its creation in 1987, “the annual budget is in excess of €450 million” making it one of the primary recipients of funding of any program of its kind.²⁶ By providing the opportunity to travel and study abroad to European youth, the European Union is effectively encouraging cross-border cooperation, individual and personal interaction among people of different member states, multi-cultural awareness and understanding and a higher capacity for multi-linguistic ability. Similar to the ways in which the Schengen Area has

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allowed for large scale European mobility and the fostering of transnational interaction, cooperation and experience, the Erasmus program allows students to broaden their scope and forces them to consider Europeans outside of their national borders.

Although slightly dated, Katrin Bennhold's article "Quietly sprouting: A European identity"—published in the *New York Times* in April of 2005—investigates the identity-forming influence that the Erasmus program has on its students. Though some students inevitably encounter different and more positive experiences than others while participating in the program, many European students find that their identity associations shift significantly with participation in this program. Bennhold includes a personal account from a German student, Jergo Riss, whose engagement with the program left him feeling "European rather than German."²⁷ Having lived in five European countries and learning five distinct languages, Riss says, "I feel at home anywhere in Europe."²⁸ Of course, this is not the Union's expectation of all Erasmus students. However, the trend towards multiculturalism and multilingualism that is encouraged greatly through participation in the Erasmus program has Stefan Wolff, a political science professor at the University of Bath in England, asserting that the seeds of a European identity being fostered in today's European youth "could produce a cultural shift" when "this generation takes the reins in the coming decades."²⁹

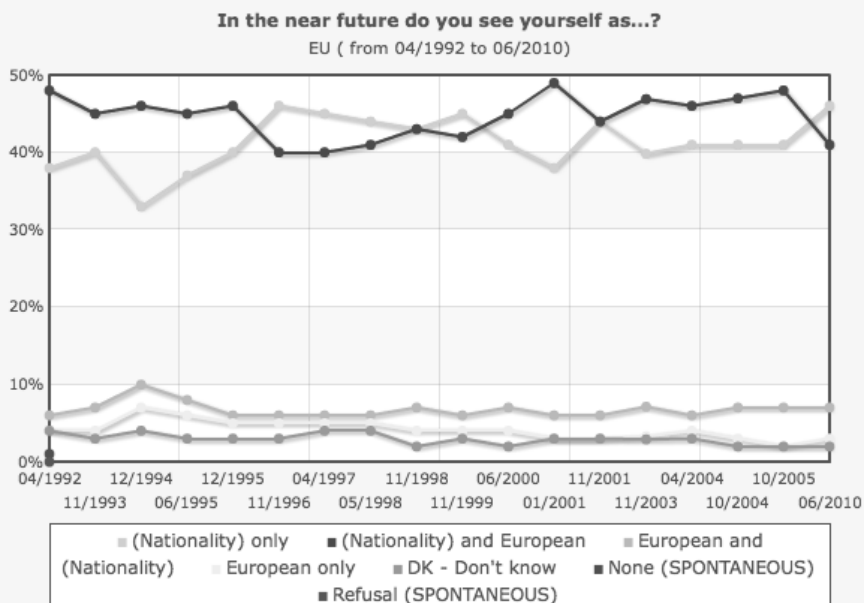
Pointing to the powerful changes that could be spurred by the growth and development of a European identity founded on cross-border cultural interaction and cooperation, Wolff states that he is "quite optimistic that in the future there will be less national wrangling, less Brussels-bashing and more unity in EU policy-making—even if that is hard to picture today."³⁰ The intercultural dialogue and experience produced by a program like Erasmus is something that has proven to be quite powerful in the development of a European collective identity and imagined community. Echoing the official position of the European Union, Jan Figel, the EU's commission for education, training, culture and multilingualism at the time of the article publishing "says it is precisely the cultural diversity demanded of young Europeans today that is helping to give them a common identity. "They are not asked to give up their national or regional identity—they are asked to go beyond it, and that is what pulls them closer together."³¹

A final initiative worth mentioning here is the 2013 campaign initiated by the European Commission called "The European Year of Citizens." According to the European Foundation Centre, whose central task is advocacy and monitoring of the Union and its policies, "The European Year of Citizens" "will focus both on what has already been achieved for citizens and on meeting citizens'

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expectations for the future” by providing the opportunity for people throughout all European member states to “learn about the rights and opportunities open to them through EU citizenship[,] take part in debates about the obstacles to using these rights and generate specific proposals for achieving them[,] participate in civic forums on EU policies and issues [and] prepare to vote in the 2014 European elections and engage in the EU’s democratic life.”³² By engaging its citizens in an open dialogue and encouraging a positive image of the European Union and its relationship with its citizens, there is certainly a potential for not only fostering the idea of an imagined community among individuals of all European member states, but also to bridge the gap between the Union’s political elite and the average European citizen, a necessary step in the repairing of the democratic deficit.

After all the efforts made by the European Union to foster a common European identity, the final point that remains to be considered is how successful, in real terms, these efforts have been. An effective way to gauge the changes in Europeans’ self-identification over the years is to consider the marginal changes reflected in polling and surveys across Europe over time. In a Eurobarometer report referred earlier in this chapter, in which fieldwork took place between June and July of 2009, 74% of respondents answered that they feel they are European which is noted as “an increase of 3 percentage points since Spring 2008...Similarly, the percentage of those who ‘do not feel European’ has decreased slightly.”³³ This means that over the course of one year, the response of Europeans has been dual. Not only has a small percentage of individuals agreed to feeling European, who had



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not felt that identification before, but there was an additional percentage of respondents who had previously answered that they ‘do not feel European’ that neglected to identify in this way one year later.

Although this is an important indicator, it does not sufficiently capture the trends associated with European

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citizens' attachment to their European identity. Consider the image presented below, which reflects the responses of European citizens to the title question between 1992 and 2010. Although the trends appear fairly sporadic and do not reflect dramatic shifts in respondents' identity associations, they reveal an important fact. The efforts currently being used by the European Union towards the goal of developing a Europe-oriented citizenry united by a common identity have not been incredibly successful. The marginal changes that can be seen in this chart point to the fact that those polled are responding to something as time progresses, albeit in both positive and negative direction. These marginal changes in both directions illustrate that in order to effectively accomplish this end goal, the European Union should aim to continue actively pursuing a collective identity and imagined European community through further development of policies and initiatives that support its emergence and perpetuation.

Options

Having assessed the efforts currently being made by the European Union to foster an identity founded on cultural difference and diversity and taking into account the most commonly accepted building blocks of identity and sentiments of community, I assert that the avenues currently being pursued—initiatives and policies in the cultural and educational sectors—are viable methods of achieving the end goals of the EU. According to the data listed above, however, there is plenty of room for improvement in both of these areas in order to effectively accomplish widespread citizen identification with Europe on the whole. This assertion is grounded in a research report released by the European Commission in 2004 under their Research and Innovation sector in the arena of Socio-Economic Sciences and Humanities. After extensive polling of men and women between the ages of 18 and 24, data showed that a majority of respondents answered “European identity was still under construction and could be strengthened by increasing the number of young people’s personal experiences with the EU (travel, employment mobility, learning languages and educational exchanges).³⁴ It is this understanding that motivates many of the proposed policy options that follow.

With a specific consideration of European youth—which, as a population, has been targeted by the EU since its conception as central to the emergence, development and maintenance of a European collective identity and imagined community—the topic can be broadened significantly. As Jeroen Moes articulates in a manuscript prepared for the ECPR Fourth Pan-European Conference of EU-Politics cited earlier in this chapter, “the youth of today *will* shape the reality of tomorrow. It is *this* generation, the ‘Erasmus Generation’ as it already has been called, that will create the shape

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of the coming few decades.”³⁵ This understanding has been foundational to EU cultural and educational policy to date because the youth of today will effectively decide how the EU will be shaped in the future. As it searches for new venues to create intercultural dialogue and cross-border interaction, the EU would benefit from prioritizing this generation.

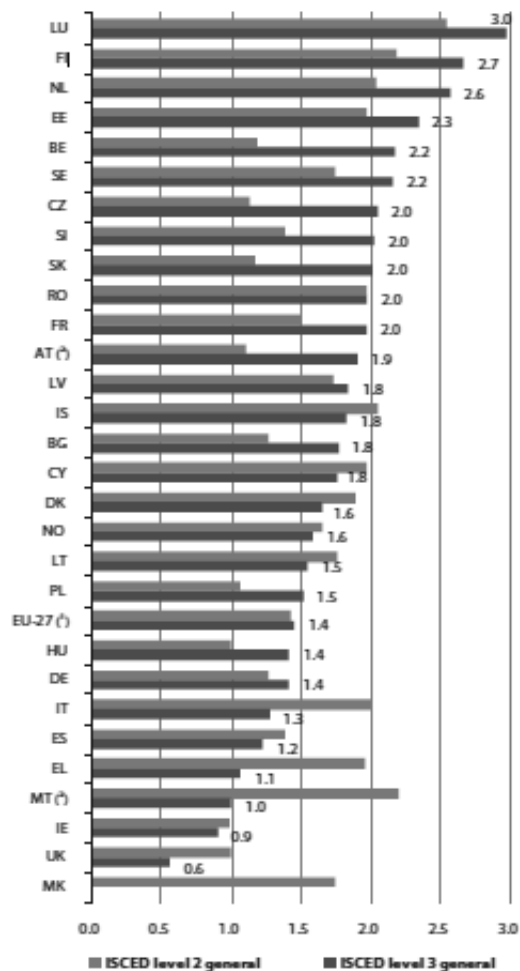
Erasmus has effectively accomplished a central goal of the EU in terms of laying the foundations for a collective European identity and transnational European community. It has encouraged the mobility of thousands of individuals and increased cultural and linguistic knowledge and awareness throughout the polity’s member states. Ultimately, this program should maintain its priority status in terms of funding and attention as the EU moves forward in its attempt to engage with its people and deepen its degree of integration. Additionally, however, I assert that there needs to be a greater emphasis on the youngest members of the EU community. Whereas identifications among adult populations are difficult to shift away from a nation-state-centered perspective to one that identifies also with the Union as a whole, the minds of today’s youth have yet to adopt this type of identification and are therefore more likely to accept a knowledge base founded on celebrating diversity in the European context. Laying the groundwork for the emergence of an eventual multi-layered identity comprising not only those of the nation and region but also an attachment to the EU on the whole should begin at an early age.

The most effective way to reach the minds of European youth at the elementary and secondary school levels is certainly through their educational experiences. As articulated by the European Commission on their website for school education, “while in the EU each Member State is responsible for the organization and content of its education and training systems, there are advantages in working together on issues of shared concern.”³⁶ While the EU seeks to actively promote school development and the education of school staff and informs educational institutions about “good policy practices” there is little work being done to promote the content of primary and secondary educational curriculum.³⁷ Apart from ensuring that European pupils are receiving “the competences they need in the rapidly changing knowledge society” and promoting literacy and numeracy, the Union remains largely absent from the content of the curriculum in member states primary educational institutions.³⁸ Although the imposition of specific curriculum is outside the scope of the Union’s authority, there is potential for the creation and dispersal of educational materials that would seek to aid in positive identity formation at the European level as well as encourage transnational community building.

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It is in this arena that the EU could dramatically increase its influence. Despite the fact that the European Union is unable to insist upon the adoption of any specific curriculum it designs, there is the potential that incentivizing educational programs created by the Union would encourage its acceptance across member states. Educating today's youth of the system within which they live would be a significant step forward in creating a positive European identification and inherent attachment to the entity within which they live. Apart from basic educational materials aimed at informing youth about the political and economic system and its place in the international community, the EU could effectively instill a deeper level of understanding and awareness of the diversity that characterizes the Union's 27 member states. Intercultural awareness, regional studies and language are three types of knowledge bases that would aid in the acceptance of Europe's identity as a richly diverse community. Not only would curriculum like this have the potential to aid in the development of multicultural awareness and foster a sense of understanding and community among the young generation throughout the member states, but it would lay a foundation for interest in personal intercultural experiences down the line.

Linguistic education, specifically, represents perhaps the most crucial element to EU



educational program changes for the sole reason that it is both contributes to identity formation and impedes community building in the EU.³⁹ According to a 2011 Eurostat Pocketbook report on Cultural Statistics, in the 2007-08 academic year, “secondary pupils in the EU-27 studied on average 1.4 modern foreign languages.”⁴⁰ Although this is certainly an impressive number—implying that most students living in the EU study at least one foreign language—the linguistic diversity throughout the EU should encourage a higher degree of language-speaking ability among the citizen populations. Also important to note, however, is the fact that “English remains the main foreign language in secondary education in Europe...because English is in most cases the compulsory first foreign language.”⁴¹ The figure to the left represents a comparison of the number of languages learned on average by secondary education

(*) EU-27: estimation for available countries.
 (*) Exception to the reference year: 2006/07: AT and MT.
 Source: Eurostat, UOE data collection (online data code: educ_th3rtar)
 Data not available: PT, HR, TR, LI, CH.

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students across the EU. This data points to the fact that a) there are substantial differences in language-learning patterns between member states and b) there is incredible potential for increasing the linguistic capacities of EU students across member states, especially in states that fall toward the bottom of the graph including Italy, Ireland and the United Kingdom.

Again, I reiterate the fact that the EU does not have the authority to mandate the use of specific educational curriculum programs in any member state. Despite this fact, the Union does have the tools necessary to create these educational programs and the capacity to disperse these materials widely to those member states that see the value in adopting them as standard compulsory curriculum. In order to achieve this aim, however, it is likely that the EU would have to create a means of incentivizing the use of these materials considering the fact that they would require a significant shift in the current educational status quo and a concerted effort on the part of both member state governments and educational institutions to find a means of incorporating this type of curriculum into the existing ones. Because compiling the resources necessary to create compulsory educational curriculum would be difficult and encouraging their use would likely require substantial incentives, perhaps a more realistic first step would be creating online materials available for free that could be widely circulated and easily accessed by Europeans across member states. These materials—which could range from online debate forums, short videos and lectures—would supplement rather than replace existing curriculum throughout member states and could potentially lead to further educational material production in the future. As a starting point however, materials such as those listed above along with interactive assignments and dialogue-based response exercises for use both in the classroom and at home would provide an ample amount of positively European-focused curriculum.

Moving away from the issues surrounding the of informing Europe's youth, consideration of the the cultural sector reveals that there is room for both an increase in the number of programs as well as a reduction of the scale of the programs and initiatives aimed at increasing transnational cooperation, understanding and awareness. Rather than directing these initiatives at such a large and unspecific group of individuals, smaller-scale and more specific initiatives aimed at targeting small groups of individuals would help to increase the efficiency and productivity of these initiatives in terms of their identity and community fostering capabilities. Consider, for instance, the European Capitals of Culture, European Heritage Days, The European Year of Intercultural Dialogue and The European Year of Citizens. Because they operate on such a large scale and target such a huge population, participation and involvement is difficult to encourage. I do not intend to say that

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these programs are in any way unhelpful or that their place in EU cultural policy is not useful, rather I aim to establish the fact that EU cultural policy cannot end at this level.

The benefits of EU-sponsored, small-scale projects and initiatives targeting specific groups of individuals—transcending national boundaries, of course—could be of great use to the European Union in fostering a common identity and sense of a European community. As is evidenced by the focus on cross-border cooperation in most of the EU initiatives in this realm, interaction and relationship building with individuals from different member states is key to fostering a sense of community. Consider the adult generation, whose identities have already become fairly well engrained and whose opinions about the Union and their place within it have already been decided upon. In order to reach this sizeable portion of the population, targeting and directly encouraging transnational cooperation would be greatly beneficial. Examples of where the EU might be able to encourage participation and cooperation on this level would be by instituting programs and initiatives that seek to unite individuals from member states across the European Union with similar interests and goals. This could be in the form of interest and lobby groups, involvement in non-profit organizations or in the realm of small-scale cultural or social projects. Whatever the case may be, encouraging transnational and intercultural dialogue, cooperation and relationship building could serve the Union in the long-term by fostering a sense of community and similarity among individuals of different member states. By providing venues like these for cooperation among citizens from different member states, the EU could effectively encourage awareness, comradeship and a common vision of the future for Europe, which would all help to establish a sense of European community and solidarity. In this arena, the EU could work to increase the visibility and knowledge base of groups and projects like these as a means of informing citizens of their existence and encouraging active cross-border participation.

Apart from encouraging a greater degree of transnational interactions through participation in organizations that inspire cooperation, the European Union could potentially extend its reach into other areas where communication with the polity's older population is currently lacking. Whereas today's European youth has been granted the opportunity to travel and establish themselves within the greater European context through programs such as Erasmus, a portion of the adult population—especially those raised prior to the establishment of the European Union—have situated themselves and formed identities based primarily on the nation-state in which they live.⁴² Given the great successes of Erasmus as an identity and community-inspiring program, it would make sense for the Union to invest in programs that would encourage cross-border experiences such as these for those who do not attend European universities. With a wealth of

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programs encouraging the travel and intercultural experiences for the Union's youth, these kinds of programs appear largely absent for Europe's adult population and this is something that the Union could improve upon in the immediate future to help forge a sense of identity and community among the continent's adult population.

Because the funding available to the Union is limited and there are few areas where cutbacks make sense, the scale of programs of this kind are likely going to have to be small. In order to encourage mobility and intercultural interaction outside of their individual nation-state, the Union could consider funding awareness programs that focus on advertising travel across Europe and the benefits of doing so. Of course, advertisement of this kind would cost a substantial amount of money, funds that may not currently be available to the Union for this type of spending. Therefore, it is highly unlikely that this avenue would be pursued by the Union as a means of fostering a sentiment of community among adults living within member states even if the impact of advertisements like these could encourage the international experience of those living within the EU. Despite these funding challenges, the Union should certainly increase mobility opportunities available to those not at the university level. Programs in which the EU could potentially invest in this arena include internship opportunities throughout member states for young adults. More specifically, internship and temporary working positions in Brussels would effectively allow for a greater number of interactions between the average European citizen and elite-level EU politicians.

Recommendations

- Invest in the creation of primary and secondary supplemental education materials that inform students of the EU and its institutions as well as generate discussion about *European* culture, regional difference and language. These materials include online debate forums, short videos and lectures and will be freely available for use across member states.
- Increase the visibility of civil society organizations as well as transnational projects as a means of encouraging cooperation and intercultural dialogue among European citizens.
- Provide seed funding for programs that encourage mobility for members of the EU's working population. These programs will inform and provide opportunities for transnational internships and temporary jobs throughout the Union.

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Fostering EU Diversity Through Regionalism and Nationalism

By **Stephanie Wright**

Issue

Nationalism and regionalism represent two powerful political and ideological forces. Nationalism refers to the pride that one has in their country's people, culture, language, values, and places "primary emphasis on promotion of its culture and interests as opposed to those of other nations"¹. Regionalism refers to the same kind of pride but at the intranational or international level. These two forces have come into play, not only in the recent crisis but throughout the history of Europe. The EU, as a supranational organization, takes pride in its cultural diversity, however many citizens do not participate in the events and elections of the Union, preferring to remain with their regional or national spheres. Although nationalism and regionalism can build morale of each individual's community, the competition and separatism between these areas hinder the overall feeling of cohesion of member states that the EU has tried to create. Such forces weaken citizens' desire to participate, for example, in EU elections, which contributes to the democratic deficit that our report addresses. Therefore, the EU should focus on fostering the individuality of regions and nations while encouraging citizens to create stronger ties with the EU and other areas of Europe. It should not attempt to eliminate regionalism and nationalism, but rather use that as an advantage in creating a diverse European identity. With this identity, individuals will be more likely to contribute to EU events, such as elections, that affect the whole of Europe. These ideas for European cohesion also promote the cross-border movement of cultures and ideas, allowing member states to learn from each other. If nationalism and regionalism are not addressed, the EU will be left to deal with further isolation of nations and communities as well as a larger disconnect between its citizens and the institutions that exist to support them.

This chapter will focus on describing the effects that nationalism and regionalism have on decreased participation, especially in elections, as well as point out steps that the Union has taken to encourage Europeans to participate more in EU events. It will also point out instances that the Union uses regionalism and nationalism to its advantage by fostering diversity in a positive way. It suggests that the EU create or add to existing programs that encourage individuals to establish more connections with other cultures and that educate the public about their rights. With such

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programs, citizens will ideally have a stronger connection with other member states and Europe as a whole.

Background

Countries and regions use their commonalities, such as borders, languages, and values, to reinforce their own identity, distinguishing them from others. Mary Farrell, Stefano Fella and Michael Newman present this idea in *European Integration in the Twenty-First Century*, using the terms “We-groups” and “the Other.”² The authors discuss what creates nationalism within a state: “internal cohesion, in the ideal nation-state model, required not only cultural and, if possible, linguistic unity, but also the referent ‘foreign’ as a screen to reflect that cohesion.”³ This internal cohesion creation of “We-groups,” or a collective body that has similar characteristics, and “the Other,” or any group that is not like the “We-group,” makes European integration difficult because populations hold pride in their uniqueness by identifying themselves through these specific characteristics. Regionalism and nationalism use physical and mental borders, similar to the imagined communities described in the previous chapter, to solidify citizens’ separation from other areas and this split contributes to the democratic deficit through decreased participation.

However, instead of isolating these communities as completely separate groups, it is important to promote the understanding that each nation and region fosters its own unique personality that contributes to the diversity of European Union, embodied in its motto, “United in Diversity.”⁴ The EU can strengthen this mindset by highlighting the importance of differences that citizens have that make them unique, while still encouraging respect between these groups instead of continuing a completely “us” versus “them” mentality. Attachment to a nation is comprised of many aspects, but some of the most important, according to a 2011 Eurobarometer report by the European Commission, are an individual’s nation of birth, their mastered language, cultural traditions, and the ability to exercise their personal rights.⁵ These vary across the countries of the EU and for citizens to make their personal associations more manageable they relate to others with similar characteristics, which share the same values, and speak the same language. These factors are what make a certain country or region unique, so recommendations offered in this chapter will incorporate this. Nationalism and regionalism can isolate certain areas of the EU from the rest of their fellow member states. However, Europeans can come together as a collective body while sustaining their individuality by using regionalism and nationalism in a constructive way.

The Commission’s Eurobarometer report on New Europeans found that language is one of the key factors of a citizen’s identification with a particular nation or region.⁶ Language is an easy

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means of communication, so it is not a surprise that it ranks as one of the highest attachment factors. Farrell, Fella, and Newman discuss the importance of language, referring to the “linguistic nationalism” in many member states. They present that idea that “linguistic communities in Europe are for the most part closely tied in with feelings of regional or national identity, and few would ever envisage sacrificing their linguistic or cultural heritage on the altar of European identity.”⁷ Again, it is important to note that the EU is not trying to destroy feelings of regionalism and nationalism in their attempts to create a common European identity. These can instead create diversity and can be used in constructive ways. Therefore, when choosing the correct recommendations for working towards this collaborative identity, negative aspects of regionalism and nationalism can be addressed by creating initiatives that allow people to foster their personal identity’s key characteristics, such as their native language, to withhold the diversity within the EU.

