

Lyon 2006 - Background papers and conclusions

EIN Summer University and European Ideas Fair

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EIN POLICY ROUNDTABLE

European Governance

Background



Europe is in the process of developing a continent-wide form of governance. Whilst the boundaries of public policy may no longer correspond to the territorial frontiers of states, citizens in today's Europe wish to see and exercise more direct control over what governments do. The referenda in both France and the Netherlands last year illustrated the need for the European Union and member-state governments to become more responsive and alert to the electorate's wishes.

The alienation of citizens from decision-making processes at many levels poses an important internal challenge to the EU. Serious concern continues to be expressed about the complexity and lack of transparency of EU processes and about the frequent ineffectiveness of administration in the European Commission. Unfortunately, the traditional debate on EU institutions tends quickly to become stylized between false antitheses of a federal superstate and disintegration. There is still a need imaginatively to explore intermediate options and solutions in the institutional design of the Union and to improve governance in the here and now.

Over the past four years the EIN working group on European Governance has examined ways of bringing Europe closer to the citizens, with or without treaty change. One important way to meet the emerging legitimacy crisis would be to engage national parliaments much more with regard to European issues. More must be done to develop a proper interface between parliaments at local, national and European levels.

At the 2005 EIN summer university in Lisbon, the WG felt that the EU could function in the absence of the proposed Constitution, but that the 'period of reflection' should quickly be followed by a 'period of action' in promoting reforms that are uncontroversial. These might include a clearer delineation of competences between the EU and national levels and greater progress on the better law-making agenda. Closer parliamentary oversight, wider advance consultation, improved implementation and enforcement, and enhanced public openness of law-making could be undertaken. Other innovations discussed included adopting the proposed 'exit clause', to stress the voluntary nature of EU membership, and informal use of the citizen's right of initiative.



In June 2006, the WG met in Brussels to evaluate how to improve accountability of, and increase popular legitimacy for, the EU institutions. As citizens are more concerned with day-to-day issues of economic well-being, rather than questions of political institutions, enhancing legitimacy could depend on successfully delivering

policy results within the existing system. The greater use of enhanced cooperation was examined, since this could promote policies based on voluntary integration that might respond more swiftly to the bottom-up demands of Europe's voters. In addition, the European Parliament could be more closely involved in the selection of the President of the European Commission, since this would give Europe's electorate clearer sense of there being political choices on offer, based on distinct policy platforms.

Conclusions of Lyon discussion

The Policy Roundtable concluded that the exercise of the European Union's legislative and executive powers is too disconnected from public opinion and public debate. Without a European 'demos', democracy in Europe necessarily remains inadequate. Therefore the creation of a democratic and accountable 'European polis', including a comprehensive discourse on European priorities and purposes, remains a significant challenge.

Political culture

The prevalent consensual mode of decision-making within EU institutions is also a cause of citizens' lack of interest in European politics and voters' increasing abstention in Euro-elections. Political leaders should have the courage to engage in a more explicit and passionate argument about the future of Europe, and express and explain their disagreements. In this manner, alternative choices can be more clearly articulated for the public. A more open and frank debate could help to engage and inform European citizens.

Institutional reform without treaty change

In terms of institutional reform, some improvements can be achieved without changing the existing treaties. Concerning transparency, the Policy Roundtable recommended more openness of Council meetings and a more transparent and detailed publication of the uses and recipients of European funds. To engage the public, something like a 'State of the Union Address' by the President of the Commission to the European Parliament and/or a gathering of the parliaments of Europe could have a positive impact. On this occasion, the Commission and the Parliament could lay out their main priorities of (ideally) a common legislative agenda over the coming twelve months.

Future of the constitutional draft: Pandora's Box



The more concrete and formal proposals for institutional reform become, the more they are confronted with the consequences of the rejection of the Constitutional Treaty in France and the Netherlands. Whether and how far the Pandora's box of the

draft treaty can be (re)opened is a sensitive issue for two reasons: (a) the text represents a subtle equilibrium that in its entirety reflects different views and interests of those who drafted it, and (b) the citizens of France and the Netherlands might get the impression that a political elite does not take their views seriously.

Therefore, the existing draft cannot be put into effect in its entirety without change. Whether one likes it or not, the EU will have to live with the absence of a constitution for some time to come. At the same time, political leadership also demands that some institutional reforms - to enhance both the workability and the legitimacy of the EU - are developed, advocated and put in place.

Better governance through treaty change

Concrete proposals that ought to be considered in any new process of treaty reform – whether as part of a full or 'mini-treaty' – include the following:

- National parliaments should play a more prominent role as mediators between the citizens and European institutions. In order to increase the possibilities and incentives for national parliamentarians to become informed and involved, something similar to the “early warning system” set out in the Constitution should be actively considered.
- A new institution such as a 'European Senate' or 'Congress of National Parliamentarians' might also help to increase the legitimacy of the system. Such a body could help guard against over-regulation and violations of the subsidiarity principle. This issue should therefore be revisited.
- A closer link between European decision-making bodies and national parliaments could also help limit the amount of 'gold-plating' - when national governments use European directives as a pretext to add even more regulation during the implementation process (and often put the blame on the EU if these regulations are unpopular or ineffective).
- If and when a new Constitutional Convention were to start its work, it should draw the lesson from the most recent experience that it should consult the public more intensively before finalising the text. Constitution-building and public debate should go hand in hand and it takes some time to convince citizens that the purpose of treaty change is to improve policy-making and governance.