

Comment on Sverker Gustavsson: Designing European federalism

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Thank you for asking me to comment on this innovative and provocative paper, which is less about what the EU should do than in what institutional form it should do what it does, and how what it does should be debated.

Two points are made in the paper, as I read it.

First, a strong preference is expressed for intergovernmentalism in the making of economic and social policy at the European level: the supranational features of the EU should be considered as provisional; they should not be permitted to intrude into matters beyond the first pillar; the focus should be on “offensive intergovernmentalism” aiming at mere co-ordination.

Second, there is an insistence that we need the multilevel politicisation of “fourth pillar” issues: it is crucial for the future of the EU, if not European democracy, that there is a “multi-level public understanding and controversy”, which means, among other things, that substantive issues at the EU level should not be pictured as inevitable or technical. A “multi-level enlightened understanding” is a condition for sustainability. There must be a “legitimising multi-level controversy” about substantive matters.

The issue I want to raise is whether politicisation in this sense is likely to be obtained under conditions of intergovernmentalism, that is, whether the two points are compatible with each other. It is a standard observation in political science that the demands of democracy do not always go along with those of international relations and that democracies tend to make foreign policy in a way that is different from the way in which they make domestic politics—less transparent, more elitist. I went into this twenty years ago, and it alerted me to the “democratic deficit” inherent in international organisation and not just the European Union. It was amusing to find essentially the same thought in an introductory text about Canadian politics a few years ago: Canada suffers from a “democratic deficit”—this very term was

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used in the textbook—because of the “intergovernmentalism” characterising policy making among Canada’s semi-sovereign provinces.

The same structural feature seems to operate in international and intra-Canadian politics. Intergovernmentalism means bargaining, and in bargaining it is often a disadvantage to debate your options publicly; the process itself often takes place behind closed doors; matters often take on a special technical complexity that can be understood only by professionals; the final outcome is often unshakeable and inaccessible to effective parliamentary control. This is called “executive federalism” in Canada and is not exactly an unknown phenomenon in the EU: intergovernmentalism tends to strengthen governments and experts in relation to parliaments and publics and is unlikely to encourage the kind of multi-level political debate that is needed.

Reading the paper it occurred to me that intergovernmentalism may inhibit political debate in a further way as well: there may be a temptation, if not a tendency, to frame ideological positions as national interests, as when President Chirac made his post-referendum distinction last May between *notre modèle français* and *un modèle de type anglo-saxon*. There is a hint of this in the paper when it cites a characterisation of European social models in terms of countries and regions rather than ideas and politics. This is a further reason why intergovernmental procedures may fail to encourage multi-level debate.

A countermeasure commonly proposed is to make national parliaments more involved in policy making at the European level. This could strengthen the accountability of individual members of the Council before their respective national constituencies, which is important enough, but it is not clear that it would substitute multi-level debate about European-level policy for the protection of national interests.

Then, what else is there to do? It is striking that the European Parliament is mentioned only in passing in the paper. It is easy to see why. The very existence of the EP undermines the thesis about double asymmetry from which the paper departs: it is an exaggeration, to say the least, to suggest that electoral accountability is missing at the “suprastate” level. Accountability is indeed problematic when it comes to the Council, but the EP, which has considerable authority over much of EU policy since the coming into force of the Amsterdam Treaty, is accountable to the European electorate, and the Commission is increasingly accountable to the EP, as seen most recently in

the difficulty Mr. Barroso had to get his commission approved. This is not enough, but it is better than nothing at all.

Simon Hix has concluded from his vast research that the EP is “a normal parliament”, by which he means that there is a relatively stable system of political groups similar to the party systems of the member states, that voting is by party, and that party differences are primarily on the left/right dimension. This normality is limited: the party groups in the EP are mere coalitions of national parties, MEPs have been nominated nationally, and elections tend to be fought over local rather than European issues. In the years ahead this may change: the relative democratic legitimacy of the EP may help increase its control of the commission as well as its influence on policy and this, in turn, may help “normalise” parties and elections. This will not happen next year or the year after but is more likely a matter of a generation. Yet, even in the short term, the involvement of the EP should be useful if the multi-level politicisation of “fourth pillar” issues is what is needed. A dose of federalism to reduce the cost of intergovernmentalism, so to say.