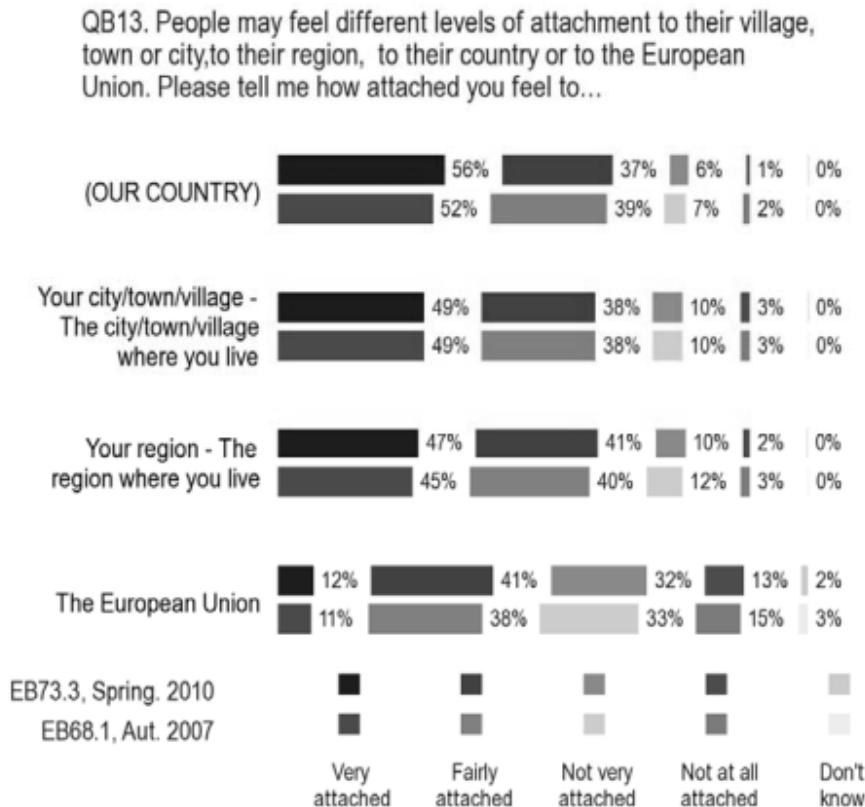
Specifically, offering opportunities to learn the languages of other Europeans promotes further investigation into the facets of other EU citizens. For example, the variation of accents in Spain creates a linguistic barrier between different areas of the country. In northern Spain, the accent is typical to how Spanish is taught in many areas of the world as a foreign language. However, in the southern region of the country, the accent is much thicker, the pace is faster, and “unstressed vowels can exhibit reduced duration, weakened voicing, and... appear to be deleted.”⁸ This form of linguistic regionalism shows how distinct dialects can make communication challenging between different areas of Spain and how this can separate them from each other. Although this is only one example, these distinctions and separations occur in varying degrees from regional dialects to completely different languages throughout the EU.

Furthermore, although Spanish citizens first learn Spanish, educators in the Catalonia region are currently encouraging children to learn more languages, including English, making bilingualism more widespread.⁹ An article by Cristina Sanz, a professor of Spanish and Portuguese at Georgetown University, discusses the encouragement and availability of learning multiple languages in schools in this region. Sanz notes that “multilingualism, and specifically knowledge of English, is highly valued in a region that proudly embraces its European identity and the benefits of its membership in the European Community.”¹⁰ Catalan, on the other hand, the distinct dialect spoken in Catalonia, is a very specific language and only known by those who live in the area. This aspect of regionalism adds to European diversity but can also isolate citizens if they are not given the chance to learn more languages. Offering English or other well-known European languages in schools can widen the amount of resources available to them and allow them to learn from others about different aspects of the EU. This communication would also encourage regional and national

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cross-border communication between people so they could learn from other EU citizens' experiences and mistakes.

Nationalism and regionalism in Europe establish a strong connection to a physical area, such as Germany as a nation or the Nestos-Mesta region that includes Greece and Bulgaria. However, strong ties to a specific area can create disinterest amongst these citizens to become involved outside their regions and participate with the EU institutions and procedures. EU issue voting is a term used to describe how the EU can determine the opinions of citizens based on their involvement with elections.¹¹ An example of one of these issues is European integration. Data results, found in an article by a professor at Leiden University in the Netherlands, show that citizens are much more likely to participate in groups that they identify with based on their common education, religion, culture, and so on.¹² These commonalities are established within countries and regions as a result of isolated citizens due to nationalism and regionalism. In theory, proposing intricate collaborations between different member states and individual regions will foster a desire for Europeans to be more involved with areas outside their own. As a result of these potential outside connections, citizens will want to become involved in areas where they have no voting power and, consequently, they will have to take their votes to the level of the EU.



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Figure 1¹³

The European Commission's Eurobarometer, entitled *New Europeans*, reflects the idea that European nations are identifying more closely with their nations than with the EU as a whole and the potential "collective identity" of Europeans has been decreasing. According to this document from 2010, the highest "level of attachment," based on the category of "Very attached," that participants felt was to their country, a close second was to their city, town or village followed by a connection to the region where they live.¹⁴ A substantial amount of those surveyed felt very attached to these three categories but there was a huge percentage gap between the connection to their region and attachment to the European Union, specifically about a 34% difference.¹⁵ Moreover, in the category of this part of the Eurobarometer where those who were surveyed felt "Not at all attached," "The European Union" had a significantly higher percentage of no attachment than the other categories. Furthermore, only 12% out of all of those surveyed felt very attached to the Union.¹⁶ Although these results appear discouraging to the creation of a common identity of the EU, it appears that the majority of citizens that were surveyed would categorize their feelings towards the EU as "Fairly attached"¹⁷ which signifies the strength of nationalism over EU attachment, but an increase in affection to the Union and hope for a future "collective identity."

With the Commission's Eurobarometer report, we are able to look more specifically at individual member states in order to determine which populations associate less with the European identity and more with their region or nation-state. Overall, Denmark, Czech Republic, Estonia, Cyprus, The Netherlands and Finland feel the lowest overall attachment to the European Union based on the report. The Eurobarometer states to its readers that "national attachment is far stronger than attachment to the EU," and that the greatest increases in national identification "were found in Slovakia, from 42% to 62%, Italy, from 57% to 73%, Bulgaria, from 40% to 54% and Austria, from 41% to 54%".¹⁸ Of those interviewed in Germany, only 55% considered themselves to be very connected to the EU, which may correlate with their low voter turnout for the most recent elections that will be discussed later in this chapter. These results demonstrate that, in recent years, there has been increased national identification with a wide variety of countries that hold different relationships with the EU. The fact that this attachment has been identified as being much stronger to nations than to the EU emphasizes that now is an important time to act.

Due to data results, we are able to see that the overall voting in EU elections has gone down in recent years. In 2009, the overall participation in the elections of the EU was 43% of citizens in the 27 member states but, in the same year, overall participation in national elections was 66.6%.¹⁹

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This leads us to believe that overall, EU citizens are more inclined to participate in national elections over Union elections. More specifically we can take a look at individual nations and compare their national voting turnout with their participation in the EU Parliamentary elections.

Figure 2²⁰

Country	2009 EU Election Participation (% of Population)	2009 National Election Participation (% of Population)
EU (27 Countries)	43.00	66.6
Bulgaria	38.99	60.6
Germany	43.30	70.8
Greece	52.61	70.9
Luxembourg	90.75	100
Portugal	36.78	59.7

One of the first major differences seen in citizen participation is with Bulgaria. Bulgaria held elections in 2009, the same year as the European Union, and 21.61%²¹ more Bulgarians participated in their national elections than participated in the Union elections. Greece, Luxembourg and Portugal also held elections in 2009 and all three had significantly more national participation.²² Surprisingly, Germany, currently one of the most influential countries within the EU, has also contributed to the recent democratic deficit based on the fact that their population's participation in the EU elections was 27.5% less than in their own elections.²³ Recent trends have also shown that overall participation of each member state in the EU has declined but, within their own countries, has remained relatively steady²⁴ showing a stronger relation to one's nation than a connection to the European Union. In the case of Bulgaria, Germany, Greece, Luxembourg and Portugal, this theory is supported due to extreme differences in election engagement, which is shown with data in

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Figure 2. With the evidence about levels of attachment from the Eurobarometer report, and national and international voter turnout depicted above, it is clear to see the correlation between attachment to an area and participation.

Decreased EU voter turnout and increased national election participation during recent years emphasizes the importance of EU action to create more of a common identity among the 27 member states. One attempt at this cohesion was the presentation of a European Constitution in 2004 as the result of a Convention lead by the former French President, Valéry Giscard.²⁵ This document, which proposed that the collection of member states be named the “United States of Europe,”²⁶ was a way to reorganize the Institutions and the member states’ power as well as further establish the EU.²⁷ The Constitution had to be agreed upon by all 25 member states at the time in order to pass, but the French and Dutch voted “no” to this idea in 2005.²⁸ Voters in France claimed that “the Constitution was a ‘neoliberal’ document that would erode the French welfare state” and both the French and Dutch believed that it would continue certain economic trends that “would undermine French or Dutch social protections.”²⁹ The purpose of this document was not necessarily to abolish or eliminate regionalism or nationalism of the countries involved, but instead to establish more cohesiveness and equal power throughout the EU. This was a major blow to the integration process but also displays the difficulty that present-day institutions face in creating measures that will satisfy all participants.

The Charter of Fundamental Rights of the European Union is a document that, unlike the proposed Constitution, made it into law and unites EU citizens with a set of common human rights. This document aims to protect all individuals’ fundamental rights while “respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States.”³⁰ This Charter combats the isolation relating to regionalism and nationalism by establishing a set of guidelines for everyone despite their nationality, language, culture or values. It recognizes that EU citizens are different in many respects and preserves these differences while creating cohesiveness that promotes a feeling of European commonness, and further promotion of these rights will strengthen these commonalities.

In Brussels, the EU has taken a very active approach in creating programs for cooperation between the various regions throughout the Union. For example, the INTERREG initiative provides funding to regions so that they can share their experiences with other regions, utilizing these perspectives to improve technology, the environment, and the economy.³¹ These ideas are facilitated with “workshops, seminars, conferences, surveys, and study visits” so that regional

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partners can “cooperate to identify and transfer good practices.”³² Even though regionalism can be detrimental in some ways to the integration of the EU, the kind of interaction that INTERREG promotes is a necessity to EU cohesion. Regionalism is an asset to the creation of new initiatives and INTERREG facilitates this by encouraging and funding the movement of ideas and experiences across borders. This is an example of how fostering regionalism and nationalism can be used in a positive manner in order to promote collaborative ideas so regionalism is used as a way to learn from one another and not separate individuals.

Funding through INTERREG is directly used within areas associated with the Association of European Border Regions (AEBR), another example of a step taken by the EU to promote social interactions between citizens of different nations. Although comprised of both EU and non-EU nations, participation in this organization means that these regions are “aspiring to common values, goals and strategies for cross-border cooperation and thereby playing an important part in the process of European unification.”³³ A specific area that participates in this pursuit is the Alsace region of France, which shares a border with both Germany and Switzerland. The Alsace region and its bordering countries have created the “Trinational Metropolitan Region of the Superior Rhine,” which works towards creating a structure encompassing the civil society in the area.³⁴ This area is specifically helping cohesion of particular EU countries on an international scale. Their strategy states that “while strengthening our strengths, we have to work for a territorial cohesion within the Superior Rhine, defined by harmony and solidarity of the European regions.”³⁵ As a result of such heavily intertwined areas, citizens of each of these countries will want to participate in the EU elections because these have influence over all countries. Moreover, this will cause the Alsace region, and other areas associated with the AEBR, to participate in cross-border communication of people from different nationalities, allowing them to understand and learn from each other. Facilitating this extent of regionalism is positive for the EU’s goals of cohesion because culturally and linguistically mixing European citizens allows them to identify with other European countries and establish attachment to other areas. The hope is that, by breaking down these physical national borders, French, German, Swiss, and other citizens associated with AEBR regions will become more connected to Europe. As a result, they will want to make changes on an international level and take advantage of their privilege to vote by participating in EU elections and contributing to the decrease in the democratic deficit.

The EU has further attempted to engage citizens by declaring 2013 as the European Year of Citizens, which focuses on listening to what European citizens want and promoting projects that encourage individuals to participate more within the institutions. With this project, the EU has

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taken steps to make sure that “Union citizenship is at the heart of the political agenda... and a key priority in all areas of Union action,”³⁶ because it recognizes that because of the low participation in EU activities, the diversity within the Union is not properly represented.³⁷ Therefore, the EU is asking that more citizens get involved by providing them more opportunities to do so. The European Year of Citizens Manifesto highlights the importance of exercising democratic rights and states “that all citizens can participate in the life of their communities and the shaping of public policies, including the most disadvantaged groups which are more than often the most remote from the European building process.”³⁸ This involvement gives EU citizens the chance to incorporate their diverse cultural and linguistic backgrounds to influence people outside of their personal nations and regions. Furthermore, it promotes cross-border communication and the transferring of ideas and experiences to allow individuals in the EU to learn from and relate to each other.

Options

Through my research with voter turnout in recent EU elections, it appears that many member states have low participation when they hold elections in the same year as the Union. This correlation shows that, among many other factors being discussed, national elections have contributed to the democratic deficit by distracting citizens from becoming involved in EU elections. Therefore, elected representatives may not accurately promote the specific interests of their constituencies. It would make sense that voters want to participate in their national and regional elections because of their strong attachment and, in turn, this further enforces regionalism and nationalism. However, a slight change in the timing of Union elections will work around local elections and avoid some citizens’ distraction from participation.

Since it is impossible for the EU to dictate when member states have national elections, I suggest that the Union hold their elections during years with the least amount of these national contests. Since not all nations hold elections every set amount of years and there are varying national elections every year, an option is to hold EU elections sporadically and during the years that have the least amount of member state national elections. However, this is inconsistent and would be hard for voters to follow without putting a large amount of money towards the promotion of these elections. Therefore, I propose that Union elections be “reset” and started the next year that holds minimal national elections. Although this would mean that EU and many national elections would be competing some years, this reset would ensure that there are times in which EU elections will be the dominant event. This would allow citizens to focus their attention outside of

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their nation or region and participate in the EU elections, allowing them to connect to the EU on a larger scale.

This one time occurrence would mean that some politicians would serve one year longer or one year less than their appointed term. Although this would only mean a year extension or retention of the politicians' terms, this reset process would cause uproar among citizens and potential political candidates. If there were a one-year extension based on the implementation of this action, politicians in office would have more time to influence the EU, making it unfair to future candidates. In addition to possible extended times in office, this option minimally helps to foster the diversity among regions and nations to grow; it only aids in maintaining it. Moreover, it simply works around other elections in hopes that citizens will focus more on EU elections during the years that they do not have national or regional elections. During these years they will not "forget" about their more localized attachments, they will simply have more time and give the extra effort to participate in international events.

It should be noted that the beginning of this process would require a significant amount of resources in order to actually change the date of it and hold new elections. Also, sources of media would need to be used in order to promote this change to European citizens. This adjustment would be explained through the use of media, flyers, and short documents explaining the importance of this change for the future of election participation and the legitimacy of the politicians that are elected.

Furthermore, the EU can work within cross-border initiatives to produce a stronger feeling of common European identity. The AEBR is composed of many EU and non-EU countries that are great models for the benefits that regional interactions can have on countries and on the EU. The Alsace region, as previously discussed in this chapter, combines areas of France, Germany and Switzerland and uses INTERREG to get the funding for collaborative projects between them. This funding by INTERREG promotes cross-border communication to work towards bettering the environment, technology, and the economy³⁹ of each country and permits EU citizens to work together and learn from each other's mistakes, successes, and experiences.

Although regions working together under the AEBR indirectly fight against the negative effects of language and cultural barriers, the EU can address the democratic deficit by working with INTERREG or other funding programs to directly promote general knowledge of other countries within their regions. This can help to bridge language and cultural barriers between these regions and allow them to connect on more personal levels. This collaboration would also help them to

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uncover commonalities with other countries and allow them to identify as a European, emphasizing that their identity does not stop at the border.

A specific way that this can be done is to involve youth with these regions and to set up regular student exchanges through weekend or day trips that give them tastes of other countries in their region. Students from various schools will be chosen based on their leadership experiences and letters of recommendation from their teachers. Following this process, these groups will take bi-monthly trips to the other country or countries within their region and be educated about certain aspects that make each country unique. This would include various language lessons, touring universities, and sitting in on classes with students their own age. Moreover, they will visit cities, businesses and factories that are specific to other the other countries' economic success. This will help this group of young leaders identify commonalities with these other countries as well as inspire them when they discover interesting differences. These students will then go back to their schools and share their experiences with their teachers and peers, promoting the common identity that all Europeans share, and explaining that physical borders do not necessarily mean a separation. These trips would prove to be expensive depending on the quantity of students that are chosen from each country and amount of trips that they will take during this opportunity. Funding could come from INTERREG as well as other regional and educational funding programs.

Another option that is the implementation of language education of common European languages in schools. Regions and nations have a natural way of separating themselves from others due to the specific and unique characteristics of each one. One of the most evident characteristics of an area is their language, whether it is commonly known or it is rare. Specific attributes of an area, such as their language, set up non-physical barriers between different nations and regions. In order to encourage people to cross these lines, the EU can promote the implementation of programs that teach commonly known languages to children and adults in various regions. This would not be done to diminish regionalism and nationalism but rather to promote communication with others and allow them to identify more with Europe instead of just their specific area.

Since the Union's institutions do not have the power dictate what each country is allowed to teach in their schools, learning new languages in school and outside of school should be heavily promoted. This can be done through the creation of after-school language programs where children and adults have the opportunity to learn English, French, German and more. A drawback to this option is the extra time that young students and adults would have to devote to it outside of their daily activities and responsibilities. It may be seen as an exhausting chore rather than an

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opportunity to better oneself. Moreover, to implement this option would not necessarily be feasible due to the amount of employment, training, supplies, and promotion that would need to be done. Also, extensive research would need to be carried out to find what locations and situations this after school program would be the most demanded and successful.

Although Content and Language Integrated Learning (CLIL) is already common in some areas, fundamental linguistic knowledge is beneficial to promote further learning of languages. CLIL completely immerses students into a single subject taught in a different language. It is not a typical method of teaching in other areas of the world where students are taught the basics of a language first and progress from there. Learning the basics of languages is important in order to allow students to build on their knowledge and progress through their schooling. Knowledge of widely known languages enables citizens to further communicate with people from different countries. This communication strengthens citizens' connections with and establishes more of an attachment or identity outside of their specific nation or region, reducing the feeling of "the Other," as discussed earlier in this chapter. This more obtuse attachment still allows for pride in one's country but also creates an understanding of and fosters acceptance of other cultures. Allowing students to study internationally, such as through the Erasmus program, is also extremely beneficial for attachment and knowledge of other regions. However, this will be fully addressed in the chapter specifically relating to the Erasmus program.

The EU can address the democratic deficit and widen language knowledge by giving schools the resources to teach common languages in schools. Promoting different language education in schools and providing a few basic resources to educators is a more economically reasonable alternative to implementing EU run after-school programs. This process can be started by going to poor, linguistically isolated areas and proposing that language education be started in their second year of schooling, after students have adjusted to being in a school setting. Statistics and case studies can be used to persuade school officials to implement this teaching and educate them about the advantages of common EU language knowledge and the type of learning that has been successful in the past. In this process, EU representatives would travel around to linguistically isolated primary schools and pitch the idea to educational leaders about incorporating the fundamentals of languages to younger students and progressing this curriculum up until students leave primary school. To narrow the targeted area down, more specifically representatives can give these presentations to poorer areas. Since these areas do not necessarily have the money for resources for extra programs, the EU can provide tablets and projectors to those teachers teaching the languages. These devices provide incentives for schools to implement the programs but more

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importantly, give them technology to access online resources and make learning more interactive for the students. Games, including Around the World, Jeopardy, and flashcard-type games, will be used to make learning fun but also to help students memorize and practice word identification. With the knowledge of more languages, current students and future generations will be able to communicate and associate with other Europeans, strengthening the connection to the EU and the EU identity. Regional and national languages are still fostered with these programs but the knowledge of more dialects promotes cross-border communication and a greater understanding within the EU.

Another option is that the EU is to further promote the 2013 European Year of the Citizens and, since this year focuses on individuals, also promoting the Charter of Fundamental Rights of the European Union. As part of the Union, EU citizens share an overarching set of rights that are laid out in the Charter of Fundamental Rights. This year the EU can stress the privilege that individuals have as EU citizens and the importance for them to exercise these rights and stand up for themselves. The Charter goes beyond the realm of regionalism and nationalism and connects all citizens to one another, creating an umbrella of commonalities that can be used to strengthen the EU common identity. These individual rights are also directed at each citizen specifically and it can be stressed that these rights are there to empower citizens and give them freedom.

A feasible way to promote the European Year of the Citizens as well as the Charter of Fundamental Rights would be to promote them in places where most people already voice their opinions: social media. Twitter and Facebook are portals where citizens are allowed to state how they feel or where they stand on certain issues so social media is an opportune place to advertise other ways they can voice their opinion. These advertisements can include both general and specific promotions for the European Year of the Citizens and the Charter of Fundamental Rights. In this way, money will be spent to advertise but depending on the amount of people that take action, the EU may or may not find this to be a smart use of finances in the long run. Many may know that there is a Charter but it may not be common knowledge as to what are a person's specific rights. Therefore, other advertisements on social media can include simple statements stating that they have the right to marry who they want, the right to a family, freedom of thought and religion, and so on.⁴⁰ As a citizen of the EU, they have the privilege of exercising these rights and this commonality they have with other citizens ties them to each other.

More specific emphasis on the Year of the Citizens can be made by including general statements on social media stating that 2013 is their year, and that they should take advantage of

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the opportunities that the EU has given them to get involved. More specifically, these promotions on Twitter and Facebook can push the idea of bringing initiatives to the EU with 1 million signatures. To be able to personally share one's idea with the EU is empowering and can be rare. To create these initiatives, an individual or a group will need to connect with Europeans from other countries before they can take their signatures to the EU level. This will force individuals to break out of their ties with their nation or region and communicate with many other Europeans, promoting a sense of commonness among them. These promotions on social media, such as Twitter and Facebook, will educate EU citizens about their rights and opportunities to get involved but it is up to them to decide if they are going to participate.

Recommendations

- Create positions within the Commission that advocate for education and language learning. These representatives will gather statistics and preassemble case studies relating to the benefits of language knowledge.
- Education advocates will venture to linguistically isolated regions and present data to persuade education officials to implement language programs. Incentives in the form of tablets and projectors will be given to teachers to promote interactive learning for students.
- Start the process of going into schools within regions involved in the Association of European Border Regions and choose students to travel to different countries within their regions based on leadership experience and teacher recommendations. During this time, identify businesses and cities that represent economic success and a strong depiction of local culture. Set up trips for these students to travel to these locations.
- Promote the 2013 European Year of the Citizens and the Charter of Fundamental Rights of the European Union. General announcements will immediately go up on Twitter and Facebook regarding the Year of the Citizens and specific ways that EU citizens can get involved through the creation of initiatives, and that also include a focus on the rights that the Charter has created.

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The Threat of Ethnic and Religious Discrimination to Full European Unity

By Matt Smith

Issue

In 2010, the 27 member states of the EU “[hosted] some 20 million non-EU nationals.”¹ According to official statistics, 8% of all EU citizens were born outside the Union. An additional 5% had at least one foreign-born parent, and by 2060 this number is expected to reach one-third of all EU citizens.² Non-EU citizens are moving to the EU at a rate of nearly 2 million people a year, and the number is growing. In addition to this increased cultural diversity, the face of religion in the EU is changing as well: the Pew Research Center found that in 2011, over 76% of European citizens identify as Christian.³ While only 3.8% of the total population of the EU, Muslims living in the Union are a substantial minority with 19.1 million followers.⁴ Europe is changing, but diversity is not fully celebrated. Over the past twenty-five years the EU “has experienced a surge of immigration, and, with it, a wave of discrimination based on language, religion, and ethnicity.”⁵ According to the 2012 Eurobarometer report entitled *Discrimination in the EU* over half of all Europeans believe ethnic and religious discrimination to be prevalent.⁶

This chapter will focus on how discrimination based on ethnicity and religious affiliation affects EU citizens’ sense of belonging and positive identification with the EU.

It will argue that the issues of ethnic and religious discrimination are a serious impediment to the full social integration of the EU, and will demonstrate how the reduction and/or elimination of ethnic and religious discrimination will aid in creating a more unified and cohesive Union. There are measures that the EU can take to better integrate ethnic and religious minorities, promote greater tolerance among citizens, and create a stronger sense of a shared European identity. To accomplish these goals, this chapter will evaluate the existence of everyday racism and xenophobia in the EU, examine institutional discrimination in member states, and assess the successes and failures of EU anti-discrimination policy. While discrimination in the EU is not confined to any single ethnic or religious group, this chapter will highlight (but not solely focus on) discrimination against ethnic minorities, predominantly from Muslim countries and against the religion of Islam.

Background

When European integration began during the formation of the European Coal and Steel Community in 1952, it consisted of six countries that were predominantly white and Christian.⁷ 62 years and 21 member states later, the demographics of the EU are vastly different. Europe has traditionally consisted of nations of emigrants. For decades, Europeans left their continent and traveled around the world for many reasons: in search of resources, to explore the world, to establish colonies, and to create a better life for themselves in a new world. However, according to a 2008 World Bank study, “during the last 60 years, all countries of Western Europe have gradually become destinations for international migrants and asylum seekers.”⁸ The twentieth and twenty-first centuries have seen European nations transition from countries of emigrants to countries of immigrants. The 27 countries that make up the EU received over 2.5 million legal immigrants in 2010; some figures state that when factoring in illegal, or “irregular,” immigrants, the total reaches nearly 4.5 million.⁹ The Union is home to hundreds of ethnic and religious groups, and through its Charter of Fundamental Rights of the European Union, prides itself on being a leader in social progression and human rights.¹⁰ It even defines itself by the adopted motto “Unity in diversity.” While the EU has made an effort to combat discrimination through directives and cooperation with member states (which will be discussed later in the chapter), the negative effects of discrimination are still seen throughout the Union, and greatly disrupt the lives of those affected.

Assessing Discrimination in the EU

According to the EU Handbook on Discrimination put out by the Finnish Ministry of Labor and the European Commission, “evidence suggests that each year millions of people living in Europe experience discrimination on the basis of their racial or ethnic origins.”¹¹ Experiencing discrimination “undermines the rights and opportunities of its victims, damages their quality of life and can lead to various degrees of deprivation and ill health.”¹² Such intolerance is proven to have serious adverse effects on the daily lives of immigrants, including their chance for economic success: according to a 2005 study by Felix Büchel and Joachim R. Frick, in nearly every member state the average immigrant fared worse than a native citizen, and immigrants from non-EU states experienced even less relative economic success.¹³ Discrimination affects their opportunity to find employment; over 62% of native EU citizens polled believed that being of a minority race would decrease an immigrant’s chance to be considered for employment.¹⁴ Another study in 2010 by Antje Röder and Peter Mühlau found that this widespread ethnic discrimination makes immigrants and racial minorities have less confidence in their public institutions than the average EU citizen.¹⁵

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When considering all of these negative effects together, it is not difficult to see why the EU considers discrimination such a serious threat to unification. The EU has made progress regarding intolerance through directives, regulations, and work with member states, but everyday and institutional discrimination persists within member states, especially towards the Muslim community.

While this chapter does not assume that all immigrants from predominantly Muslim nations practice Islam, it is true in a great number of cases. We also know that ethnic minorities who share a similar appearance or skin color to Muslims are often labeled as Muslim by default, regardless of their religious affiliation (or lack thereof). For the purpose of this argument, this chapter will not attempt to identify the small number of EU citizens from Muslim countries who do not practice Islam. Instead, this chapter will discuss the political and social consequences of profiling certain ethnic minorities based on appearance when in fact they may not practice Islam. Author and BBC journalist Rod Little summarized this complicated relationship well when he noted in the 2007 London Evening Standard debate *Is Islam Good for London*, “Those who claim that Islamophobia can’t be racist, because Islam is a religion and not a race, are fooling themselves: religion is not only about faith but also about identity, background, and culture, and Muslims are overwhelmingly non-white. Islamophobia is racist...”¹⁶

As mentioned above, Muslims account for 3- 4% of the total population of the EU, and their “share of the population is expected to grow by nearly one-third over the next 20 years.”¹⁷ Along with this increased Muslim presence in Europe, there has also been a rise in anti-Islamic sentiment, seen at both a local and national level. According to a ten-year study by the University of Exeter and the European Muslim Research Centre on the state of Islam in the United Kingdom entitled *Islamophobia and Anti-Muslim Hate Crime: UK Case Studies 2010*, hate crimes aimed at Muslims have become a common occurrence in the nation, as is the case in much of Europe. In 2010 alone, there were over 1,200 attacks on Muslims in the UK; it is believed that the majority of total hate crimes committed went unreported.¹⁸ These attacks include “assaults on imams and mosque staff, including petrol bombings and bricks thrown through windows, pigs’ heads being fixed prominently to entrances and minarets, vandalism and abusive messages.”¹⁹

While these crimes themselves are cause for concern, the conclusion of the report is possibly even more troubling: due to institutional inefficiencies and a general mistrust of the government’s commitment to prosecuting these crimes, a large number of these crimes go

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unreported.²⁰ According to the European Union Agency for Fundamental Rights' 2012 report *Making hate crime visible in the European Union: acknowledging victims' rights*,

Victims and witnesses of hate crimes are reluctant to report them, whether to law enforcement agencies, the criminal justice system, non-governmental organisations or victim support groups. As a result, victims of crime are often unable or unwilling to seek redress against perpetrators, with many crimes remaining unreported, unprosecuted and, therefore, invisible. In such cases, the rights of victims of crime may not be fully respected or protected and EU Member States may not be upholding the obligations they have towards victims of crime.²¹

In fact, data from a 2012 report by the EU Agency for Fundamental Rights found that up to 84% of hate crimes against African and Middle Eastern immigrants (the majority of which were Muslim) went unreported in 2008.²² The fact that a large number of these crimes receive neither public attention nor are prosecuted negates much of the work that the EU has done to protect minority rights. It is still even more troubling that as these crimes are underreported and prosecuted, member states may not be fully upholding their obligations to protect citizens. If citizens either do not have enough confidence to report these crimes to their government or are undereducated on the matter, not knowing where to turn, the substantial EU legislation in place meant to prevent discrimination is largely useless. Furthermore, minorities or citizens with an immigrant background might question the value of European citizenship if they lack the protective power of national and transnational institutions.

Institutional Discrimination

While there are numerous examples of institutional discrimination against the religion of Islam, for the sake of clarity this chapter will only present a selection of examples that show the range and varying forms of this discrimination. The first example relates back to the lack of confidence in police and in governments' ability to prosecute these hate crimes. A key finding of the report by Exeter University and the European Muslim Research Center discovered that one of the many reasons for this mistrust of government comes from a common crime prevention method, used by police in the United Kingdom and other EU states, referred to as "stop and search." The UK policy, part of the Criminal Justice and Public Order Act of 1994, allows police officers to stop and search any pedestrian at any time, without even suspecting that a crime is about to be committed.²³ Many studies, including a 2012 report by the Equality and Human Rights Commission entitled *Race disproportionality in stops and searches under Section 60 of the Criminal Justice and Public Order Act 1994*, show that ethnic and religious minorities, including Muslims, are stopped and searched much more frequently than white citizens.²⁴ While there are other factors at play, including the prevalence of ethnic and religious minorities in areas with high crime rates, the fact is that on an

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institutional level, police practice racial profiling and discrimination.²⁵ Considering this type of racist behavior, it is not hard to see why studies show a lack of trust in government by these minority groups.

Another instance of institutional profiling can be observed in the measures states take in the name of security. The September 11, 2001 terrorist attacks in the U.S. marked a shift in the amount and visibility of anti-Muslim sentiment in the EU; while this sentiment existed before these attacks, the events that occurred in New York City and Washington “empowered and emboldened” it.²⁶ Unfortunately, the 9/11 attacks were not an isolated event; terrorist attacks carried out by Muslim extremists occurred in Bali in 2002, Madrid in 2004, and London in 2005.²⁷ As a result of these attacks, many nations had to reassess their national security policies and preparedness for a terrorist attack. Some of the policies and legislation adopted by member states as a result of increased extremist Islam in Europe turned out to target Muslims as such. In her 2009 book *A Suitable Enemy: Racism, Migration, and Islamophobia in Europe*, author and Executive Director of the Institute of Race Relations Liz Feteke notes that “rather than taking targeted action against individuals with a demonstrable link to al Qaida or its associates, security services are systematically building up widespread intelligence about particular groups or communities deemed potential security risks.”²⁸ Feteke argues that these security policies were designed with the Muslim community in mind, and are thus inherently discriminatory towards its members. She points out that the development of these policies concentrated on “suspected ‘enemy aliens,’ primarily foreign students, asylum seekers and refugees, overwhelmingly from Muslim regions of the world.”²⁹ One of the provisions of these policies, as outlined in the EU Common Positions, is that a citizen may be arrested for “passively” supporting terrorism. This passive support can even go so far as including the donation of money through a mosque to Palestinian refugee camps. As Feteke suggests, there is evidence that points out that governments have sometimes used this broad definition of the support of terrorism to interrogate citizens and enter them into a governmental database.³⁰ The lack of a clear and concise definition for support of terrorism has led to wholesale distrust of the Muslim community, and prompted governments to take discriminatory measures in the name of national security.

In countries such as Denmark, Germany, and the Netherlands, intelligence services have specifically targeted those deemed to be a risk to public safety, which are almost always Muslim university students. These agencies mandate that universities cooperate to create lists of the personal information of these Muslim students. The German system of religious profiling began in the university systems, but has since expanded to private business and is “unprecedented in scale”

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according to Feteke. By 2002, the German state's federal investigation department had created a database of over six million profiles, and had targeted over 20,000 as potential suspects, even though there was no evidence against them.³¹ To be included on this list, a suspect has to be of (presumed) Islamic decent, between the ages of 18 and 24, and have no prior record with the criminal investigation department. In 2001, the UK passed the Anti-Terrorism Crime and Security Act 2001, which "introduced internment without trial for foreign nationals only," many of whom were "detained and charged with no crime, ...unable to see the evidence against them, ...and were confined to their cells for 22 hours a day."³² While targeting of terrorists by a government in the name of national security is understandable, going after young Muslim men with no police record is blatantly discriminatory. This type of top-down discrimination by national governments perpetuates the idea that some are more equal than others, and is in direct opposition to the ideals of the Union as stated in the Charter of Fundamental Rights of the European Union.

As mentioned above, in the case of Islam, ethnic and religious discrimination are usually one and the same. For example, in June 2011, the Hungarian Parliament passed the "Right to Freedom of Conscience and Religion and on the Status of Churches, Religions and Religious Communities" law, which categorizes religions into three levels of varying degrees of rights and recognition.³³ Religions such as Catholicism and Lutheranism retained their official recognition, but other religions such as Hinduism and Islam were stripped of their legal recognition.³⁴ In an open letter to the Hungarian Prime Minister Viktor Orban, a number of leaders of human rights organizations and world religious officials voiced their concern over the "highly arbitrary procedure" for reapplication as a recognized religion. The complicated process includes gathering signatures, passing a preliminary screening, and gaining a two-thirds vote of approval by the Hungarian Parliament.³⁵ In response to widespread criticism of the law and a complaint to the Hungarian Ombudsman Dr. Mate Szabo, the Venice Commission of the Council of Europe was asked to review the law and give its recommendations. The Commission expressed serious reservations, and deemed that the law violated international human rights standards.³⁶ While the discriminatory law has been addressed through EU procedure, the fact that it passed a Parliamentary vote can be considered a form of institutional discrimination. The Hungarian government argues that the main purpose of the law was to crack down on abuses of the tax-exempt status by certain registered religious organizations. However, the fact that only a small number of more traditional churches maintained their official recognition, while well-established religions like Hinduism, Buddhism, and Islam did indicate other motives. Laws and policies like these, handed down by governments to their citizens, perpetuate

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the cycle of discrimination and deliver the message that religious intolerance is not only acceptable, but also state sponsored.

One final piece of evidence of institutional discrimination in the EU is the controversial case of the burqa ban in France. France's ban on full-face coverings, including burqas and niqabs, took effect in the spring of 2011 and bans the covering of the face in all public places. At the time, President Nicolas Sarkozy argued that the burqa was in direct opposition to French culture and incompatible with French ideology. At a historic June 2009 address to the French Parliament at Versailles, Sarkozy called the veil a sign of subservience rather than religion, adding that "it will not be welcome on French soil. We cannot accept, in our country, women imprisoned behind a mesh, cut off from society, deprived of all identity. That is not the French Republic's idea of women's dignity."³⁷ In the words of the French National Assembly, the "wearing of the full veil is a challenge to our republic...we must condemn this excess."³⁸ The ban not only directly attacks the five million Muslims living in France, but brings up one of the most important issues regarding Islam in Europe: is Islam in fact compatible with European society? According to this stark French rhetoric and the widespread every day and institutional discrimination in the EU, the answer seems to be negative.

When discussing the place of Islam in the EU, one cannot leave out the case of Turkey. While not a clear example of anti-Muslim discrimination, Turkey's long relationship with the EU and prevalent public opinion of the nation shed some light on the issue of whether Islam is in fact compatible with EU society. In 1987, the Republic of Turkey officially applied for membership in the EU; twenty-six years later, the country has still not been accepted. However, it should be noted that Turkey has made slow progress in its bid to gain EU membership.³⁹ Again, ethnicity and religious affiliation do not have any official role in deciding membership in the EU, but they affect popular support and public perception. The majority of citizens of member-states do not support the admission of Turkey into the EU, especially in "strategically important countries like Germany, France, and Austria."⁴⁰ Two terms that are commonly used in discussing this lack of support are Islamophobia and Turkophobia. Many EU citizens incorrectly associate Turkey with Islam, and often go as far as linking the nation to radical Islam and terrorism.⁴¹ Gökhan Saz, a Muslim professor at the University of Vienna, addresses the issue:

It is true that Islam is in predominance in Turkey, but the subliminal association in Europe between radical Islam and Turkey and Turks is wrong. More than that, the subliminal association between radical Islam and "normal" Islam is outright wrong and there is simply no transitive relation between radical Islam, normal Islam and Turks.⁴²

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However, these facts do little to address the concern of many EU citizens that Turkey is just “too different” to fit into the EU. Many ask if Turkey (and Islam) is even compatible with so-called “European values,” and again, the answer is often negative. According to the 2007 Eurobarometer report *Public Opinion in the European Union*, over 61% of EU citizens believe that cultural differences between Turkey and the EU are just too great to overcome for Turkey to ever gain membership.⁴³ Moreover, 66% believe that Turkey being a member of the EU would pose a threat to more developed countries in the EU due to easier immigration. The fact that the majority of Turkish immigrants to EU member-states come from less developed regions and have lower literacy rates than the national average does little to help change public opinion of the Turkish people.⁴⁴ This chapter does not attempt to address the complex reasons of why Turkey has not been granted admission to the EU; it simply aims to provide evidence for many EU citizens’ attitude that Turkey, and by association Islam, is just too different to be part of their Union.

Successes and Failures of EU Anti-Discrimination Policy

Acknowledging the prevalence of everyday and institutional discrimination against Muslims, the EU has made a commitment to protect the rights of all racial and ethnic groups, and considers this an important issue regarding the future of the Union. In 2000 the European Council passed Directives 2000/43/EC (the Racial Equality Directive) and 2000/78/EC (the Employment Equality Directive), which aim to combat “direct or indirect discrimination based on racial or ethnic origin.”⁴⁵ These two Directives have had mixed results, and studies show that there are steps that can be taken to improve their effectiveness and maximize their potential to reduce discrimination. Part of these two Directives was the creation of “specialized Equality Bodies promoting equality in each EU Member State.”⁴⁶ These Equality Bodies were given considerable power in promoting equality, but more importantly in making the legal system more accessible to those who believe they had been discriminated against. One of the key issues that these organizations encounter in working with their respective national governments is the absence of a clear definition of race or ethnicity in the Directives. During the negotiation process between member states, there was considerable disagreement over how to define these two terms, and the eventual compromise that was reached did little to resolve the issue. As a result, a statement was included in the preamble, which stated that “the European Union rejects theories which attempt to determine the existence of separate human races. The use of the term “racial origin” in this Directive does not imply an acceptance of such theories.”⁴⁷

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For instance, Belgium refers to “presumed race,” while France uses the term “real or presumed racial belonging.” Austria rejects the idea of separate races altogether, and therefore the idea of “race” has been removed from legal texts altogether and replaced with “ethnic affiliation.”⁴⁸ Countries such as the Netherlands and the United Kingdom even go so far as classifying discrimination against religious groups such as Jews, Muslims, and Sikhs as a form of racial discrimination, a prime example of the confusion regarding the lack of a definition of race.⁴⁹

This absence of a concrete definition of race or ethnic origin has led to general confusion amongst employers and trade unions, thus resulting in inadequate implementation of the Directives. According to a 2010 report by the EU Fundamental Rights Agency, a large percentage of employers whose duty it is to comply with these two Directives either had negative opinions of the legislation or ignored them completely.⁵⁰ Some employers simply denied that discrimination existed in their countries, while others saw it as natural that some ethnic groups were of a different social class (especially in the case of the Roma). In some cases, “the absence of significant populations of black citizens led social partners to conclude that the directive did not apply to them, despite the presence of minorities who experienced considerable discrimination.”⁵¹ A large number of employers felt under-informed, and believed they needed more information in order to fully comply with the Directives. The main findings from the report state that the Directives are a step in the right direction, but there are still measures that the EU can take to improve their effectiveness.

Another key issue with the Directives is their slow implementation by member states. In 2007, the European Commission had to formally reprove fourteen member states for their delayed enactment of the Directives.⁵² Due to the vagueness of the provisions of the Directives and the large amount of discretion given to national governments, the speed at which the Directives have been implemented has varied greatly. In 2009, nearly ten years after the ratification of the Directive, there was still deemed to be “insufficient implementation” in Bulgaria, Cyprus, Estonia, Greece, Latvia, Luxembourg, Poland, Slovenia, Spain, Italy, and Portugal.⁵³

The EU has not only passed considerable legislation designed to combat discrimination, but has also put policies in place to prevent and prosecute hate crimes. As it currently stands, the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union are the key bodies that define hate crimes and give guidance to member states on their persecution.⁵⁴ While these two pieces of law have done a considerable amount for the state of human rights in the EU, there are still some areas, namely reporting of hate crimes, which can be improved. In 2012, a report by the European Union Agency for Fundamental Rights entitled *Making*

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hate crime visible in the European Union: acknowledging victims' rights found that thirteen member states were reporting insufficient, or "limited" data.⁵⁵ Another six member states reported no data at all. Of the 27 member states, only six reported on religious discrimination, and four reported any instances of Islamophobia. This inconsistent reporting undermines the effectiveness of anti-hate crime legislation, and creates a varied and confusing picture of hate crimes in the EU. Another issue with reporting is that not all data is measured the same. For instance, as seen in Table 1 at the end of this chapter, in 2010 Denmark recorded over 20,000 cases of extremism, while the next closest count was only 444 in Sweden. The self-reported data is erratic, and one of the notes at the bottom of the chart states that "data is not comparable," a factor that greatly diminishes the value of the data. These statistics do show us that hate crime exists in the EU, but without a uniform method of measurement the numbers become meaningless.

Options

Given the EU's commitment to diversity and the many resources at its disposal, there are a number of options available in addressing ethnic and religious discrimination in order to create a more cohesive Union. As outlined above, the EU has already been outspoken in its support of ethnic and religious tolerance, and has made considerable progress in ensuring the rights of all minorities. However, there is more work to be done. Progress can still be made to better integrate immigrants and minorities into their new homes, break down stereotypes, and promote greater cultural interaction and understanding. Given the fact that the EU has already put a substantial amount of anti-discrimination policy into place, any improvements to policies are generally minor, and will only serve to make legislation more powerful and effective.

One option is to improve cultural and anti-discrimination education. Creating a better understanding of their Union can help citizens become more tolerant of their fellow EU citizens and learn to celebrate diversity. According to Italian ERASMUS student Maurizio Oliviero, "When you are young and idealistic, everything is easy. If all young people could have the opportunity to learn about other cultures, the world would have fewer problems of intolerance."⁵⁶ This topic, however, will be discussed at length in chapter eleven, and thus this chapter will not explore this option in depth.

Another way to combat widespread discrimination is to ensure that all national governments do not promote, facilitate, or ignore discrimination. In regards to the fact that a large number of hate crimes and discriminatory acts go unreported to the police, improvements to the system in place can be made to ensure that all EU citizens feel informed and protected when they

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need to turn to authorities. As outlined above, in the current state of the EU's policing of hate crimes many citizens do not feel that reporting a hate crime will guarantee follow up or prosecution. For EU anti-discrimination and anti-hate crime laws to be more effective, policies can be put in place in order to ensure that all of these reports of crime are fully investigated. Owing to the fact that hate crimes are (by definition) committed against minorities, many of whom may be new to the Union and uneducated on their rights, improvements can be made to ensure that all ethnic and religious minorities are well informed of how to report discrimination and where to turn. Each police precinct should appoint a minority representative who is familiar with the minorities in their respective areas and trained on how to deal with marginalized peoples. Police forces can also work with local minority interest groups and human rights organizations to ensure that they are educated on how to pursue the prosecution of hate crimes and protect minority interests.

Another option is to emphasize the prosecution of hate and discrimination crimes. The EU can work with national governments to put an emphasis on taking these crimes to trial and ensuring that they are prosecuted to the fullest extent of the law. By putting those in jail who committed visible hate crimes, the EU can send a strong message that this type of behavior is unacceptable and incompatible with the EU's motives. As it currently stands, the penalty for a hate crime under EU law is one to three years.⁵⁷ Extending this sentence to make these crimes similar to more severe crimes can show that the EU is serious about ending hate crimes and discrimination. Obviously, depending on the crime committed and the circumstances, the sentences handed down in the prosecution of hate crimes will differ from case to case. However, amending the EU Directives to include a uniform intensification of hate crime penalties can help toughen national laws. The problem with this option is that the legal systems of each individual member state as well as the Union itself are very complex. For this to be an effective policy recommendation there must be a solid plan of cooperation in place to facilitate uniform prosecution amongst member states regarding hate crimes.

Another issue with the prosecution of hate crimes is the reporting of these crimes. Under the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union, member states are obligated to report the number and type of hate crimes each year. There are two problems that exist: the first is that many member states report what is considered to be "limited data," and the second is that there is no standard set of definitions as to what these hate crimes are, with the method of counting varying from member state to member state. As mentioned above, countries of comparable size can differ by almost 20,000 reported cases a year of the same type of hate crime; some don't report any data at all. The first step that the EU can take is working

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with member states to ensure that all 27 are reporting accurate, detailed, and comprehensive data. This cooperation will help paint a clearer picture of hate crime and discrimination state by state. As seen in the notes at the bottom of Table 1 (below), the FRA discloses that data is not comparable. Creating a system of uniform methods of counting and reporting this data can help to accurately portray the state of hate crime and discrimination in the EU, and help identify member states that may need to expand efforts to fight these crimes.

In regards to the many instances of racial and religious profiling under the name of anti-terrorism efforts, there are a few steps that can be taken. While this is a topic that must be considered with caution due to national sovereignty and security, there are still a number of policies that can be addressed to reduce discrimination. First of all, adding any EU citizen to a database of “possible threats” to national security solely based on gender or age but especially ethnic background, regardless of criminal history, is inherently discriminatory. To prevent mistrust by minority communities, including the Muslim community, policies can be amended to be more specific in their classification of citizens as potential security threats. These improvements could include concrete evidence of activities relating to terrorism, or at least a criminal history or background that is considered a potential precursor to terrorist activities. Another provision that can be changed (in regards to, but not solely, UK law) is arresting citizens for “passively” supporting terrorism. While in many cases this is a legitimate offense, as shown above more often than not this means nothing more than supporting a complicated political cause through humanitarian efforts, such as donations to refugee camps in Palestine. The EU can work with member states to better define what exactly constitutes supporting terrorism, and ensure that no citizen is wrongfully arrested or prosecuted as a result of this inadequate description.

Another option in regards to discriminatory policies concerns the cases of “stop and search” in the name of crime prevention. By definition, stop and search policies are discriminatory given the fact that a police office can stop anyone without cause, even without suspecting that a crime is about to happen. As shown in the examples above, racial and religious minorities are stopped overwhelmingly more frequently than white EU citizens. According to the research and data presented in this chapter, many ethnic and religious minorities feel that they are stopped solely because of their appearance, a fact that creates fear of and mistrust in police. To improve the effectiveness of these policies and help them achieve the goals they were designed to achieve (lowering crime in the streets), the EU can work with national governments to ensure that police are not using this method in a discriminatory manner. As mentioned above, it is a fact that in many EU member states, areas with the highest crime are also the areas with the highest minority

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populations. This however is not an absolute fact and not applicable in all cases. The EU can cooperate with EU member states to ensure that national police forces are educated on discrimination and know how to avoid abusing their right to stop and search EU citizens. Addressing this form of discrimination can help minority communities feel better protected and have more confidence in their authorities.

As far as internment for foreign nationals without trial, as is the case in a number of instances including the United States and the UK's Anti-Terrorism Crime and Security Act of 2001, the EU can address this blatant form of racial and religious discrimination to better protect vulnerable minority groups. The EU can work with national governments to amend these policies and guarantee that all citizens are granted the right to a lawyer and fair trial. Treating any EU citizen as less than equal in the name of anti-terrorism is discriminatory, regardless of their threat to national security. There is no compelling evidence that denying prisoners a trial, jailing them for undefined periods of time, or even choosing not to inform them of what they have been accused of does increase national security. Instead, the EU can collaborate with national governments to see that all citizens accused of terrorist activity are handled with dignity and receive fair treatment.

Concerning religious discrimination, there are a few measures that the EU can take to prevent discriminatory policies from becoming law in member states. In instances such as the Hungarian Right to Freedom of Conscience and Religion Act of 2011 and France's Burqa Ban of the same year, the EU can work with national governments, but especially ombudsmen, to try and tailor policies to prevent discrimination. As the EU does not have direct jurisdiction over national politics, this makes direct intervention diplomatically difficult. Yet while the policies in Hungary and France were legally implemented, they were nonetheless discriminatory and in opposition to the spirit of many EU documents, including the Charter of the Fundamental Rights of the European Union. In order to avoid interfering in national policy while still preventing institutional discrimination, the EU can work with the ombudsmen in member states to make recommendations to their respective governments on the formation of policies deemed to be discriminatory. As was the case in Hungary, formal complaints were made to the ombudsman after the law was enacted, and thus it was recommended that the law be changed. This type of cooperation with ombudsmen prior to conflict can prevent such measures from ever becoming law, or at least allow the ombudsmen to make their recommendations to those in power.

The final option for policy improvement is a set of small amendments to the Racial and Employment Equality Directives of 2000. As mentioned above, these documents became "watered

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down” during negotiations between member states, especially concerning the definition of race. Without a clear and uniform definition of race, these Directives carry less legal power. While we acknowledge that the Directives were passed only after this agreement between member states to not define race, the EU can work with member states to reattempt to narrow this definition now that the Directives have been in place for over twelve years. A clearer definition of race or ethnicity can help create a more cohesive anti-discrimination policy among member states from a legal standpoint, and ensure that all member states are in full compliance with EU law.

Another issue that needs attention is the speed with which member states implemented the policies. As outlined above, the Academy of European Law review found that there was insufficient implementation in at least eleven member states as late as 2009. There are mechanisms in place for the EU to address a member state’s lack of implementation, but that usually deal with a complete lack of implementation and not to what degree a policy is integrated. To strengthen these important directives, the EU can work with member states to ensure that they are not only implementing these policies, but that they are doing so to the fullest extent.

The final issue with these two Directives is the fact that many employers whose duty it is to follow these guidelines feel uninformed and undereducated on the specifics of legislation. As mentioned above, a larger number of employers either do not understand the Directives or do not believe they apply to them. The EU can increase the effectiveness of these Directives by increasing the availability of simple, easy to understand educational materials in order to improve awareness and ensure that all employers are in full compliance.

Recommendations

- Create the position of Minority Liaison in each police force who is familiar with local minority groups and the handling of hate crimes. This will increase the ease of reporting hate crimes, and ensure that these crimes are handled correctly by police forces and fully prosecuted by national governments. Minority interest and human rights groups can work with police forces to increase awareness of the needs of minorities in their respective areas.
- The EU can work with member states to prevent racial profiling, stop internment without trial, and amend policies that target minorities. Addressing institutional discrimination will ensure that no government promotes, facilitates, or ignores discrimination. Cooperation between the EU and member states to amend discriminatory policies can put an end to institutional discrimination.
- Cooperate with member states to strengthen the Racial and Employment Equality Directives. The EU can work to better define race and ethnicity in order to avoid confusion, make the Directives more powerful legal documents, and create uniformity between states.

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- Create a standard method of classifying and reporting hate crimes for member states. Addressing discrepancies among varying counts between member states will give the statistics much more meaning. The EU can also work with member states that either report incomplete data or none at all to ensure that all 27 give a comprehensive and uniform report of the state of discrimination in their countries.

Table 2: Official data pertaining to hate crime published in 2010 by bias motivation, by EU Member State

EU Member State	Racism / Xenophobia	Antisemitism	Sexual orientation	Extremism	Religious intolerance	Islamophobia	Anti-Roma	Disability	Gender identity	Other / Unspecified
AT	64	27		335		8				146
BE	924	2	58							49
BG	n/a									n/a
CY	32									
CZ	226	28		252			n/a			
DE	285	1,166		20,811						
DK	62		30		10					37
EE										86
EL	n/a									
ES	n/a		n/a							
FI	741	4	43		52	15		20	5	
FR	886	466		127		100				
HU	n/a									n/a
IE	122	12								
IT	n/a									n/a
LT	n/a	n/a								n/a
LU	24									n/a
LV	n/a									n/a
MT	n/a									
NL	1,168	286	660	139	108	93	4	7	17	668
PL	n/a	n/a	n/a			n/a	n/a	n/a		n/a
PT	n/a									n/a
RO										
SE	3,786	161	770	444	552	272	145		31	818
SI	n/a				n/a					
SK	114			51						
UK										
UK - England, Wales & Northern Ireland	31,486	488	4,883		2,007			1,569	357	
UK - Scotland	4,513	448			693			50	14	

Notes: Data are not comparable between EU Member States.
 Data are included for 2010 as later data for all EU Member States that publish official data were not available at the time of printing.
 "n/a" means that data for this bias-motivation were not published in 2010.
 Data for Scotland cover the fiscal year: April 2010 to March 2011.
 Source: FRA desk research and FRA analysis of data provided by the FRA's research network

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Case Study: The Erasmus Program

By Dana Talant

Issue

Due to the current lack of a united “European” identity found within the Union there is a gap in the cohesion of EU citizens, education can be utilized to fill in this gap. One such project, the Erasmus program, which stands for European Community Action Scheme for the Mobility of University Students, has been an important tool utilized by the EU to promote the larger European project and integrate its citizens better through education.¹ The Erasmus program falls under the Lifelong Learning Program, which aims to “stimulate learning experiences and develop education and training sectors across Europe.”² The Erasmus program in particular focuses on student and teacher mobility in universities. On top of promoting and streamlining student mobility within the Union, the Erasmus program has been utilized to foster a sense of “Europeanness” within the students that participate in the program.

Advocates of the Erasmus program call it the single most important programming in the EU.³ It has provided university-aged students all across Europe with the opportunity to discover new cultures and customs while providing an education that put participating students at an advantage afterwards once they are in the job market. On top of introducing new eligible employees into the job market, where there is an increasing need for highly-skilled employees in the suffering European economy, the Erasmus program creates an environment where students can interact with other Europeans and develop skills they would not be able to learn when studying at home, such as adapting to a completely new environment.⁴

Erasmus has been a part of the European integration project for the past 25 years and is currently playing a large role in helping to end the democratic deficit in the EU. It has been implemented as a method to combat the deficit and promote a European identity by increasing citizen involvement. While the program is a key factor in working towards a solution, it still has a lot of unfulfilled potential in fostering a cohesive identity among participants. The issue at stake is then that the Erasmus program must continue on but also must expand to realize its full potential while serving as a means to decrease the deficit.

Education is a vital tool for the creation process of a secondary “European” identity because citizens can be taught to form such an identity. Once the public is educated they should have a

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better understanding of the EU and should be able to relate to it more easily. However, as the EU cannot entirely revamp the existing education systems in the member states, it has to find other ways to insert itself into the education process. An even better method is through mobility, when citizens have first-hand experience of another European country, as well as experience interacting with Europeans from all over the Union, they begin to foster a connection to their European identity.

In terms of student mobility, the Erasmus program has had quite an impact on the youth and their identity as Europeans.⁵ However, in the past 25 years, it has not created a new set of active, pro-Europe youth as it might have hoped to do. Individual experiences vary and there are many more improvements (in the terms of working towards a European identity) to be made to the program that would further solidify any sense of a concrete European identity. On top of that, there needs to be a large increase in participation if there is to be a real shift in the public attitude. By expanding the number of participants through better distribution of information and by increasing funding for grants to allow more people to participate, the Erasmus program can and will ultimately reach its full potential. With higher participation, more citizens will begin to relate to this secondary identity and feel more European, thus reducing the democratic deficit.

Background

While the EU has had a formal interest in the education sector dating back to the 1970s, when they started pushing for a “Europe of knowledge it was not until 1987 that it created the Erasmus program.⁶ It took six years of pilot student exchanges run by the Commission before a compromise was made between the Commission and member states to initiate the Erasmus Program that we see today.⁷ The Erasmus program was first incorporated into the larger umbrella of the EU’s Educational Socrates Program in 1994 until 1999 when the program ended.

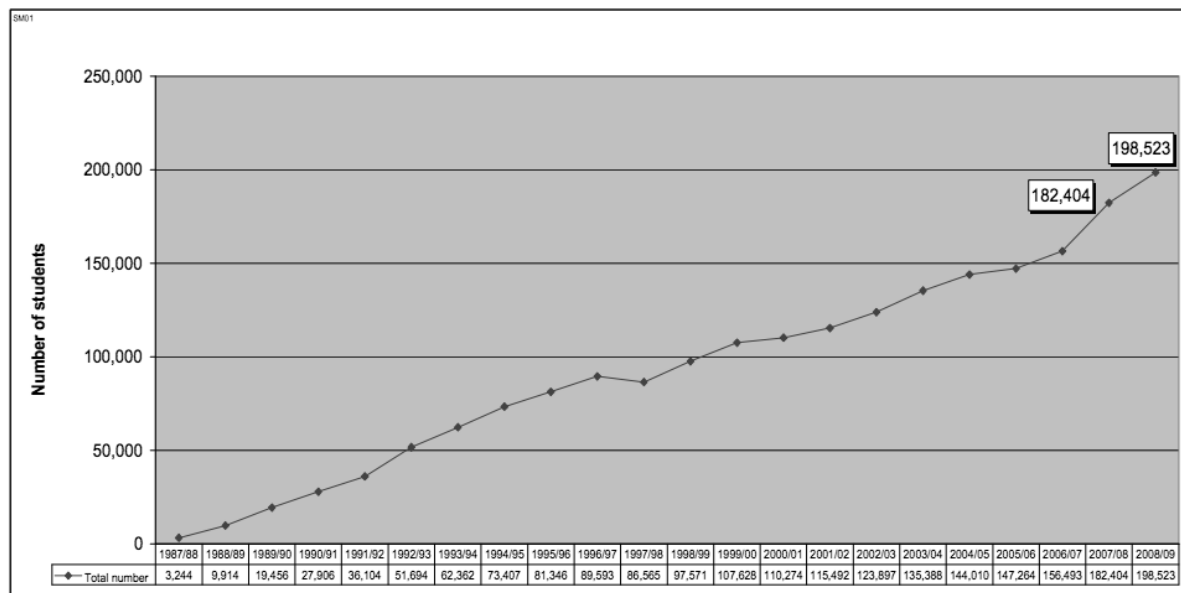
In 2000, Socrates II replaced the Socrates Program and its two main ideals were: “the promotion of lifelong learning and the development of a Europe of knowledge.”⁸ Socrates II had five specific aims: “to strengthen the European dimension in education at all levels; to improve knowledge of foreign languages; to promote cooperation and mobility in the field of education; to encourage the use of new technologies in education; and finally to promote equal opportunities in all sectors of education.”⁹ Socrates II wanted to address the need for “individual involvement of the European citizens towards achieving European cooperation through active citizenship”.¹⁰ Socrates II promoted student mobility, particularly with the Erasmus program. In 2007, the European Commission’s Education and Training Program, the Lifelong Learning Program, replaced Socrates II

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as the umbrella education and training program for the EU with a budget of €7 billion for 2007 to 2013.¹¹ Its current annual budget is just over €450 million.¹²

In the last 25 years of the Erasmus program, over 3 million students have participated.¹³ It is the largest student mobility program in the world and has been very successful in terms of numbers of participants over the past quarter of a century. There has been a continuous and steady increase in the number of participants each year, except in 1996/1997 when mobility decreased from the previous year.¹⁴ In its first year in 1987, just over 3,000 students participated in exchanges between eleven member states: Belgium, Denmark, Germany, Greece, France, Ireland, Italy, Netherlands, Portugal, Spain and United Kingdom.¹⁵ Currently 230,000 students participate yearly in 33 countries including six non-EU nations: Turkey, Switzerland, Iceland, Norway, Croatia, and Liechtenstein.¹⁶

Chart 1: Erasmus student mobility 1987/88 – 2008/09



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To begin the application process, a student must get in contact with their university's international office where they can find out about "possible host institutions and host enterprises, the selection procedure and financial support."¹⁸ University-aged students, who are at least in their second year of school, are eligible to participate in a three to twelve month long Erasmus stay.¹⁹ The home universities decide which students are accepted to participate in an Erasmus exchange after they have applied.²⁰ More than 4,000 universities, or about 90%, take part in Erasmus.²¹ A crucial benefit of the Erasmus program is that once a student is accepted, host institution tuition is waived.²² However, not all costs are covered. Students may apply for grants for travel and living

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expenses but they are not guaranteed.²³ As of 2012, only 4% of all students in “participating countries in Europe receive a grant during their studies to go abroad.”²⁴

Successes of the Erasmus Program

The Erasmus program has been championed by Androulla Vassilou, the European Commissioner for Education, Culture, Multilingualism, Youth and Sport as “the best known of all European [programs]” which puts young people “first in the building of a united Europe.”²⁵ According to Jacques Delors, former President of the Commission, the role of the Bologna Process, which was a reform process aimed at creating the “European Higher Education Area” in “harmonizing university degrees and postgraduate studies” has played a crucial role in the Erasmus program, helping to streamline the process.²⁶ The Bologna Process created “comparable and compatible study degrees” for students.²⁷ There was also the creation of the European Credit Transfer and Accumulation System (ECTS) credits system that allows credits to transfer easily between universities. Another development was the internationalization of “higher education and Higher Education Institutions (HEI)”.²⁸

Over the past 25 years, the Erasmus program has been through a series of multiple improvements to ensure optimal mobility. By creating a cohesive educational system where students can easily transfer their courses and retain their credits it serves as a more efficient mobility program. The process is not as complicated and it reduces paperwork, which can thus incentivize more students to go abroad. One of the aims of the Socrates II program was to continue to streamline the process, which is a work in progress. While the Bologna Process and the ETCS credit system have greatly improved the ease of studying abroad, there is much room for improvement to make the process more cohesive.

Participating in an Erasmus exchange provides students with many opportunities and contributes to their education in ways that studying at a home university does not permit. According to the Erasmus website, studies have shown that “a period spent abroad not only enriches a student’s life in the academic field but also facilitates the acquisition of intercultural skills, language skills and self-reliance.”²⁹ Erasmus allows students, who may not have otherwise gotten a chance to study abroad, the ability to immerse themselves into a new culture and experience another European country. Students are able to see firsthand the similarities and differences between their home country and their Erasmus country.

Surveys have shown that a period abroad can break stereotypes of other Europeans that students may have previously had and lead them to realize that they have more in common than in

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they do different.³⁰ It also creates a whole new networking system for students; new relationships can be formed as well as new opportunities. Students may have the chance to work outside their home country as a result of new contacts made during their Erasmus stay.³¹ Erasmus provides the best way to learn a language, through immersion. Students are often put out of their normal comfort zone and must speak in the host language, which solidifies their language skills. They are able to learn and perfect their language skills, if utilized daily, to an extent that they would not be able to at their home university.

Ultimately, the Erasmus program has been a great policy program in opening up student mobility within Europe. While it may not have completely lived up to its potential to foster a sense of European identity within the educated youth, it is the most successful mobility program in the world and has over 3 million students to study abroad.³² Through Erasmus students are educated about the EU, which helps participants establish a stronger bond to the Union. This knowledge can spread to students' family, friends and, most importantly, their descendants —therefore if a student creates a strong sense of a multi-layered identity, they will be able to pass it to their children.

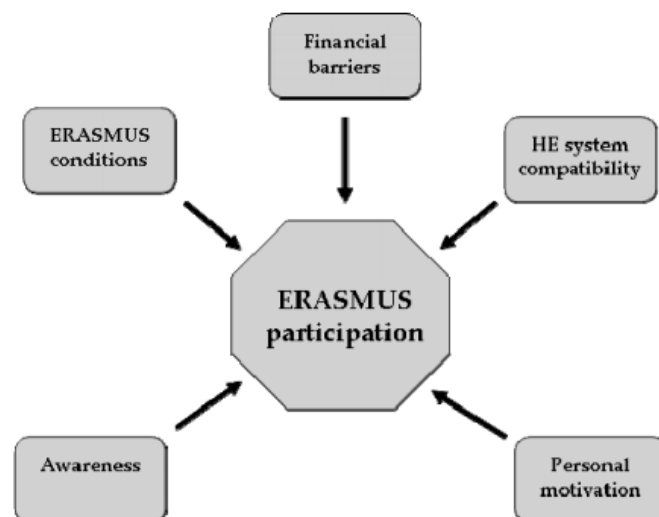
Barriers to Overcome

³³Nevertheless, not all Erasmus experiences are the same -students have had negative experiences. Students may not actually connect to a European identity but rather go through a sense of re-nationalization and feel stronger ties to their home countries and feel less attached to Europe if their study abroad goes poorly. In addition, there is a need for increased participation in the Erasmus program. In the past few years, only 4% of all European students participated in Erasmus at some point during their university education.³⁴ This is a very low percentage of eligible students who participate, so careful consideration must be put into figuring out ways to increase participation.

According to a study done for the Parliament, research found the five main barriers to Erasmus participation,³⁵ which are financial

issues, personal motivation, awareness about the program, conditions of the Erasmus grant, and

Figure 6: Factors affecting ERASMUS participation



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incompatibility between Higher Education systems.³⁶ According to a study conducted for the Commission by Ulrich Teichler, Irina Ferencz and Bernd Wächter, they define eight barriers:

(1) a lack of information on mobility opportunities; (2) low motivation levels or little interest in being mobile; (3) inadequate financial support; (4) foreign language skills deficiencies; (5) insufficient time or opportunity for international studies within the framework of an established curriculum or programme of study; (6) concerns about the quality of mobility experiences; (7) legal barriers (particularly relating to visas, immigration regulations, and work permits); and (8) problems in gaining recognition for academic work completed abroad.³⁷

In regards to the language barriers, students may not realize what their actual language skills are and imagine them to be better than they are. However, when it comes to interacting with locals, students can become frustrated with their shortcomings in language skills.³⁸ This can either motivate students to work harder to ameliorate their language skills or it can demotivate other students and push them towards using their native language or another language rather than the local language. When students spend their time with other students from their home countries, their strong ties to national identity can kick in and re-establish their personal attachment to their home country. Or, language barriers can prevent a student from even considering partaking in an Erasmus study abroad. In the Parliament study, 41% of students reported being “at least partly discouraged from studying abroad because of limited foreign language skills.”³⁹

If students are aware of their language skills prior to their Erasmus stay and are able to refine their skills before partaking in the program, say through an intensive language course, they can benefit better from their stay. By increasing awareness of the language barriers and addressing them, it would encourage more students to partake in the Erasmus experience. If the barrier can be overcome, it will appeal to more students who would then take advantage of the Erasmus program.

One former Erasmus student reported being “warned about the fact that the language barrier and the new environment are great challenges every Erasmus student must face.”⁴⁰ However, he believes that these are positive barriers and only pushed him to work harder. For another former Erasmus student, she was asked to describe her experience in dealing with language and cultural barriers. She said it “could be hard communicating in Turkish. And sometimes I felt isolated from my fellow students due to cultural differences. These bad times built character I guess. I noticed that the year I spent in Turkey shifted my perception of myself. It exposed my vulnerabilities and that I’d been a bit hasty concluding what my strengths were.”⁴¹

One interesting outcome is that some students have reported disappointment because they had a hard time meeting locals and creating new relationships.⁴² Erasmus students find themselves

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in a position where they are not permanent citizens but rather “liquid strangers,” where they spend some amount of time in their host country but not long enough to fully integrate.⁴³ Fred Dervin defines “liquid strangers” as people who “know when they arrive and they usually have a departure date.”⁴⁴ He explains that many students incorrectly believe that they will be “solid strangers” those who move to another country, fit in and plan to stay.⁴⁵ They may have expected to form close relationships with locals to cultivate their experience and are let down when in fact they end up not interacting with locals as much as they would have liked. They end up stuck in an Erasmus student “bubble” which solidifies their national identity and causes them not to integrate with the locals very well.⁴⁶ Again, educating students and helping them to understand what to really expect from their Erasmus study abroad will make their experience more positive and they can thus better integrate themselves with other students and with locals.

Another barrier to overcome is when stereotypes can be reinforced rather than broken. If a student encounters just one person of a certain ethnic group acting in a particular manner, that student can then more easily assume that all members of that ethnic group act a certain way.⁴⁷ This process can also occur in the opposite direction, where a citizen of the host country may see an Erasmus student acting in a particular manner that upholds their ‘national stereotype.’ Thus students can begin to “develop representations [...] based on nationalities.”⁴⁸ This hinders breaking stereotypes and fostering connections with other Europeans. Students on Erasmus may then actively seek out other students from their home country rather than trying to connect with other Erasmus and local students. If students are not informed, they can end up more often than not being surprised (if not let down) by how their Erasmus experience turns out.⁴⁹

The ultimate goal of the Erasmus program should be to integrate Europeans together and unite them. In terms of what the Commission sees as the main aim of Erasmus to “create a ‘European Higher Education Area (EHEA)’ and foster innovation throughout Europe.”⁵⁰ The Erasmus program brings people together from all different reaches of Europe and creates a new sense of community. A former Erasmus student states, “Not all the lessons about different cultures came from what my professors taught me, though. Socializing with students of different countries, religions, and ethnic backgrounds taught me a lot about the world I live in. It challenged many stereotypes I didn’t even realize I’d adopted. I learnt that people from all cultures have a lot to share and can study together for their mutual benefit. Erasmus grew to mean tolerance for me.”⁵¹

Tolerance and acceptance of others is crucial to combat the issue of discrimination in the EU, which is another barrier that blocks European integration. Discrimination prevents cohesion

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within the community and therefore any ties to a secondary European identity. Through education, however, tolerance can be taught to combat discrimination. Through education, the European “imagined community” is attainable. Erasmus is a program that is beneficial to millions and is unique to the EU. Introducing students to new cultures and people to interact with can be an eye-opening experience that diminishes ignorance and promotes tolerance. By seeing new places first-hand, students can relate better to other people and eventually create some form of a new community.

Although there are a large number of students who participate yearly, they still remain in the minority.⁵² The low participation is a result of the five main barriers to participating in an Erasmus program. Even more, those students who do participate face more barriers once abroad. The top three problems that students encounter concern accommodation, financial problems, and the administrative burden associated with the program.⁵³ Finance is the biggest obstacle for students, both prospective and participating. There has been a push to increase the average grant that students get from the Erasmus budget. In the academic year of 2006-2007, the average monthly grant was €192, a 22% increase from the previous year.⁵⁴ In a report by Souto-Otero and McCoshan found that over half of Erasmus students surveyed had friends who considered participating but did not follow through due to financial reasons.⁵⁵ According to the report, increasing the value of the Erasmus grants would “most likely increase demand for participation in the program.”⁵⁶ However it is not just the amount of the grant that matters but also the issues of “the practicalities of being funded for a period of study in an unfamiliar environment, including uncertainty about the costs incurred, the final level of the Erasmus grant to be paid and uncertainty about the match between the payment schedule and the point at which expenses are incurred.”⁵⁷ When surveyed, they found that 57% of non-Erasmus students say that studying abroad is too expensive to consider.⁵⁸ Therefore Erasmus tends not to be seen as “a rational investment in a future career but rather a luxury best avoided by students with limited resources.”⁵⁹

The Eurobarometer report, *Youth on the Move*, found that “of the respondents who had not stayed abroad, almost 4 in 10 (37%) said they were not interested in going abroad. A third answered that they had no access to funding or that it would have been too expensive to stay abroad, while a quarter had family commitments that kept them from going abroad.”⁶⁰ When asked for the reasons why they would not go abroad, they reported that “the proportion of respondents who said they had not spent any time abroad, mainly because they were not interested in going abroad, ranged from 25% in Turkey to 56% in Cyprus. In a further three countries, a slim majority of interviewees said they were not interested in going abroad: Greece (52%), Poland and

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Luxembourg (both 51%).⁶¹ Turkey, in particular, is very noteworthy to look at as a country that participates in Erasmus. Turkey joined Erasmus in 2004, although they have still yet to be granted EU membership.⁶² The top five countries that Turkish students go to are Germany, Poland, Italy, Spain and the Netherlands.⁶³ For the 2010-2011 academic year, the Erasmus mobility budget for Turkey was €27,194,000.⁶⁴

Overall, the Erasmus program provides many more benefits than drawbacks. There are still certainly areas in which it can be improved upon, however. It is therefore crucial that there continue to be funding for the program to allow more Europeans to become mobile within the Union. Over the past quarter of a century, the Erasmus program has proven to be successful and beneficial to over three million European students, not including faculty. It should be considered however that the program be expanded to include not only students, but also workers or people looking to do internships. The program can continue to be used as a tool towards creating an integrated European community. The Erasmus program can provide the means to address the democratic deficit and lack of a solid European identity within its citizens, through education. The EU has realized the importance of the education sector and has put billions of euros into it, but there is always more work to be done.

By creating more opportunities for students to participate in an Erasmus program, they will be able to participate more in their role as a European citizen. Once they have experienced what the EU can do for them, they may be inclined to take a more active role as a citizen. Encouraging youth to play a more significant part in their involvement as citizens in the EU can help close the gap of the democratic deficit. To do so, more students must participate in exchanges within Erasmus. However, it should not only be university students, the opportunity of mobility should be opened up to people in all sectors and work forces.

Options

The first option is to better prepare students by creating a required program for students to complete before and after the Erasmus experience.⁶⁵ There should be a uniform introduction course that students must complete before their Erasmus stay. It would be an inexpensive way to educate students about their program before they leave and provide them with more realistic expectations. Many students are encouraged to participate but few institutions explain “how to prepare in terms of skills, budget and the first steps to speed up the adaptation process to a new culture.”⁶⁶ It would be very easy to implement and provide to universities and is a reasonable option that can be incorporated immediately. Identities can be created by educating students, which can be measured

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by having students take self-assessment quizzes before and after the exchange to see how their experience has shaped how they feel about themselves as Europeans and as the EU as a whole.

The EU can get a leg up in secondary identity creation by providing students with the information and knowledge to make them realize why it is important that they have this connection as a European student. Students need to realize that they are lucky to be able to travel to different countries and experience new languages and cultures and that this mobility program is unique to them as a European student and no other students in the world have such an opportunity. It shows students that the EU is working to provide the average citizen with something that their national government cannot provide alone. Students need to know what it will be like to integrate into a different culture. Erasmus students are traveling to another country that has different customs and expectations of their students, if students are educated about this they would have less of a culture shock and would be able to integrate quickly during their short four to nine month stay.

There could be a transnational EU database with surveys and polls available to students with how past programs have been. This would be great information for students to have and it would make the whole process seem less overwhelming. Students have to overcome many obstacles during their Erasmus study and streamlining the process and preparing them more will make it all go much smoother. Administrative bureaucracy must be dealt with and removed, allowing easier transitions for students and faculty. About 35% of Erasmus students reported that the administrative burden was a considerable difficulty.⁶⁷

As an extension of the first option, there should be a focus on students after they have completed an Erasmus exchange. It could be a reflection after their study abroad: create a file for future students (blog, diary, information) that they can use before their Erasmus experience. What students have learned during their stay, how it has changed their worldview and opinions, such as what will they bring home with them. They can provide tips and information that former students wished they had known before they had gone to study abroad. Practical information should be compiled including “do’s and don’t’s,” buddy or mentoring systems, emphasizing sharing experiences, better integrating visiting students and strengthening the Erasmus Student Network.”⁶⁸

The second option is to increase awareness and distribution of information. This can be done through Erasmus study abroad fairs. The Parliament study also recommended “Erasmus days, music concerts, publications, conferences, seminars and workshops organized by various stakeholders such as national agencies, student unions, HEIs, (international offices as well as

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individual departments) and European institutions.”⁶⁹ Students may be aware but they might not realize how feasible doing an exchange is, therefore getting the information out there and letting them know that it is possible can increase the number of students who participate. Erasmus can and should be marketed more and promoted more. All students may know about the Erasmus program, but many may not know exactly how accessible it can be. There seems to be a missed opportunity with marketing the Erasmus program, something, which can be easily addressed. As participating in an Erasmus program becomes easier, more students need to become aware of this. This can help to push students towards studying abroad.

Funding for such fairs and presentations would not cost monumental amounts and would be worth the marketing and spread of word of the Erasmus program. It could even become a job opportunity for ex-Erasmus students. Former Erasmus students who participated and loved the program could travel across the Union and promote the program. They could hold presentations and inform students of all the advantages and possibilities of the Erasmus program.

They would be able to give first-hand knowledge and perspectives which would make the whole experience seem more realistic to students. They can break any “myths” about the Erasmus experience and provide an intimate, real-life connection to the program. This would also be a great way to create new jobs for recently graduated youth as they move into the working world. They could do a tour of the Union for a year, educating people about the benefits of Erasmus whether they participated as a student or as an intern.

According to the Commission website on the Erasmus program, students must have the initiative to begin the process.⁷⁰ Many students might lack that first initiative to sign up for the application and therefore miss out on the entire opportunity. If they have to make that initial push to start the process, they may be unwilling to do so. Therefore if the process became more easily accessible more students would be motivated to apply. If they have to make the initial attempt to even access an application, many students would be turned off. However, if applications are easily accessible to them and the process is streamlined students would be more willing to sign up. If it can be streamlined to the point where students do not have to go to their international office to begin the process and then find out about where they can apply and so forth, but rather they can just begin an online application at home, it would encourage more students to sign up. If the process seems too tedious, students may just not make the effort to go through with the application. However, if the application is accessible from home and does not require a lengthy inquiry period, more students would definitely be willing to apply.

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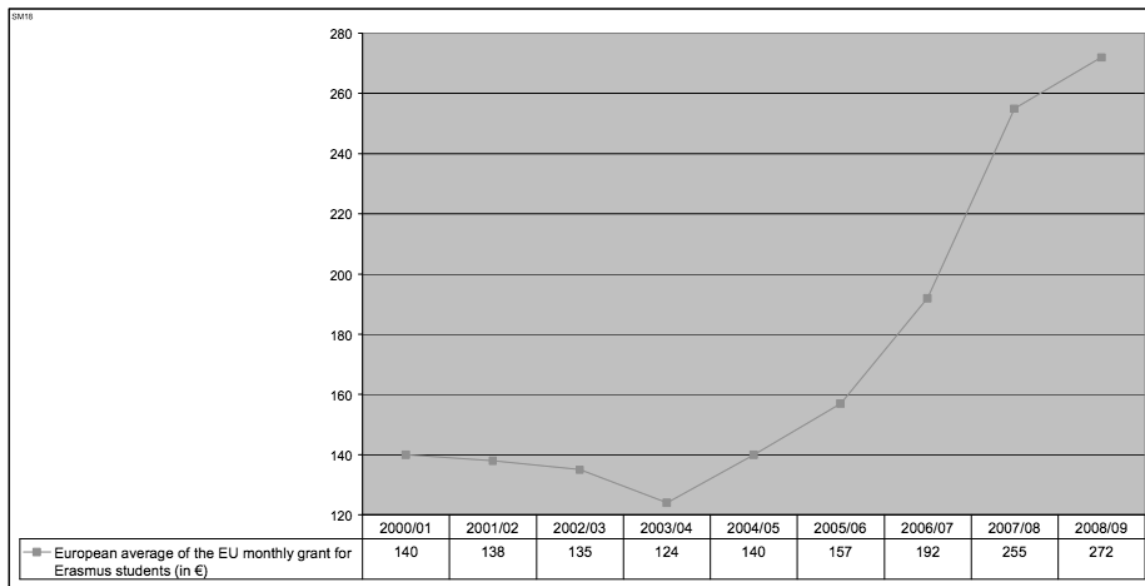
Raising awareness is a key factor in increasing the number of participants. However, it is not raising awareness of the fact that Erasmus exists but of the how-to process of the entire experience. Students know that the Erasmus program exists and it provides a possibility for them to study abroad, but what many students may not know is how the process works. Therefore, getting the word out is key, which must be done repeatedly. Once the word is spread, more students can participate and the Erasmus program can really begin to expand.

The third option is that the Commission should increase funding for Erasmus. The current budget is at €450 million per year. With the Erasmus for All program budget at €19.5 billion for 2014-2020, taking out the €1.8 billion for foreign mobility, that equals about €3 billion a year for all the seven programs. If the Erasmus program budget could be doubled there would be a significant change in the number of grants that would be available to students who are worth the investment. However a significant increase should be made, as the Erasmus program is important to the Union and is unique to it as well. The program has proven to be useful and beneficial for both the institutions, but more importantly, the citizens. The Erasmus program is a key factor in allowing more students in the EU to participate and partake in their European identity.

An increase in the budget should allow for scholarships or grants or housing subsidies to create incentives for more students to go abroad. As only 4% of students receive any kind of grants, an increase in funding could provide grants to more students giving them the financial viability to participate in the Erasmus program. The number of students receiving grants should increase to at least 10-15%. Research can be done to figure out what any wastes in the current EU budgets are and figure out a way for the reorganization of the budget. The wasted money could then be transferred over to Erasmus as an investment in the future of the European Youth. Erasmus is a vital program in the EU that needs to continue, and to expand; therefore there must be concession to increase the budget. If the knowledge of Europe is a main goal of the EU, they should consider other possibilities to foster this increased knowledge and expansion of education. The goal here is to cultivate a multi-layered identity within the educated youth therefore that must be what the main focus is on, once the educated youth has ties to such an identity, it can spread to other citizens. However, there also have to be ways to incorporate this identity to other citizens, particularly the youth and not just the educated youth as that can lead to discrimination.

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Chart 17: Average EU grant per Erasmus student per month 2000/01-2008/09



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A Commission report identified three main types of incentives: “(1) financial support (mostly in the form of more money for individuals and/or mobility programmes); (2) curricular support through a variety of technical mechanisms (such as the implementation of the Diploma Supplement and ECTS) and innovative programming (including “mobility windows”); and (3) personal support, especially in the form of guidance and counseling, in order to more effectively convince a wider range of individuals to take part and more consistently ensure a high quality mobility experience from start to finish.”⁷²

It is not feasible to expect that member states will agree to reconstruct their education systems therefore the EU must find other ways to create cohesion in the education system. Creating a study abroad program for high school students is a viable option. The program should be similar to the shorter intensive Erasmus programs, where they are short-stays and in the students study in groups. Perhaps not a three to twelve month program, but smaller two week to month long stays where high school students could participate in studying abroad without being away from home for long periods of time. It would help broaden the “European” youth and maybe instill an appreciation for travel at a young age which would mean that more European students will be motivated to move around in Europe and take advantage of their Union and the opportunities it offers.

There is also the new initiative Erasmus for All that is beginning starting in 2014. The Erasmus for All program incorporates seven current educational and training programs into one

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giant program, under the name of Erasmus. It streamlines the seven different programs and by eliminating unnecessarily different program names, such as the Leonardo da Vinci program, it will help to promote the already known Erasmus program name and allow for even more people to participate. The budget for Erasmus for All is set at €19.5 billion for 2014-2020, which would allow mobility for 5 million people, nearly double that of the current Erasmus program which has had 3 million participants in the span of 25 years. On top of having student mobility, Erasmus for All pushes for mobility in other sectors as well, including work. Therefore, there could be the creation of internship mobility. From there, it could go into temporary job mobility as well as technical school mobility.

Recommendations

- Increase the Erasmus Program budget. This will allow this program to reach its full potential and the EU can utilize it better as a part of its Europe project.
- Increase awareness and let students know what an experience abroad is actually like. Give students realistic expectations of their experience abroad and improve general knowledge of the program to encourage more participation.
- Allow more students to participate through the Erasmus for All Program (2014-2020). The program aims to mobilize five million Europeans in seven years, which will increase participation considerably.
- Create programs for internships and temporary jobs. By creating more programs designed for citizens who are not enrolled in universities, Erasmus can be expanded to many sectors and bring in citizens who otherwise would not have the opportunity to go abroad.

¹ European Commission, *The ERASMUS Programme*, 09 January 2013.

² European Commission, *The Lifelong Learning Programme*, Education & Training, September 2011.

³ European Union, *Erasmus Changing Lives Opening Minds For 25 Years*, May 2012, p 48.

⁴ Europa, *Erasmus for All —Frequently Asked Questions*, Press Releases RAPID, Brussels, 23 November 2011. <http://europa.eu/rapid/press-release_MEMO-11-818_en.htm?locale=en#PR_metaPressRelease_bottom>

⁵ European Union, *Erasmus: I am one of two million who did it!* 2010.

⁶ Europa, *SOCRATES —Phase II*, Europa Summaries of EU Legislation, 19 February 2007.

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**Section III:
Providing Means and
Venues for the Public Voice**

Public Sphere

By **Alexandria Walker**

The public sphere can be viewed as a space within society where citizens can meet, discuss and debate issues that they deem important. A European public sphere would exhibit these properties on a transnational level. Historically, the most obvious such debate venues have been news sources. Citizens can look towards newspapers and websites that provide coverage of EU news. There are also civic groups and alliances focused on certain issues pertaining to the EU and in effect forming transnational issue publics. Most importantly, the growing digitalization age has led to many new revenues for discussion, especially through social media. However, all these attempts to generate European publics seem to still be in their infancy. We realize that there is not yet a form of debate in which citizens more regularly have the chance to come together and engage in transnational exchange of opinions. Since one of the main ways of addressing the current democratic deficit is through ways citizens can become involved, it is essential to address the shortcomings of public sphere properties in our report. We intend to advocate for a broadening of the public sphere, especially through the use of social media. We will focus on three main sectors of the public sphere – social movements, mass media, and current steps that the EU has taken to increase direct citizen participation.

Social movements have the ability to unite people for a common purpose. Social movements within the context of the European Union have the potential to increase public voice with targeting EU-level issues, as evidenced for example in the recent successful mobilizations of ATTAC and ACTA. Yet most social movements are still focused on national issues. We argue that increasing use of social media and the internet will help promote social movements and this in turn will provide conduits of increasing public participation in the EU. Additionally, providing funding to SMOs could help publicize campaigns and thus Europeanizing issues on a larger scale.

Mass media is important in promoting EU integration, cohesion and identity, due to its multiple functions in the democratic society. On the one hand, the media can help bridge the gap between the EU policy-making elites and the public by providing a public forum where EU institutional actors and the public are made visible to each other. On the other hand, the media creates a context for the development of perceptions about the EU through news selection and editorial pieces. There are voids in the current European mass media market, especially concerning the lack of EU-level reporting. This chapter aims at identifying these voids and finding ways to make

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better use of European media, in particular utilizing new technologies in media consumption and the digitalization of mass media.

Finally, our report addresses current programs and initiatives that aim to bring citizens closer to the EU institutions and increase participation. Specifically, we examine the Europe for Citizens Program and the ECI program in order to understand how participation shapes the public sphere. We also address the effectiveness of other programs that aim to increase citizen participation and thus strengthen the European public sphere.

Improving Use of European Media

By Peony Lui

Issue

The mass media fulfills several important functions in alleviating the EU's "democratic deficit". First, the mass media takes on the role of informer and educator, enabling people to possess adequate political knowledge in order to be able to equip themselves as active citizens in a democracy. The mass media is the public forum where the distant European institutions, EU actors and the complexities of multi-level policies are made visible to the public.¹ Conversely, European policy-makers can receive information about the desires and concerns of their citizens through the mass media.²

On the other hand, the media creates a context for the development of perceptions about the EU and influences public opinions on EU policies through channels such as editorials and opinion pages, as well as news selection and information delivery. Often times, media consumers are not totally independent in their perception of reality.³ Last but not least, mass media also enables citizens to participation in the European policy-making process. In particular, most forms of citizen participation are through NGOs, civic initiatives, and social movements, whose influence on EU policy-makers can be greatly enhanced by their visibility and resonance in the mass media.⁴

As such, the Europeanization of the mass media is a central issue in fostering a stronger European public sphere. Professor Ruud Koopmans at the University of Amsterdam wrote about three channels of Europeanization in public communications: the supranational, the vertical and the horizontal.⁵ *Supranational Europeanization* refers to interactions among European-level institutions and collective actors around European themes⁶. These interactions are preferably accompanied by the development of pan-European media sources —an endeavor proven to be difficult due to linguistic and cultural barriers. *Vertical Europeanization* is characterized by bottom-up or top-down communications between the national and the European level. It is enhanced when national actors address European actors, as well as when EU actors interfere with national policies and public debates in attempts to defend EU common interests.

Horizontal Europeanization focuses on the flow of information across EU member states. This concept—also referred to as parallelization of national media⁷ or the pluralist model⁸—is more realistic and readily applicable to the EU's current media environment and thus will be a major

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focus of this chapter. The idea is that a Europeanized public sphere emerges when the same issue is discussed at the same time with the same criteria of relevance across various national media discourses.⁹ It calls for active engagement and dialogue between different national public spheres in accordance with cultural continuity, and mutual recognition of fellow Europeans as part of the community¹⁰. As a result, media in one country covers public debates in another member state. Policies in another EU country become relevant across Europe in a way that transcends traditional international relations.¹¹

Current issues in EU's mass media sector that hinder its functions to promote cohesion in the EU will be addressed in the following sections.

Background

News Consumption Patterns

According to a Eurobarometer survey in 2011, EU citizens receive information about the EU largely from national media.¹² The most widely used media source is television, with 98% of respondents watching it at least once a week. Radio is the second most popular medium, followed by print media. Online social networks are used by a third of Europeans. These networks are seen as a modern way of keeping abreast of political affairs, as well as a good way to get people's say on political issues.¹³

In general, differing media consumption patterns can be observed along national, educational, generational, and in certain member states or across gender divides. In most countries, active participation in media discourse is usually restricted to the political, economic, and cultural elites.¹⁴ It is also worth noting that although EU citizens are avid national media consumers, there is widespread distrust of the media when it comes to information on trans-national European matters. While there are some disparities by country, a total of 73% of respondents consider the public in their country to be ill informed about European matters. This is in part due to the common perception that the national media is heavily commercialized.

In addition, the European Commission and various EU media associations have acknowledged the emergence of a new digital era in recent discourses.¹⁵ New technologies make it possible to receive content on platforms other than the traditional TV set or radio, notably on mobile devices such as cell phones.¹⁶ New media platforms that offer interactivity and a more targeted supply of programs are transforming the conventional patterns of media consumption

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especially among the youngest generations.¹⁷ The BBC estimates that in ten years TV households will only spend 30–40% of their viewing time with linear, generalist broadcast channels.¹⁸

EU Media Policy

EU media policy focuses primarily on issues that are relevant for the media as a commercial industry, both within Europe and in the global market. The main foci of the current media marketing system are to promote competition with overseas imports such as Hollywood, to support major European media companies,¹⁹ and to uphold the single market. As a result, issues of European culture and public service broadcasting at the EU level remain secondary or ignored.

Regulatory frameworks concerning audiovisual media services are coordinated at the European level by the Audiovisual Media Services (AVMS) Directive. The AVMS Directive, enacted by the EC in 2007, amends and renames the Television without Frontiers Directive (TWFD) from 1989, providing less detailed but more flexible regulations. It also relaxes TV advertising rules to better finance audiovisual content.²⁰ It lays down rules that govern EU-wide coordination of national legislation on all audiovisual media, covering a wider scope of both traditional TV broadcasts (linear) and on-demand services (non-linear).²¹ Overall, the new text represents a significant improvement compared to the 1997 Directive.

In response to the digitalization of media, the EC has announced a “Communication on content in the digital single market” in 2012, covering four issues including cross-border access and the portability of services, user-generated content and licensing, facilitating the deposit and online accessibility of films in the EU, and promoting efficient text and data mining for scientific research purposes.²² In parallel, the on-going review of the EU legal framework for copyright will be completed, with the aim of making a decision in 2014 on whether to table proposals for legislative reform. The Association for Commercial Television Europe (ACT) applauded the evidence-based and precise approach set out in communication and called for a robust copyright framework to ensure creative contents.²³

Public Service Broadcasting

Commercial broadcasters and Public Service Broadcasting (PSBs) have shared the EU audiovisual market across member states since the liberalization of media in late 1980s. PSBs, under the AVMS, benefit from licensing fees and direct financial support from the state by fulfilling the PSB mandate. The mandate requires PSBs to comply with the “objective of fulfilling the democratic, social and cultural needs of a particular society and guaranteeing pluralism, including

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cultural and linguistic diversity.”²⁴ The principles were laid down in 2001 in the EC’s *Communication on the Application of State Aid Rules to PSB*, which was revised in 2009. The remit for PSB is however ambiguous and it is difficult to define a precise scope of PSB activities due to their constantly evolving nature.

In order to ensure pluralism and competitiveness, the EU audiovisual market adopts a de facto self-regulating economic model. As a result, commercial media are more prominent than PSBs are in many EU countries. Under the TWFD, air-time, most notably prime-time, is sold by channels to advertisers. Rating monitors largely determine broadcast programming. Viewers’ ratings enterprises thus hold strategic importance.²⁵ The system of automatic regulation eliminates genres of documentaries, debates, and current affairs programs. Instead, new genres such as reality shows come to occupy prime-time screening. In terms of political reporting, commercial media tend to take up a national perspective and portray the EU in much more negative light than public media does.

TRANSNATIONAL MEDIA

Apart from EU’s top-down media policy, which proved to focus on commercial aspects and less so on promoting European identities, many hoped that the implementation of pan-European television channels, companies and broadcasting satellites would foster cultural and political integration. However, there is a lack of effective pan-European channels due to linguistic and cultural barriers.²⁶

Among the most successful is the television station *Euronews*, which has crossed European borders in viewership and is watched also outside the EU, in Russia, Turkey, Ukraine and Lebanon.²⁷ The *EurActiv* —a European Media Network from 15 capitals in 15 languages —is a European Union information website disseminating EU news and policy debates free of charge. *Debating Europe* is an e-platform that connects the public and Europe’s leaders. EU citizens can leave comments on 5 different channels according to the subject, where experts will respond with feedback. There are also other European media sources that have become international, for example, *the Financial Times*, *BBC World*, *Deutsche Welle*, *Le Monde diplomatique*, and *Spiegel international*.²⁸ Following is a list of Europe-based international news outlets and Brussels-based European news outlets and their circulation data.

Figure 5. Europe-based international vs. Brussels-based European news outlets

	Outlet	Frequency of publication	Circulation or readership in Europe (data for year)	Circulation (readership) in Europe as % of world-wide total
International media	International Herald Tribune	Daily newspaper	140,738 copies daily (2006)	58 %
	Financial Times	Daily newspaper	124,212 copies daily (2007)	29 %
	Wall Street Journal Europe	Daily newspaper	86,539 copies daily (2005)	3.8 %
	The Economist	Weekly news magazine	396,932 copies weekly (2006)	33.1 %
Brussels-based media	EU Observer	News website; updated twice daily	20,000 readers daily (2007)	80 %
	EurActiv	EU policy portal; website updated daily	300,000 readers monthly (2007)	Over 75%
	Café Babel	Online magazine; updated weekly	336,000 readers monthly (2006)	84.1 %
	European Voice	Weekly newspaper	15,600 copies weekly (2006)	99 %
	Europolitics/ Europolitique	Daily news bulletin	10,000 readers by subscription (2007)	97 %
	Agence Europe	Daily news bulletin	5,000 copies delivered daily; 5,000 subscribers to electronic edition (2007)	90 %

(Sources: Company websites, factsheets and advertising information packages; independent circulation figures from the Audit Bureau of Circulations (ABC) and the European Business Readership Survey 2006–2007.)

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CROSS-BORDER MEDIA SERVICES

Under the AVMS, audiovisual content rights are currently licensed by national territories often on an exclusive basis.³⁰ Consumers are able to watch foreign programs transmitted by domestic broadcasters (facilitated by international program sales), but there is limited access to cross-border TV channels and pay-TV packages. The channels carried are mainly supplied by public service broadcasters, with channels that originate in the larger European countries being carried the most widely. Other national broadcasters and PSBs also currently facilitate content exchanges; examples include *Le Monde Diplomatique* and BBC News 24.

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The number of hours of non-national EU fictional program hours as a proportion of total fictional program hours in the schedules of a sample of broadcasters varies from 2% to 35% in the countries for which data is available. Flows are highly asymmetric, with most programming originating in countries with larger audiovisual markets, especially the UK, Germany and France. These programs tend to be films, series and documentaries that appeal to international audiences, and are subtitled or dubbed into the local language.³¹

European Economic Interest Groups (EEIGs)³² —a type of legal entity designed to foster business partnership in different EU countries —are another form of cross-border economic partnership. A successful example of EEIG in the field of broadcasting media is the *Association Relative à la Télévision Européenne (ARTE)*, a Franco-German TV network that promotes arts and cultural programs since 1992. ARTE programs cater both to French and German audiences, and include double-titling, opposite-language subtitling, dubbing, hosts who speak both languages alternatively,³³ and two separate audio tracks received in France and Germany seven days a week, 24 hours a day, through terrestrial transmission, cable network and satellite.³⁴ Of the programs broadcasted by ARTE, 40% come from both ARTE Germany and ARTE France, and 20% from its Head Office. Other programs are produced in other European countries and overseas.³⁵ ARTE is currently in partnerships with several public broadcasters, including those in Belgium, Switzerland, Poland, Austria, Greece, Finland, the UK, and Sweden.³⁶ ARTE's program contents are commonly regarded as innovative, high quality and in-depth.

EU NEWS IN NATIONAL MEDIA

Although national media cultures are distinct, deriving from specific relationships between media and political systems, national media across Europe is characterized by inadequate coverage of European affairs. The lack of coverage of European affairs reflects a general absence of interest, but on the other hand it also undermines the public's knowledge about European matters.

This information deficit is the result of both poor political marketing in the EU institutional level and lack of resources among the national media for EU newsgathering and research. The EU directs its communications at the topical specialists, instead of focusing on producing news worthy materials for the press. The European Commission is especially criticized for not being media savvy.³⁷ They tend to hire experts who are very good at their subjects but who don't understand how the press works or how to "get a good quote on a story in a newspaper."³⁸

On the other hand, Journalists across EU countries admit to having inadequate knowledge about the EU.³⁹ There is a prevailing lack of resources among the national media for EU

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newsgathering and research. Most media outlets do not have the budget or are not willing to pay for a correspondent in Brussels, or fund investigations and research on thematic EU issues.⁴⁰ National journalists on political beats often have poor linkages to EU institutions. As a result, national media often consider European politics to be obscure and not news worthy.

Options

In short, current European mass media takes on unfulfilled role when it comes to aiding EU integration, cohesion and identity. There are voids in the Europeanization of mass media, as well as individual media performance in terms of EU reporting. In addition, new digital technologies are rapidly changing the way information is shared, calling for traditional media and EU legislature to review their operation frameworks.

There are different approaches to bettering the functions and performances of European mass media. Much has been done at the EU level on the provision of a legal framework that facilitates pluralism and competition. In terms of promoting a greater European identity and political engagement among EU citizens through mass media, the future direction of AVMS policies —while keeping the focus on the commercial aspects of the industry —can specifically look into promoting more collaboration between national public spheres and improving national media performance. The digitalization of information dissemination, with adequate research and supporting legal frameworks, can serve as valuable tools for the purpose.

Europeanization of National Public Spheres

Pan-European media can transcend national perspectives and provide unbiased information about the EU to the general public. However, the creation of a transnational European public sphere has proved to be a difficult endeavor due to linguistic and cultural barriers. It is only possible if the styles and content can be adapted to the individual media cultures where the consumers live.⁴¹ Although English —the current de facto common language in the EU —enables direct transnational communication on a mass level, there remains strong resistance against such cultural-homogenization in non-English speaking member states, most notably in France.⁴² In addition, the vastly different media consumption patterns, criteria of relevance and reporting style across all 27 EU member states render ad-hoc pan-European media to be irrelevant for most EU citizens.

The Europeanization of national public spheres is a more realistic approach, as EU citizens overwhelmingly depend on national media to gain information on the EU. Promoting collaboration

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between national media outlets can fulfill the purpose of Europeanizing mass media. The goal is to create platforms where citizens, including political actors and journalists, can expect to receive, on a regular basis, the news of the EU and other countries with perspectives other than that of their own country. This would enable EU citizens to have better judgment and understand what the people in other EU countries are going through, how they deal with crisis and what solutions or ideas they are putting forward, thus enhancing the sense of European identity.

With digitalization and the growing popularity of non-linear, thematic channels, content exchanges between various media outlets are made easier. As illustrated in the previous section, some popular national media and PSBs currently facilitate content exchanges. For instance, *Le Monde diplomatique* acquires $\frac{3}{4}$ of its articles from various national media channels, while BBC devotes one program per week on thematic issues in other European countries.

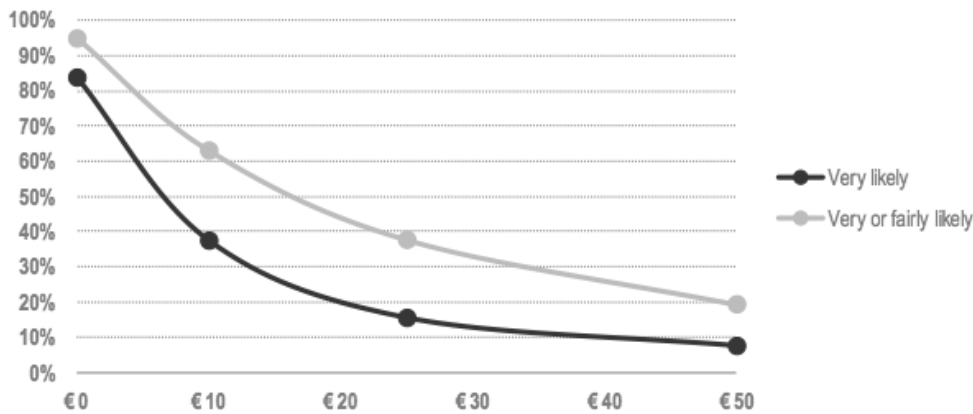
In addition, while some pay-television platforms offer packages of non-national EU channels for an additional subscription fee, consumers currently only have access to a small selection of channels originating in other EU countries.⁴³ According to a market research report prepared for the European Commission in March 2012, there is economic potential for tapping into the field of cross-border audiovisual services.

According to the report, several types of population groups may be interested in cross-border audiovisual media services, including migrant populations, people with a proficiency in or who are learning non-national languages, and people traveling within the EU. Online surveys show that there is potential willingness to pay for subscription-based border audiovisual media services of between €760 million and €1,610 million annually in the EU.⁴⁴ The following figure shows that over 60% of interviewees are “very or fairly likely” to pay €10 for a monthly subscription for

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channels from other EU countries.

Figure 4: Willingness to pay a monthly subscription for channels and programmes from other EU countries



Note: The price points for respondents in Poland, Sweden and the UK were expressed in the local currency. Owing to rounding of the converted values the equivalent Euro price points may differ slightly from those charted.

Base: 414 European migrants resident in France, Poland, Spain, Sweden and UK who have ever watched video from other countries or interested in doing so

Source: TNS online survey, September 2011

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However, there are significant costs associated with the provision of cross-border audiovisual media services including rights costs and technological costs. Among these costs, set up and operational costs are affordable for existing Internet-based services.⁴⁶ In regards to copyright laws, the European Commission could consider changes in the way that rights are licensed for satellite broadcasting. However, careful consideration will be needed due to the different business models in different member states.⁴⁷ The European Commission can engage in public debate and conduct more market and legal research on the issue. In the meantime, the European Commission can also encourage cross-border media partnership ventures such as ARTE.

Improving National Media Performance

Going back to the notion of three levels of Europeanization, mutual recognition is currently present across EU national public spheres. Similar themes are discussed in the same time period, though the criteria of reference rarely coincide. The news from other member states is also discussed with small presence of opinions of representatives of other EU-states. Vertical Europeanization is also present because EU interference in national matters is often discussed. However, national perspectives prevail, and journalism over Europe is characterized by inadequate coverage of European affairs. The inadequate media performance is the result of both poor EU political marketing and insufficient journalism training among national mass media.

EU Political Marketing

Politicians often attempt to influence journalists through their communication strategies, but in general, the EU does a better job at “information provision” rather than “political communications”. European institutions make fewer publicity efforts for their political aims than their national counterparts. As a result, national agendas are more likely to shape journalists, while European agendas tend to become less visible to journalists. EU information is recognized as being objective and accurate, often written by experts on the subject. However, there is seldom a clear political line throughout EU official documents. These documents are also criticized for not being open to discussion and not being transparent. Long reports are produced rather than ones at a more readable length with a succinct focus. EU political communications are full of technical information, but extraordinarily lacking in substance, such as details on personal conflicts, which journalists and media consumers recognize as “politics”. There is an urgent need for the more succinct and news worthy information specifically targeting journalists who do not have much time or interest on EU.

The digitalization of mass communications can also be a great opportunity to improve the EU’s political communications. For instance, the EP launched the European Parliament News Hub in 2012. It is a live web application available to the general public. As an instant news service, it aggregates political, first-hand and up-to-date information about the Parliament without any editorial intervention, utilizing social media platforms including blogs, Facebook, Twitter, YouTube, Flickr and other websites. All news published by EP players can now be read in one place. Its intent is to help citizens, journalists and stakeholders navigate the enormous information published by EP players. In addition, EU institutions can consider standardizing the use of RSS feed, Email subscription options and social media tabs on various official websites to allow journalists to get information more effectively.

Training National Journalists

It is important to improve linkages between national journalists on and EU institutions by promoting journalist exchange between different European countries, as well as between Brussels and member states. The European Commission can consider sponsoring national media outlets to fund more Brussels correspondents. In addition, the Commission can also look into sponsoring professional associations such as the European Journalist Association and Association of Commercial Television Europe to facilitate exchange opportunities for EU journalists. In particular, these organizations can consider holding annual professional conferences in Brussels that allow

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journalists to convene on a regular basis. These funding options will not be very expensive, but will effectively contribute to journalists thinking outside their national box and see things in a more pan-European way.

In addition, National journalists can be trained on the job to improve access and understanding of EU official documents, as well as their ability to write compelling stories with these materials. In particular, it is beneficial to ensure that national journalists are aware of the EU's various new digital channels. The European Commission can consider investigating current methods of EU newsgathering in respective nation states and provide workshops on better utilizing digital media, such as ways to smart sort tweets and news feeds on Twitter.

Citizen reporters, independent journalist and bloggers who produce quality journalism can also be included as legitimate news sources. Topical experts, senior correspondents, investigative journalists and feature writers are all valuable resources to look into.

Lastly, an emphasis should be placed on the role of journalists as a socially responsible EU citizen in their education. Through more course requirements on the EU, more direct contact with Brussels and EU actors, as well as various exchange opportunities in college, prospective journalists can develop a greater sense of Europeanness that will translate into their workplace.

Recommendations

- Improve and enforce AVMS rules; focus on addressing online copyright issues and providing an effective legal framework for potential cross-border audiovisual media services. Consult the public and conduct market research for that purpose.
- Recognize the potential of digitalization in facilitating media content exchange. Call for initiatives to encourage more cross-border media collaborations.
- Provide succinct and more news worthy EU official documents to improve the quality of political communications. Utilize interactive new media as seen in the European Parliament News Hub.
- Provide incentives and funding for national media to increase the number of Brussels correspondents. Encourage professional journalism associations to promote European perspectives in national journalists.

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Bridging the Gap Between Citizens and the EU: An Evaluation of Citizen Participation at the EU Level

By Lea McKee

The aim should be to create a transnational “space” where citizens from different countries can discuss what they perceive as being the important challenges for the Union. This should help policy makers to stay in touch with European public opinion, and could guide them in identifying European projects which mobilise public support.” White Paper (COM 2001/428 final, 12)

Issue

Over the last decade and since the introduction of the first direct parliamentary elections in 1979, the European Union and its institutions have implemented a number of projects aimed at fostering increased participation between the citizens and the EU.¹ While projects such as the European Citizens’ Initiative (ECI) and the Europe for Citizens Program (ECP) have created opportunities for and encouraged citizen participation, they are not perfect solutions. Further, as power is increasingly redistributed from Member States to EU institutions, the need to bridge the gap between the individual citizens and the institutions of the EU becomes both increasingly difficult and necessary.^{2,3,4} This chapter will address the issue of citizen participation, specifically, the lack of individual participation at the EU level and the resulting democratic deficit.

Since 1979, voter turnout within the EU has decreased by 20%, with an average voter turnout of less than 50% across EU Member States.^{5,6} Nearly all scholars agree that the EU faces a serious and growing democratic deficit. As explained early in this report, the democratic deficit within the EU increases when the EU, as an institutional body, lacks legitimacy. Additionally, a lack of citizen participation within the democratic system contributes to the issue of the democratic deficit. For this reason, addressing a lack of participation by individuals at the EU level is vital when addressing the issue of the democratic deficit.

Background

Understanding citizen participation in the public sphere and citizens' engagement in meaningful political discussion is a complex task. Understanding participation and engagement with the EU is further complicated by the distance between individual citizens, located somewhere within one of the EU's 27 member states, and the institutional body of the EU, based mainly in Brussels. Authors Gene Rowe and Lynn Frewer address the complexity of citizen engagement in their typology report, explaining that "if involvement were a simple, bounded, and well-understood process, then one particular mechanism might suffice to enable it to be effectively achieved..."⁷ The issue of citizen participation remains an important issue to address within the EU precisely because, as Rowe and Frewer explain above, the complexity of citizen involvement has kept the EU from devising a single and effective solution to this problem. Though this chapter aims to provide effective solutions to the lack of citizen participation at the EU level, it is important to understand that the complexity of the issue of citizen participation demands a complex solution. So while each option provided should be considered a valuable contribution to the solution, it is only valuable in combination with other projects to support participation.

Citizen involvement can be found, in one respect or another, in all areas and at all levels of the EU. For the purpose of this chapter, only citizen participation as it occurs between an individual citizen or unorganized citizen groups and the EU will be addressed. Research and reports on citizen participation in the EU are strongly biased towards viewing and solving the issue of participation through CSOs and other formally organized groups. While civil society groups play a vital role in establishing the public sphere and encouraging citizen participation, they will not be addressed in this chapter (see chapters 4-7 for a discussion of EU civil society).

Before providing possible solutions to the issue of a lack of citizen participation in the EU, an explanation of this participation deficit is needed. The Maastricht Treaty marked a shift of focus to creating a sense of European citizenship and increased participation in the Union.⁸ Since the revisions of the Maastricht Treaty, the EU has further demonstrated a newfound commitment to developing citizenship and citizen participation through its implementation of the Lisbon Treaty (which further edits the Maastricht Treaty to establish more emphasis on improved democratic process and involvement in the EU) and the ECI and ECP outlined in the following chapter.

The Europe for Citizens Program

The ECP was created by the European Parliament and the Council in December of 2006 and officially began in 2007.⁹ The ECP was established through the Education, Audiovisual and Culture Executive Agency of the European Commission (EACEA), in response to the EU desire to promote an increased sense of European identity as well as “to promote understanding between the Union and its citizens.”¹⁰ The ECP hopes to achieve these goals by providing avenues and funding for citizens to take active roles in the “development of the European Union.”¹¹ The program identifies four areas of action (Active Citizens for Europe, Active Civil Society in Europe, Together for Europe, Active European Remembrance) and encourages citizens and citizen groups to create proposals for programs that address one or more of the action areas. Submitted proposals are reviewed and then approved proposals receive funding from the €215 Million allotted to the program.¹² In this chapter, “Active Citizens for Europe” and “Active Civil Society in Europe” respectively, are the most pertinent to the discussion of citizen participation.

The current Europe for Citizens Program expires this year (2013). Having deemed the program a success in terms of fostering citizen participation at the EU level, in December 2011 the Commission submitted a proposal for the continuation of the program from 2014-2020 with an increased budget of €229 million.¹³ The EP and European Council will approve or reject the proposal this spring (2013) and the program will begin as the current program ends in January 2014.¹⁴ The following section outlines three different programs developed through the ECP:

I AM EUROPE (IEU)

I AM EUROPE (iEU) is an explanatory expedition into the heart of the European Citizenship concept. Through this project we want to learn what citizens’ participation can mean in a European context, and find out what is needed so that European citizens get more involved in EU policymaking.¹⁵

The I Am European program was developed as a project supported by the ECP. iEU is designed to bring citizens of the EU together to discuss the influence and role that citizens play in shaping EU policies and how to best “bridge the gap” between the EU and citizens at the local level. “From January to June 2013, around 250 European citizens from eight EU countries are gathering in different locations to exchange, explore, evaluate and (re-)invent participation tools to enlarge the influence the citizens can have on EU policies.”¹⁶ In order to create this gathering of people and ideas, the program begins through an exchange of “best practices” of participating organizations and continues with meetings and deliberations amongst citizens at various sites throughout

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Europe. The program culminates in Brussels where participating citizens meet with policy makers to discuss the citizens' proposals and ideas for supporting EU democracy.¹⁷

Because the program has not yet been completed (the final meeting between EU policy makers and citizens in Brussels does not take place until June 22, 2013) the final results of the iEU program cannot yet be evaluated. Thus the program can be evaluated up to this point. One notable achievement of the program is that 250 citizens participated. Initially this number seems low when looking at the size of the EU on a whole. However, by keeping the citizen groups small, the iEU program creates a more individualized area for discussion and allows citizens more individual voice than available in discussions with more participants. While many programs work with NGOs and organized interest groups, the iEU encourages a small group of individual citizens across eight different member states to get involved. Though this program alone may not significantly alter the growing democratic deficit, it does encourage individual citizen involvement. Encouraging more groups like this *could* improve the deficit.

E-PANELS

The e-panels program acknowledges that one of the most significant problems facing the EU today is the need to bring the EU closer to its citizens. This project addresses this gap by creating a space, specifically online, for citizens to discuss and debate issues of participation within the EU.¹⁸ The project focuses on creating online resources for these debates through the creation of online platforms for debate, online workshops at the local level, and e-panel informational and discussion boards. The e-panels project highlights an important step in establishing citizen participation because the online nature of the panels allows people of different "ages, nationalities and backgrounds" both local and transnationally, to get involved and have their say.¹⁹

At the first conference for this program, citizens gathered to discuss how Information and communications technologies (ICTs) promote citizen participation and how the use of ICTs limit participation in some areas—notably within the older adult population that is less comfortable using ICTs.²⁰ The conference continued with debates on the best ways to implement e-panels. Discussions included the use of social media networks, chat rooms and the possibility of future Skype conferences.²¹ The conference also included training on how to set up e-panels and other online outlets to support the e-panels program.

The program was considered a success, albeit by its creators. While the program highlights seemingly useful strategies such as the use of new media and simple online participation, the

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results are disappointing. To begin, the most general forum created by the program, titled “Have your say,” only had 63 members at the end of the program and 37 posts.²² This number is insignificant when the number of citizens within the 27 EU Member States is over 503 million.²³ Further, a search for online discussion forums shows that many forums have a significantly higher number of comments. For example, the website Change.gov, hosted by U.S. President Obama, is a similar online discussion forum and has 3,700 comments on a question of healthcare alone.²⁴

EUROPEAN CITIZEN ACTION SERVICE

Like the I Am Europe and the e-panels programs, the European Citizens Action Service (ECAS) is a program that was made possible through the EU’s Europe for Citizens Program. The ECAS claims support from the EACEA (though the EACEA provides support through the funds provided by the ECP).²⁵ ECAS considers itself “an international non-profit organization, independent of political parties, commercial interests and the EU institutions,” with goals to provide support for citizens of different nations and with different interests to gather to discuss issues and priorities within Europe.²⁶ ECAS focuses on providing advice and free guides on how to make your voice heard within the EU environment. For example, the ECAS provides a free annual guide on finding funding for citizen proposals.²⁷ In the 22 years since the ECAS was established, the ECAS claims to have “been a pioneer in European participatory projects starting with a hotline for citizens and a key stakeholder on ways to improve the communication channels between citizens and the EU institutions, bringing both of them closer together.”²⁸

While the ECAS claims to have accomplished many of its goals since its creation in 1991 and continues to work towards accomplishing others, the ECAS does not seem to be a very valuable tool for individual citizens. Primarily, many of the resources available through an ECAS membership still cost users money. For example, to view information on organizing an ECI, you have to pay €10. Though this amount is small relative to the progress that can be made through an adopted ECI, it is enough to create a barrier to participation for a citizen who is not generally politically active. While citizens who already participate in the public sphere may be willing to learn and participate further for €10, it is unlikely that the ECAS publication would encourage involvement for a less active citizen. In other words, while the ECAS provides a valuable resource to those working to accomplish something within the EU, it does not attract the attention and participation of citizens who are currently inactive in the public sphere. Further, the ECAS seems to cater more to organized groups and NGOs rather than individual citizens or small groups of citizens. Many of the ECAS publication provide resources for “non-profits” and “CSOs.”²⁹

The European Citizens' Initiative

The European Citizens' Initiative was written into the Lisbon Treaty as a way to, in the words of Article 10 (3), provide every citizen with the right to "participate in the democratic life of the Union."³⁰ The ECI is considered by many an innovative new way to involve the citizens in EU policy making. At a hearing organized by the Portuguese Parliament in 2010, the Vice President of the European Commission explained that the ECI's inclusion in the ratification of the TEU was the "first formal European 'bottom-up' processor in the history of the EU."³¹ On paper, the ECI appears to be a program with incredible potential to change the way in which citizens engage with the European Commission. However, while the ECI has benefits, it is still too weak to improve participation levels in the EU.

To begin, the ECI is outlined in the Lisbon Treaty in Article 11. Article 11 begins by explaining that the institutions of the EU should give citizens and citizen groups the means and spaces for expressing their views on the EU. The Article proceeds to express the need for "open, transparent and regular dialogue" with citizens and representative organizations. Article 11 ends with the following on the implementation of the ECI:

Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.

"The procedures and conditions required for such a citizens' initiative shall be determined in accordance with the first paragraph of Article 24 of the Treaty on the Functioning of the European Union."³²

Political scientist and lawyer, Francesco Maiani, uses his experience in public policy and law to explain that the provision for the ECI in the Maastricht Treaty is weak. Primarily, weakness results because the ECI does nothing to require the Commission to address the desires of citizens more than before the ECI was implemented. Instead, an ECI submission by citizens is written into the Maastricht Treaty as an "invitation" for the Commission to submit a formal proposal.³³ Further, the ECI may lack the simplicity necessary to engage many "average" citizens³⁴. Andreas Gross, expert on direct democracy and Member of the Swiss National Council points out in an interview with Daniela Vincenti (EurActiv Managing Editor) that while the ECI is an important step in encouraging participation in the EU, the ECI's weakness lies, primarily, in the lack of democratic infrastructure within the EU. Gross explains that without this necessary infrastructure, the ECI works more as a tool for powerful interest and lobbying groups than for citizens.³⁵

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The process of submitting an initiative proposal to the Commission begins with submitting the proposal to the commission³⁶. After this first step, the proposal is registered and published online and the organizers (citizens) of the proposal are required to collect one million signatures within a period of twelve months from a “significant number of Member States.”³⁷ Though this number is small relative to the entire population of the EU (0.2% of approximately 480 million inhabitants), Maiani explains that this is still a significant hurdle³⁸. Once one million signatures have been collected, the committee, or group of citizens, can submit the proposed initiative to the Commission. The Commission will then go through a process of verification—looking at signatures and making sure all requirements have been met. When verification is done, the Commission reviews the initiative to determine if it is a “valid” initiative. If the initiative is deemed valid, it requires the Commission to publish the initiative online, meet with organizers for discussion and, within three months of submission, publish and notify organizers and law makers within the EU of “its legal and political conclusions on the citizens’ initiative, the action it intends to take, if any, and the reasons for taking or not taking action.”³⁹

As described above, the process of submitting and getting an ECI approved is not simple. Further requirements, such as the organizers responsibility for translating their initiative into EU languages, limit the feasibility for average citizens. The ECI has created opportunities for significant input for European citizens but still remains too difficult of a process for small group of citizens without significant resources and support. This fault—the tendency of the ECI to favor organized interest groups—can be addressed by looking at the requirements for submitting an ECI. First, citizens often lack the time and resources necessary to submit and follow through with a citizens’ initiative. Requirements, such as translating ECI documents into EU languages, meeting specific reference requirements and collecting one million signatures from many different EU nations within twelve months, are all requirements that favor well organized groups with time and money resources. While the ECI does help to improve involvement between the institutions of the EU and citizen groups, it does not bring closer together the individuals and unorganized groups of individuals that are in most need in the first place⁴⁰. All in all, Maiani considers the implementation of the ECI, “conservative... [providing] a limited investment on citizen participation, entailing no redistribution of constitutional powers, and thus leaving the basic features of the system unaltered.”⁴¹ Simple changes to the program could help increase citizen participation in the system. A similar, long running, popular initiative program in Switzerland serves as an excellent example of the ECI’s potential. It allows citizens 18 months to collect 100,000 signatures.⁴² The Swiss program has been successful in that there have been 19 successfully implemented citizens’ initiatives.⁴³

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Further, over 400 initiatives have been successfully coordinated (meeting all signature and other requirements).⁴⁴

Options

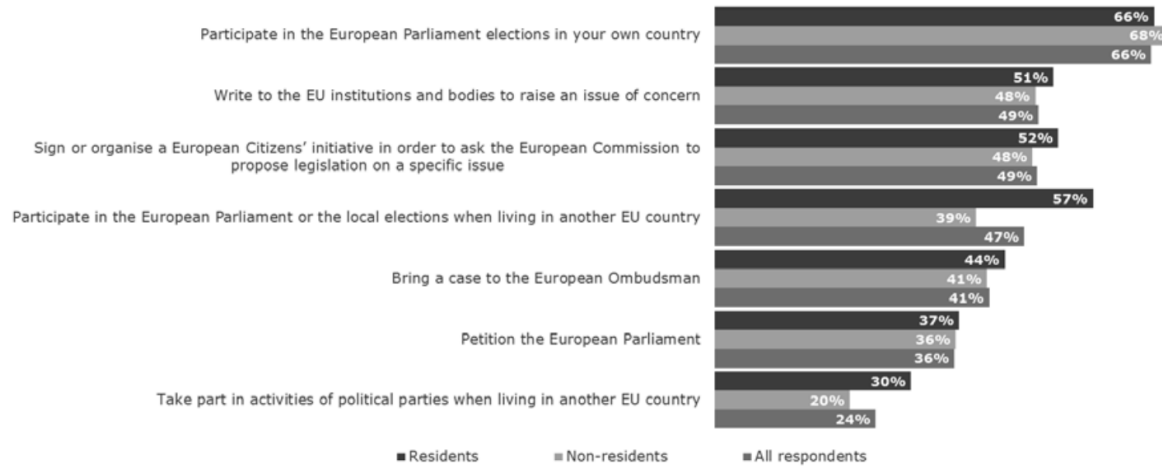
There are many potential solutions to the problem of a growing democratic deficit as the result of the lack of citizen participation at the EU level. Further, by examining the programs discussed above, the EU and its institutions can take small but significant steps in the right direction. While many solutions require significant time and money resources to implement, the discussion above aims to demonstrate areas in which small changes can be made to improve citizen participation.

Past Program Success

Before providing new options and recommendations, I would like to point out the successes of past EU programs as a way to demonstrate the success of programs similar to those that will be recommended in the following pages. First, key issues of participation, including what motivates citizens to participate and in which areas citizens are most likely and willing to participate, are becoming increasingly well documented through EU surveys (such as the regularly published Eurobarometer) and independent reports (such as the *Citizens Participation Handbook*).⁴⁵ The EU's commitment to understanding the democratic deficit and citizen participation is an important step in solving these issues. The chart on the following page, taken from the *Citizens Participation Handbook*, displays the significance of the European Citizens' Initiative that will be discussed later. When asked which rights people would most likely take advantage of within the EU (rights granted through citizenship within the EU), participating in the ECI program ranked third most popular.⁴⁶ The fact that citizens rank the ECI in this way is significant. The importance placed on the ECI by individuals surveyed by the Eurobarometer, demonstrates the success of the ECI program, if only based on the knowledge of its existence and its perceived importance as a tool of participation. The simple fact that the ECI was recognized as a useful tool of participation by citizens of the EU is a step in the right direction.

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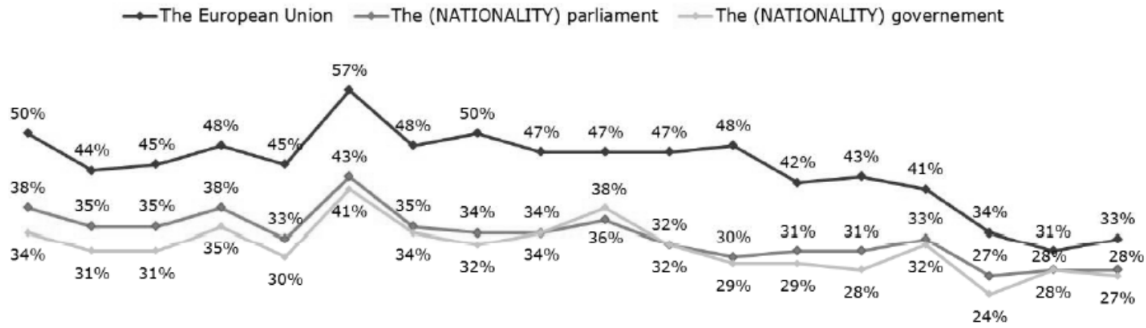
Q17. As an EU Citizen you have a number of rights through which you can make your voice heard in the EU. Which of the following rights would you be most likely to use? Please choose one or more of the following:



In addition to creating an understanding of the current EU environment of citizen participation, reports such as the Eurobarometer survey and *Citizen Participation Handbook* have also demonstrated improvement in citizen participation in the EU. For example, the 2012 Eurobarometer highlights an increased level of trust in the European Union, up 2% from the spring 2012 Eurobarometer survey.⁴⁷ Simply understood, an increased trust in the EU improves EU legitimacy—a factor that this report has identified as important in addressing the democratic deficit. Further, the report concludes that, based on survey results, citizens of the EU have more trust in the EU than national governments (see below graph for details, from Standard Eurobarometer 78 Autumn 2012).⁴⁸

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QA11 I would like to ask you a question about how much trust you have in certain institutions. For each of the following institutions, please tell me if you tend to trust it or tend not to trust it.



Aut. 2004	Sp. 2005	Aut. 2005	Sp. 2006	Aut. 2006	Sp. 2007	Aut. 2007	Sp. 2008	Aut. 2008	Jan.-Feb. 2009	Sp. 2009	Aut. 2009	Sp. 2010	Aut. 2010	Sp. 2011	Aut. 2011	Sp. 2012	Aut. 2012
EB62	EB63	EB64	EB65	EB66	EB67	EB68	EB69	EB70	EB71.1	EB71	EB72	EB73	EB74	EB75	EB76	EB77	EB78

Though results of trust vary with changing EU and national environments (financial changes are highlighted in this report), any improvement in perception of the EU is positive. This example of trust is particularly positive because typically, citizens associate more closely with their national governments than they do with the EU. This light increase in trust in the EU is an indicator of changing perceptions. These improvements are outlined here to demonstrate the significance and success of current EU programs in preparation for recommending that the EU build future options upon past and current success.

In addition to the findings of the 2012 Eurobarometer report, the EU has, over the last few years, adopted a number of strategies aimed at improving citizen participation. For example, the European Commission, through the Justice department, published a webpage on EU Citizenship. On this page, EU citizenship is defined and basic rights outlined. More importantly, the page outlines and provides links to resources that demonstrate what the EC is doing in this area. The Citizenship Report 2010, the EU Citizens' Agenda, and links to related parliamentary decisions and public meetings are provided.⁴⁹ Another source for information on participation within the EU is the new "European Year of Citizens 2013" webpage.⁵⁰ This page, launched to accompany the 2013 European Year of Citizens established the Commission, provides links to "join the debate"—taking visitors to information on the ECI and advertising when the next "debate on the future of Europe" event will

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take place (as of writing, there was a debate on January 10th in Dublin, Ireland and the next debate will take place on February 22nd in Coimbra, Portugal.)^{51, 52}

Finally, members of the EU have worked to demonstrate their commitment to bridging the gap between the institutions and high level members and individual citizens of the European Union. For example, Commissioner Margot Wallström actively worked to improve the relationship between citizens and the European Union through her support of initiatives such as “Speak Up Europe” and “Tomorrow’s Europe,” as well as through her push for her “Plan D”—an agenda to improve democracy, dialogue, and debate.^{53, 54, 55} Wallström’s “Plan D” was approved in 2005 after the failed Constitutional Treaty referendum as a way for the European Commission to demonstrate their continued commitment to providing citizens the means and avenues to participate in the democratic process.⁵⁶

The above stories of success aim to demonstrate that the EU has made significant strides in addressing the issue of citizen participation. In particular, the EU has done well to demonstrate a commitment to improving participation through the implementation of the Lisbon Treaty and through its sponsorship of citizen programs. The following options aim to turn the EU’s demonstration of commitment into tangible success through continued support of successful programs (ECP) and through the simplification and improvement of others (ECI).

The Initiative for ECI, an organization which campaigns for a citizen-friendly and user-friendly ECI, advocates for the simplification of signature forms and elimination of identification requirements. Only eighteen member states require personal identification numbers, and groups like the Initiative for the ECI argue that these requirements “are frequently unnecessary, [and] may deter supporters and raise privacy concerns.”⁵⁷ In addition, the Commission could also expand the time limit for collecting the necessary signatures from twelve to eighteen months in order to allow smaller organizations and more obscure issues adequate time to collect signatures. The Switzerland program that is similar to the ECI is a successful example of what a slight increase in time to gather signatures can do. A simple extension of the twelve month deadline could improve the feasibility of submitting an initiative by a citizen. It is important to also point out that a new eighteen month deadline need not slow the initiative process unless necessary. While an eighteen month deadline increases access to the initiative program, establishing a wait period does not. Instead, allowing citizens to submit their initiatives as early as possible will help speed up the entire ECI process.

Further, the EU could improve the initiative process by simplifying some steps of the process. One easy change would be to allow initiatives to be submitted in an EU language, leaving

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translation up to those within the EU. By eliminating this small step, the ECI program might become more accessible to citizens and citizen groups with limited funds. However, because the ECI remains a multinational program aimed at improving citizen participation within the many EU Member states, translation is necessary. For this reason, at this time, eliminating the translation requirement by ECI groups would not be beneficial to citizen participation within the EU, but would instead limit participation to those who can read the initiative in the single language in which it was written.

Based on the conclusions reached by the authors outlined in the background section and the relative benefits of each of the proposed options above, I recommend that the EU create a plan to change a few small components of the structure of the ECI. With the aforementioned recommendations for changes however, it is important to note that the first ECI program began collecting signatures less than one year ago. Because the ECI is still in its infancy—having only official existed since 2012—these changes should not be made or addressed until January of next year (2014). It is important to let the ECI program develop and grow on its own for a time before deeming the program a failure. If changes are made too soon, it will be more difficult to see what pieces of the program work and which pieces do not. For this reason, I also recommend that the Commission appoint a committee of experts, CSOs, citizens, and Commission officials to evaluate the program.

Similar to recommendations for small scale changes within the ECI, the EU should continue to take small steps in other areas as it has already done through the implementation of citizen programs such as the ECP. The ECP's support of citizen designed programs is significant because it provides citizens with the resources they need to accomplish their goals, instead of creating programs designed to address issues hand-picked by EU policy and law makers. While the discussed e-panels program and ECAS programs may not be as successful as hoped in terms of including citizens in EU level politics, they provide a necessary democratic outlet. By placing the power to choose which issues need to be addressed into the hands of the citizens, the EU is both encouraging citizens to get involved in the political decision-making process and is giving more power to individual citizens in this process. Throughout this chapter, significance has been placed on the need for a citizen to feel a personal connection to an issue if they are to participate. By allowing citizens to choose the issues addressed and design a program through which to address it (like the iEU, ECAS, and e-panels programs), the EU is eliminating a barrier to citizen participation. Further, while choosing to maintain current programs and make no other changes might be the most reasonable answer to the issue of citizen participation—keeping in mind that participation is

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only at each citizen's discretion and cannot be forced—the EU cannot afford to take such a passive stance. For the last few years, with the Euro Crisis looming in the back of peoples' minds, the EU must not allow its decisions to further the perception that the EU institutions lack legitimacy.

From this, the EU is left with the option to make changes, however small. The EU should begin by removing or reducing unnecessary obstacles to the creation of a “valid” initiative which will greatly improve the submission process and encourage more “average” citizens to participate in the program. Each of these changes would make the ECI process more accessible to a larger citizen base and would improve the simplicity of the process—two types of changes citizens have been asking of the European Union for years.

Recommendations

- Appoint a review committee to reevaluate the European Citizens' Initiative. This committee will comprise of experts, CSOs, citizens, and Commission officials. The committee will meet prior to January 1, 2014 to evaluate ECI successes and failures, and propose future recommendations.
- Encourage the committee to establish official tools of evaluation and measures of success for the ECI so that the ECI can be reviewed efficiently in the future.
- Through the ECI committee, review the progress of the ECI prior to January 1, 2014 and address the following possible changes: Simplification of signature forms and an increase in the number of months allowed for signature collection from twelve months to eighteen months.
- Continue support of the Europe for Citizens Program through 2020 as has been recommended by the Commission.

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Misconnections: Social Movements and EU Engagement

By Pema Gyatso

Issue

The current democratic deficit highlights the need for expansion in order for the public sphere, as an aggregate of all national publics, to better represent European Union citizens. Social movements express the desires of different groups within this public sphere. With the ability to reach out to a larger public, they will have the potential to be a key actor in the broadening of the European public sphere. Historically, social movements have faced the challenge of being neglected due to lack of awareness and mass participation. Regarding funding, social movement organizations (SMOs) receive minimal attention because EU institutions base their funding on a project-by-project basis. For example, the Commission gives grants in support of projects or organizations that further the interests of the EU or contribute to the implementation of an EU program or policy.¹

In the past, social movements primarily used methods of physical protest to express their demands, which were bound by location, needing to occur in Brussels in order to directly communicate to EU policymakers. Social movements also faced the monopolization of movement issues by strongly incorporated, Brussels-based umbrella NGOs. Compared to CSOs, SMOs had less access to resources and outlets to express themselves and defend their movements. This contributed to the national focus of many social movements, creating a lack of focus on EU-level issues as well as a lack of targeting EU institutions. A high focus on national issues made achieving transnational cooperation within social movements and creating a cohesive public voice a great challenge.

However, with the help of technology social movements have evolved. New tools such as social media networks have given SMOs the opportunity to connect with a greater public and mobilize beyond the limitations of physical borders. However, social movements still need to find a structure within this new technological realm that allows them to maintain their grassroots essence and relevance with the public, as well as establish greater relevance with EU institutions. If they can harness their potential to influence policy, they can increase the public voice at the EU-level and create real policy change. The challenge presented in this chapter is for social movements to increase EU-wide public engagement to help foster EU citizenship and, at the same time, productively interact with EU institutions.

Background

The Evolution of European Social Movements

Social movements have a long history in Europe, represented in examples such as the West German peace movement during the Cold War to the present-day movement against the EU Common Fisheries Policy (CFP). These have contributed to the democratization of Europe, which can be seen in the organized petitions and demonstrations on freedom of the press, religious freedom, and electoral rights². Post-1968 Europe is often considered a “social movement society,” as demonstrated by the growing numbers of Europeans who have reported that they have participated in contentious politics, and the use of disruptive forms of political expression.³

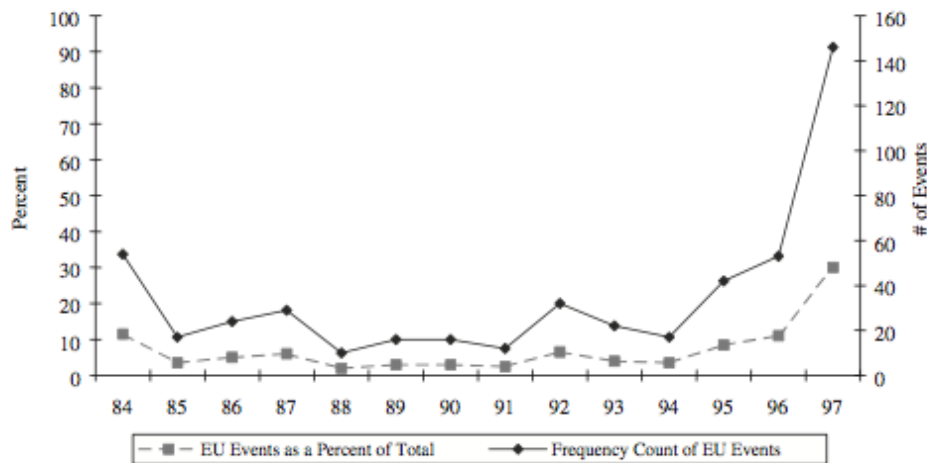


Figure 1. Frequency and percentage of Western European contentious events provoked by European Union policies and institutions, 1984 to 1997.

4

Historically, social movement activity stayed mainly at the national or domestic level, regardless of the issue. Based off his research on protest and politics in the emerging European Polity, professor of Political Science Doug Imig confirms that,

to date, the largest proportion of protests concerning the EU have taken domestic rather than transnational shape, indicating that while Europeans are increasingly troubled by the policy incursions of the EU, they continue to vent their grievances close to home—demanding that their national governments act on their behalf⁵.

Therefore, social movements have been critical to the public sphere at the national level but have yet to fully break through the barriers keeping them from becoming a critical part of the *European* public sphere. The supranational level has been highly inaccessible due to the high costs of facilitating transnational collective action and protest.⁶ Social movements have faced these

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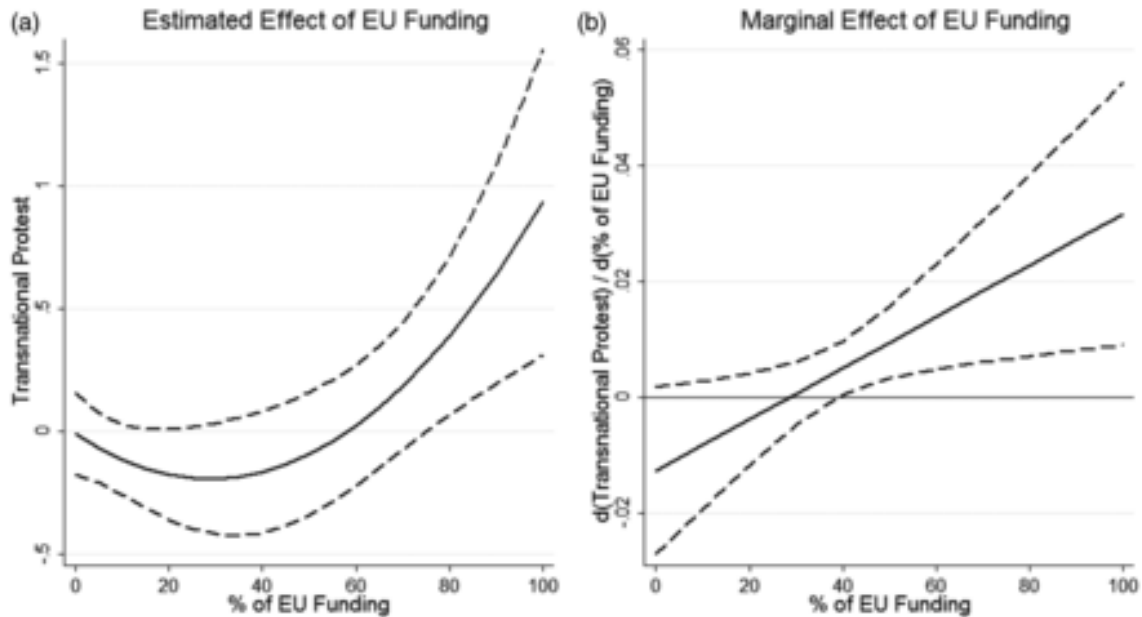
problems in the past, but in recent years, with the help of globalization and new technologies, they have made great strides in reaching out to a larger audience and causing more impact at the EU-level.

Currently, the EU conditions eligibility for its funding programs. Groups must fulfill a wide range of formal criteria and accommodate EU requirements on various dimensions; however, eligibility is based mainly on the ability of recipient organizations to establish inter-organizational cooperative ties, which further increase their capacity for transnational action.⁷ Based off of the research by Katerina Vrablokova, professor at the Institute of Sociology of the Academy of Sciences of the Czech Republic, and Ondrej Cisar, professor of political science at Charles University of the Czech Republic, EU funding helps SMOs enter the international political arena even if they work with a challenging and contentious issue.⁸

Social movements are opportunistic in the way that they adapt to decision-making structures and mobilize when and where channels of access open up. They also depend on assets, allies, and available political opportunities.⁹ One example of this character of social movement protests is the demonstrations during the EU Summits of Amsterdam, Cologne, and Nice in 2001. Actors jumped at the opportunity to protest when they discovered they would be highly visible to attending political leaders and the broader public through the media covering the summits.

Regarding SMO dependence on assets, funding is a key component to achieving more outreach success. The following graph shows the effect of EU funding on transnational protests, based off a study and survey of Czech social movements. Figure 2(a) displays predicted transnational protest with 90% confidence intervals (estimates); Figure 2(b) displays the marginal effects of EU funding with 90% confidence intervals.¹⁰ Both graphs show a positive relationship between the percentages of EU funding and the amount of transnational protests.

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EU movements are typically rooted in the contribution to information and the political legitimacy that they can bring to EU institutions. By supporting underrepresented interests at the international level, the EU strives to fight its own perceived lack of accountability.¹¹ EU institutions have come to see movements as important allies in a process that represents the views of grassroots constituencies and as means to reach out to the aggrieved social groups represented, and for this reason they are more willing to support them¹²

SMOs in Europe traditionally have put pressure on the EU in favor of national interests, a method described by professor of political science and political sociology Donatella Della Porta as domestication. By aiming protests at the national government, the objectives of SMOs have a better chance at being considered at the EU-level because the national governments have more access and can better negotiate the supranational level.¹³ While it is not the most direct method, domestication still allows for citizens to indirectly address the EU. Social movements also mobilize actors by targeting the EU in attempt to put pressure on their own national governments, in what Della Porta calls the externalization method. This tends to produce multilevel networks of social movements with effects that involve EU institutions as well as others.¹⁴ Externalization takes advantage of resources such as the media, which is very important to those actors who have less access to more costly resources.

The following case studies provide examples of the utilization of these methods to create public engagement, increase public voice, and target EU institutions.

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CASE STUDY 1: ATTAC

A social movement that has had notable success at the EU-level is the Association for the Taxation of financial Transactions and Aid to Citizens (ATTAC). Originally, this movement was created to promote the creation of a tax on foreign exchange transactions, but now it has become what some consider a global justice movement¹⁵. What started as a single-movement issue in France has now become a global network movement with chapters located in many different countries worldwide that work toward social, environmental and democratic alternatives in the globalization process. Local associations of ATTAC organize meetings and also participate in protests. Today, those who are interested in getting involved with an ATTAC chapter can use their website to find and contact their local chapter. The website also has details on their past and current campaigns. One specific campaign ATTAC takes great pride in is the first campaign for a global financial tax. Originally, ATTAC promoted the implementation of a Tobin tax on all spot transactions. After more than ten years of campaigning, the European Council passed the Financial Transaction Tax, a version of the Tobin Tax¹⁶. The Financial Transaction Tax is part of the EU's future budget plans, which will affect all EU citizens.¹⁷ The passing of this EU-wide tax proves the ability social movements to influence decision makers through the mobilization of the public.

Looking more specifically at the ATTAC in Germany, it can be seen how the use of mass media helped the German global justice movement the "Movement of The Year," according to the German publication, *Der Stern*. In 2001, ATTAC greatly increased its membership in a matter of a few months. During this time the Green Party in Germany was attempting to align itself with ATTAC while revising their party platform. ATTAC was able to frame the alignment of the Green Party around their initiative against neoliberal globalization, interacting with many government officials at roundtable discussions as well as private and public discussions, which received attention from the media. The sudden growth of ATTAC Germany was the outcome of its increase in newspaper and e-media coverage as well as its political position in German mass media outlets.¹⁸ Some methods they used involved letting journalists ride on the busses with protestors, providing interviews, and sending out email newsletters.¹⁹ Not only did the media spark a greater participation of the public, seen in the increase in members, but it also allowed for ATTAC to educate the public about its initiatives.

ATTAC understands the importance of being involved at the EU-level, as expressed by a spokesperson from ATTAC Italy: "Especially on some of the issues on which we struggle, the European level is very important. We feel very involved with the EU."²⁰ ATTAC can feel involved

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with the EU because they aim their protests and frame their issues toward the EU. For example, their campaign for a European-wide coordinated levy on wealth addresses the growing disparity of the distribution on wealth in Europe. In this campaign, they propose a tax on wealth for all European countries due to the European-wide nature of the crisis which cannot be solved with plans that apply to merely single states.²¹ Also important is the power that using transnational networks can bring, as stated by a representative from ATTAC Germany, “Because of the European integration process, ATTAC sympathizers in different countries have met each other and have developed common claims, whether they are positive or negative toward the EU.”²² The ATTAC organization as a whole demonstrates how critical framing both issues and actors in social movements are when it comes to achieving social movement goals.

ATTAC has been successful because of its ability to impact important decisions that affect all EU citizens, such as the approval of the Financial Transaction Tax. They can attribute to their widespread presence with organized chapters set up all throughout Europe. Through the domestication method, ACTA chapters targeted protests at their respective national governments. As a result the sentiments of citizens separated by national boundaries were connected to be more representative of what could be described as EU citizen sentiments. By engaging each chapter under the same structure with shared goals and principals, ATTAC has been able to create EU wide social movements and real policy changes.

CASE STUDY 2: ACTA

The Anti-Counterfeiting Trade Agreement (ACTA) provides another example of public mobilization to address the EU-level. This agreement opposes the multinational treaty to establish international standards for intellectual property rights enforcement.²³ Although ACTA was an international legal anti-counterfeiting agreement, citizens saw it as a threat to Internet freedom and communication privacy.²⁴ Protests against ACTA were widespread throughout Europe. One of the first protests occurred in Poland, where over a thousand people reportedly picketed in front of the EP office in Warsaw. These movements later went on to use of technology by threatening website blackouts on Polish social websites.²⁵ This was the beginning of strong online protests accompanying physical protests, not only in Poland but all over Europe.²⁶ Many individuals got involved with the anti-ACTA movement via social media tools like Facebook where they expressed their opinions via comments and organized meetings for protests by joining groups dedicated to the movement in their area. For example, in Sweden over 12,000 people signed up on Facebook to participate in a demonstration against ACTA. Protests were subsequently held in over 200

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European Cities on February 11th, 2012. There were 25,000 demonstrators across Germany, 4,000 in Sofia, Bulgaria and about 1,500 in Prague.²⁷ This mass mobilization of the public would not have been possible without the use of new media tools such as Facebook, creating a younger demographic that represented the majority of protestors in the February 11th demonstrations being youth. The anti-ACTA movement utilized this free resource very effectively, resulting in large number of people showing up to protest together physically as well as virtually.

The protests surprised EU lawmakers and national governments, causing widespread reactions. EP president Martin Schulz criticized ACTA, arguing that it lacked sufficient balance between copyright protection and the individual rights of Internet users.²⁸ The German Foreign Ministry declared that he would hold off on signing, in addition to the Czech government, which declared it needed to be further analyzed.²⁹ However, despite the attention drawn by anti-ACTA protests, the treaty was signed in the EU in 2012, causing further uproar. EP appointed Chief Kader Arif protested in his own way by resigning from his position, stating that ACTA had “no inclusion of civil society organizations, a lack of transparency from the start of the negotiations, repeated postponing of the signature of the text without an explanation being ever given, [and] exclusion of the EU Parliament's demands that were expressed on several occasions in the assembly.”³⁰ UK MEP David Martin was then appointed as chief, but he also opposed ACTA, claiming that the treaty was too vague and open to misinterpretation that could jeopardize citizen liberties.³¹ On July 4th, 2012, the EP followed Martin’s recommendations and voted to reject ACTA. During the time while the EP was debating to pass ACTA, they saw unprecedented direct lobbying by thousands of EU citizens calling to reject the treaty. The public contestation manifested through street demonstrations, emails to the MEP, calls to the EP offices, as well as a petition signed by 2.8 million citizens worldwide.³²

Socialists and Democrats president Hannes Swoboda expressed this realization by stating, ...now it is time to look forward and tell the Commission that we are willing to work hand in hand on fighting counterfeiting and protecting copyright with full respect to fundamental freedoms. This time we will do it in the light of public opinion and involve a wide range of citizens and stakeholders from the start.³³

The results of anti-ACTA movements highlight how important it is for the EU to regard the public and include them when creating policies that will directly affect it’s citizens.

CASE STUDY 3: FISH FIGHT

A third example that demonstrates the innovative methods social movements are now taking comes from the environmentalists. In an effort to reform the EU’s CFP, KEO films launched a

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campaign called Fish Fight in January 2011, starting with a video that was featured on YouTube exposing the horrors of the practice of discarding dead extra catch back into the ocean. The video went viral, reaching millions of viewers, and later that year the Fish Fight website was launched with Hugh Fearnley-Whittingstall, celebrity chef and journalist, hosting a series of video exposés, acting as the face of the Fish Fight movement. This multi-platform campaign has a well-developed website that allows supporters to sign up for an email list and links to their Facebook page. They also have a Twitter account, which is used to keep followers updated on the latest campaign and policy news. In addition to the social media tools, Fish Fight features the organizations that support them such as Greenpeace, as well as testimonials from its celebrity supporters. By having celebrity support, greater attention is drawn to the cause because celebrities can tap into a wider audience that might not be as politically aware but pays attention to popular culture. The website even provides incentives to “join the crew,” allowing people to earn rewards and rack up points through participation. To encourage participation, they provide a letter writing tool kit so supporters can easily draft letters to urge EU leaders for CFP reform. Through the use of these various resources the campaign went on to attract over 750,000 supporters online.³⁴

The positive affect of the public awareness raised by the Fish Fight campaign is evident in the changing behaviors of both EU citizens and institutions. Presently, all UK supermarkets have switched to sustainable tuna sourcing and promote other options such as mackerel in the place of highly endangered cod.³⁵ However, the biggest effect from this campaign has been on the EU CFP. This year, it was up for review, and the vote to end the discarding of dead extra catch has passed. Now, the EU must decide how and when to implement the discard ban.³⁶ This example demonstrates how social movements can use the resources of technology and social media not just to influence the masses but EU institutions as well.

The EU presents itself as a resource and additional lever for SMOs to contribute to the emergence of a broader European public sphere.³⁷ The channels of access available at the European level could enable social movements to voice their concerns on a larger platform and help reach more people than at the national level. In this sense, a change of the methods used by social movements could be necessary in order to broaden the public sphere. With a broader public sphere comes the opportunity for more participation in EU-level politics, which requires changes at the EU-level. Currently, there are no specifically designated meeting times or locations for EU institutions to talk with SMOs, nor is there an official online interface or specific social media platform for SMOs and institutions. Social movements allow the everyday EU citizen to get involved. In a broader public sphere, EU institutions could hear collective voices from social movements and

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engage them more in the policymaking process. SMOs involved in the process could then hold EU institutions accountable to the decisions they make. Increased accountability can help fill the democratic deficit and increase collaboration. If the public can see that their actions produce change, then they can be proud to be a part of a government that values public opinion and be even more proud to be an EU citizen.

Options

EU institutions should consider the specific actions they can take to engage social movements in order to make use of the potential that social movements have to involve citizens beyond their typical national limits. This will create a broader European public sphere that is more in touch with the EU. Influence at the EU-level is important because the public sphere can hold the EU accountable to policy decisions, which would help fill the democratic deficit.

“Europeanization from below,” or a bottom-up approach to broadening and engaging the public sphere, is one possibility. This involves creating more opportunities for the public to voice their options and take greater action at institutional level via the creation of a larger transnational platform. The Commission could create a special type of online interface for social media platforms where social movement actors can voice their concerns and debate with institutional actors over policy. The platform could be designed specifically for interactions between SMO actors and EU institutional actors by supporting web chat or Skype capabilities as well as registering all users with profiles that could detail their interests and concerns about the EU. Interaction could also be taken to an open movement forum in which Commissioners could join with social movement actors in their field once a quarter. The open movement forum might allow discussions or debates, which would give the Commission a chance to hear direct feedback on policies and give them the opportunity to learn about some of the public’s concerns before becoming mired in the logistics of policy-making.

In order to create a larger and more interconnected platform, SMOs will also need to collaborate more with civil society groups such as NGOs and interest groups. While SMOs have strong roots in civil society (taking a more grassroots approach with their reliance on protests), they would benefit from the more conventional political channels taken by NGOs, such as lobbying. Considering they both have shared general aims and have acted as allies in various campaigns before, this could lead to social movements being taken more seriously at the EU-level. A combination of influence tactics at different levels is the most promising strategy to influence European politics³⁸. One thing to keep in mind however is the potential risk involved with whom

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social movements work with NGOs. The more groups that collaborate in larger aggregations, the more the network is institutionalized and loses some specific movement features, such as the willingness to engage in political protest and to use the media for theatrical actions. This happens because as a group becomes larger, internal negotiations of framing dynamics and action repertoires tend to marginalize the fewer social movement groups involved.³⁹ To avoid this, NGOs can engage with social movements by aiding them in the formal processes of lobbying. NGOs can also openly support SMOs, for example, by providing links to social movement sites on their websites to show that they align with their movement.

In addition to partnering with civil society groups, an emphasis on the importance of communication venues arises. Protests can use both the domestication and the externalization method in order to pursue this “Europeanization from below.” Similar to the ATTAC example, an effect of externalization has been the development of supranational organizational structures and identities. Using the European arena offers representatives of different EU countries the opportunity to meet, build organizational networks, coordinate activity, and construct supranational discourses.⁴⁰ At the same time, targeting the nation to hold the EU accountable under domestication has the potential to create a transnationalization of protest and the emergence of a transnational public sphere with national protest against EU policies or a “Europeanization of national public spheres.”⁴¹

Another aspect of the “Europeanization from below” method is the use of digital, social, and traditional media. Media can reduce the costs for mounting European-wide protest campaigns. For example, creating a blog or making a Facebook group is free of cost and can provide a virtual space for collaboration for social movement groups, just as the Fish Fight campaign, and anti-ACTA movement groups were able to do. Without social media tools organizing group protests or local chapter meetings is more taxing both physically and economically because organizers need to rent venues or pay for supplies such as picketing signs and flyers. SMO funds would go to better use and provide a greater return if they were allocated toward promoting campaigns.

Without a full-fledged public sphere based on European-wide media, both European and national actors have only been able to use nationally based mass media to get news coverage and to attract the public’s attention and support.⁴² This partly explains why domestication is the most used method by social movements in Europe. There is a need for the development of a transnational news media that can serve as a tool to educate the public on EU-level issues or policies that pertain to them and will have an impact on their lives. As demonstrated by the ACTA movement, knowing

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how issues specifically will affect the entire population of Europe could be a key motivator for the public to engage in social movements, while broadening the public sphere. Social movement organizations can then utilize social media to connect with the public and show them how they can get involved. Tools such as Facebook and Twitter are just two examples of social media that be used to engage the masses. By using widely accessible media tools, people can be informed as to where and when they can join in on a protest demonstration, learn how to get involved in lobbying or simply sign up to receive information on the progress being made on the social movement of their interest.

In an effort to engage more of the public in social movements, working directly with institutions to receive EU funding is another method that could be used. The EU could provide for small-scale issues and groups with a “movement specific” fund, which could result in indirectly stimulating organizations and thus movement activity. SMOs could apply by providing information about the cause they support, highlighting the goals of their movement and explaining the demographic to which the movement caters. With the provided information EU institutions would be able to learn what the topics of concerns are within the different groups of EU citizens. This could be considered a top-down method. While there is some concern that EU funding would discourage protest activity by SMOs or cause them to lose social relevance, this is not necessarily the case as seen in the example of Czech social movements survey. Funding creates new opportunities for SMOs to reach out to more people because the money can be used to launch campaigns for recruitment or to spread awareness about an issue. By receiving small-scale funding, social movements can retain their grassroots essence while supplementing their practices with more sophisticated new media tools to reach a larger audience and recruit more members.

EU institutions can interact with social movements via new media tools as well. Currently almost all EU figures have Twitter accounts and the institutions have Facebook pages. Bringing together representatives from EU-level institutions and actors from social movements will allow them to learn from each other to create a mutually understanding of the desires of both parties and foster collaboration and cooperation. EU institutions can keep SMOs part of the discussion and decision making process when it comes to policy making by sending out information about policies they are drafting to the SMOs, who can then discuss the policies with their members via social media sites or discussion boards on their organization’s website.

A final option is for social movements to turn back to their old methods of radical protest and spontaneous organization. If there was less of a structure, then it could be easier for people to

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join in and participate as part of the social movement. Social movements would act independently from other NGOs and EU institutions and there would be no provision of funding outside voluntary support from social movement actors. Even though social movements in the past were able to generate mass participation and publicity without the use of technology, it is important for movements to stay current with the options that are available to them. Neglecting technology by choosing to not use new media tools such as YouTube, Twitter and Facebook would cause social movements to be less efficient because it would take much longer for participants to get informed and stay updated. Therefore this “back to basics” option would not help broaden the public sphere nor help create EU citizenship.

Recommendations

In order to broaden the public sphere and fill the void of the EU’s democratic deficit, SMOs need to take a dynamic approach to re-conceptualize the social movement form in order to understand its adaption to the EU supranational environment. This approach includes the following recommendations:

- Encourage SMOs to engage with NGOs and other interest groups to collaborate and pursue lobbying for the issues with which they share aims. Also encourage SMOs and NGOs to support each other on social media sites, as well as their own organizational websites.
- Invite social movement actors to debate and collaborate over policies via a specially created social media platform as well as in an open movement forum where Commissioners join with social movement actors in their field once a quarter.
- Allocate funding to launch campaigns and utilize new media tools such as YouTube to generate publicity and create awareness for European-wide issues. In addition, send out email newsletters to SMO constituencies and keep the public informed on movement happenings via social media websites such as Facebook and Twitter.

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⁵ Doug Imig, 931.

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¹¹ O. Cisar and K. Vrablikova.

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²⁴ "European Parliament rejects ACTA". Plenary Session, External/Internal trade, *European Parliament News* 2012, Feb. 9, 2013.

²⁵ Katarzyna Odrozek, "Poland: Netizens Protest Government's Plan to sign ACTA Next Week," *Global Voices Online*, 22 Jan 2012, Accessed Feb 2013, <http://advocacy.globalvoicesonline.org/2012/01/22/poland-netizens-protest-governments-plan-to-sign-acta-next-week/>

²⁶ Katarzyna Odrozek, "Poland: Netizens Protest Government's Plan to sign ACTA Next Week," *Global Voices Online*, 22 Jan 2012, Accessed Feb 2013, <http://advocacy.globalvoicesonline.org/2012/01/22/poland-netizens-protest-governments-plan-to-sign-acta-next-week/>

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⁴⁰ Donatella Della Porta and Manuela Caiani, 95.

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Conclusion

By Delaney Merrick

The European Union is the most advanced experiment in regional integration and transnational democracy in the world. In order to cement the integration it seeks to create, there needs to be a cohesive European citizenship and identity. However, creating citizenship across so many borders and so many cultures is uncharted territory and has proven to be a challenging task. The transnational nature of the EU means that it is inherently different than all other democracies and thus needs to have different strategies and techniques of democratization. Due to the natural separation of individuals from their transnational EU government institutions, the EU is currently experiencing a democratic deficit. The absence of a cohesive European identity, coupled with the limited transnational public sphere and a perceived lack of legitimacy in EU institutions, makes EU citizens feel underrepresented by the EU government and its organizations. The three sections in our report, Legitimizing Institutions, Creating Solidarity and Cohesion, and Providing Means and Venues for the Public Voice, each identify and analyze the key issues underlying this democratic deficit, and formulate policy recommendations based on those issues.

The Legitimizing Institutions section focused on the perceived inability of institutions to be held accountable by EU citizens, which this section identifies as being one of the largest causes behind the democratic deficit. The authors of the section proposed that the best way to address the perceived lack of accountability is to make changes at the procedural level of all the institutions. Making changes like creating more easily recognizable EU level politicians for the public to connect with and creating programs that notify citizens on their own terms of what is happening in EU politics can go a long ways towards making EU citizens feel directly connected to their government. While these changes would take time and resources to implement, they would be an effective way to ensure that the voices of EU citizens are heard by their governing institutions.

The section on Creating Solidarity and Cohesion focused on why it is necessary for the EU to foster a sense of cohesion and solidarity among all of its citizens, in order to be able to continue integration at the EU level. This section primarily looked at two issues: Civil Society and European identity. In the Civil Society section of this report, the authors noticed that the two main issues that spanned all of the chapters in the section was the need for the EU to help facilitate the fair and equitable participation of European citizens through representative civil society bodies (organizations, interest groups, lobbyists, etc.) and in connection to that making sure that there is

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effective participation and accountability between CSOs, institutions and the EU citizenry. The one feasible way to fix those issues would be to provide an increase in funding to the civil society sector, both in the form of grants to fiscally and democratically responsible umbrella organizations, as well as targeted funding and programming for CEE NGOs. We realize that, given EU budget constrictions, it may not be feasible to increase funding drastically; however, the strategic placement of increased funds could go a long ways towards closing the gap between civil society organizations and institutions. Another key recommendation that is feasible, although would require some enforcement on the part of the institutions, would be to require all political actors to register with the Transparency Register and to more closely monitor MEPs in an efforts to improve fiscal transparency. Much of the Civil Society section focuses on the organizational changes and the changes that societal groups can make to lessen the democratic deficit, but individuals and communities are two important groups that cannot be overlooked.

The Identity section identifies a lack of knowledge on the part of EU citizens regarding the EU and its citizenship benefits. One reason underlying the current democratic deficit is that citizens simply do not understand the rights and benefits that come with being an EU citizen, and therefore do not fully take advantage of them. This lack of knowledge and the absence of cohesion between EU citizens has created widespread discrimination in the EU. The discrimination can be seen in the way that minorities groups, and particularly Muslims, are treated in EU countries. Creating a minority liaison position would help ensure the fair treatment of minority populations by EU actors. Insufficient intercultural interaction plays a large role in creating discrimination as well, and has resulted in multi-level divisions and a general lack of cohesiveness in the EU citizenry. The EU could go a long ways towards creating a cohesive European identity by improving social and cultural policies that encourage cross-border cooperation and integration. The Erasmus program is one of the most promising cross-border education programs that help European youths learn more about cultures and different countries through firsthand experiences. Increasing cultural awareness through education would complement the change in policies towards cohesion. Changing policies to increase cross-border cooperation on education would greatly benefit the EU and would help further citizen solidarity. Designing an interactive and engaging education system that provides the information that citizens need without creating an extra burden for teachers or students will prove a challenge.

The section on Providing Means and Venues for the Public Voice focused on social movements, citizen initiatives, and the mass media. Through these three different focuses, this section explores why citizens feel removed from EU policy-making in Brussels, and illustrates the

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effects that seeing a national news media and placing national identity before their EU level one effects their involvement in EU issues. One of the largest issues addressed in this section is the lack of a European news media, and the limited coverage of EU issues by national media. This contributes to perceptions held by many EU citizens that European politics are obscure and not news worthy. When information on the EU institutions is insufficient, citizens will be unlikely to participate in EU policy making. Having the EU sponsor more exchanges among journalists and provide trainings to their representatives on how to make EU press releases more mass media oriented would be two possible recommendations. Another important vehicle for public voice is social movements. Inherently, social movements evolve easily, and by adapting to the new technological realm they have expanded their potential for increased engagement in European affairs. By launching campaigns and utilizing new media tools to generate publicity and keep their constituencies informed, SMOs can help to bridge the gap between the public and EU institutions on a level that no other organizations can.

Our recommendations in this report seek to address the democratic deficit and acknowledge that, while it is a significant problem facing the EU today, there are solutions and opportunities readily available to lessen the gap between citizens and institutions. By strengthening unity between EU citizens and EU countries, these recommendations could also go a long ways towards fixing the Euro crisis. EU leaders can use the combination of the Euro crisis and the democratic deficit in conjunction with EU citizens push for reforms and involvement to their advantage. Our recommendations ultimately seek to provide suggestions on how the EU can use the means and opportunities at their disposal to create a more unified and democratic EU for their citizens.

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