

# RECON Online Working Paper 2010/18

## Between an Intergovernmental and a Polycentric European Union National Parliamentary Discourses on Democracy in the EU Ratification Process

Aleksandra Maatsch



Aleksandra Maatsch

**Between an intergovernmental and a polycentric European Union  
National parliamentary discourses on democracy in the EU ratification process**

RECON Online Working Paper 2010/18  
September 2010

URL: [www.reconproject.eu/projectweb/portalproject/RECONWorkingPapers.html](http://www.reconproject.eu/projectweb/portalproject/RECONWorkingPapers.html)

© 2010 Aleksandra Maatsch  
RECON Online Working Paper Series | ISSN 1504-6907

*Aleksandra Maatsch* is Senior Researcher at the Jean Monnet Centre for European Studies, University of Bremen. E-mail: [a.maatsch@uni-bremen.de](mailto:a.maatsch@uni-bremen.de).

The RECON Online Working Paper Series publishes pre-print manuscripts on democracy and the democratisation of the political order Europe. The series is interdisciplinary in character, but is especially aimed at political science, political theory, sociology, and law. It publishes work of theoretical, conceptual as well as of empirical character, and it also encourages submissions of policy-relevant analyses, including specific policy recommendations. The series' focus is on the study of democracy within the multilevel configuration that makes up the European Union.

Papers are available in electronic format only and can be downloaded in pdf-format at [www.reconproject.eu](http://www.reconproject.eu). Go to Publications | RECON Working Papers.

Issued by ARENA  
Centre for European Studies  
University of Oslo  
P.O.Box 1143 Blindern | 0318 Oslo | Norway  
Tel: +47 22 85 87 00 | Fax +47 22 85 87 10  
[www.arena.uio.no](http://www.arena.uio.no)

## **Abstract**

The paper analyses national parliamentary plenary debates on the Constitutional and the Lisbon Treaty in the six European states; Germany, France, Great Britain, Poland, Hungary and the Czech Republic. The comparative qualitative and quantitative discourse analysis of the plenary debates presents the patterns of support and rejection of the Treaties in the analysed states. The findings of the paper confirm the existing thesis that the left-right and TAN-GAL dimensions explain support for the Treaties. However, the paper also demonstrates that in this case the opposition moved towards the political centre represented by the mainstream conservative and Christian-democratic parties that until now counted among supporters of the European integration. The second factor identified in this paper as accounting for support or rejection of the Treaties was membership in the government: governing parties, also the conservative ones, were more likely to overcome internal opposition in order to ratify the Treaty. Regarding democracy models, the proponents of the Treaties were in favour of the polycentric European Union, whilst the opponents favoured the intergovernmental model. The federal model of the European Union was present in the parliamentary debates, however, it received only negative evaluations. The cosmopolitan model was entirely absent in the discussions.

## **Keywords**

Democracy - Constitution for Europe - Lisbon Treaty - National parliaments



## Introduction

In the last decade the European Union has undergone the most substantial, the longest and the most controversial institutional reform. It was initiated in December 2001 during the Laeken summit of the European Council and concluded years later when the Lisbon Treaty entered into force on 1 December 2009. The reform was also different from the prior ones because it focused more extensively on the issue of democracy in the European Union (Eriksen et al. 2008; Eriksen 2009). Until recently, the nation state was undisputedly regarded as the only locus of sovereignty. The deepening EU integration challenged that status quo but at the same time generated a democratic deficit of European institutions. On that background, the major assignment of the Convention was to develop a more democratic order in the EU and more accountable EU institutions.

The years preceding the entry into force of the Lisbon Treaty were marked by vivid discussions, both in national and EU institutions as well as in the member states' societies (Liebert 2007). This paper concentrates on one, very specific, discussion-arena, namely: national parliaments. National parliaments played a special role in the institutional reform process (Fossum and Crum 2009): firstly, they decided on the mode of the Constitutional Treaty (TCE) ratification in their states; secondly, they contributed substantially to national debates on the TCE and later on the Lisbon Treaty; thirdly, they assumed responsibility for ratification of the Lisbon Treaty<sup>1</sup>.

The current EU reform process was officially completed in December 2009. However, the decisions to ratify the Lisbon Treaty were not unanimous, on the contrary, they emerged from conflict. The institutional and policy reforms enshrined in the Treaty polarised parliamentary parties in each state. This paper addresses the following questions: what was the nature of the observed conflict lines and how can we explain them? In order to answer that questions, this paper analyses plenary parliamentary debates in the six EU member states<sup>2</sup> both in order to map and explain the conflict lines.

The literature suggests (Bartolini and Mair, 1990; Kitschelt et al. 1999; Hooghe et al. 2002, 2006) that party competition on EU issues is organised along the left-right and TAN-GAL dimensions, both in the old and the new EU member states. The major opposition to EU integration has been identified among non-centrist parties, representing extreme positions on both ends of the scale (i.e. radical left or radical right). However, in comparison, the opposition to EU integration in Western Europe is the strongest among parties representing TAN-right values whilst in Eastern Europe among parties representing TAN-left ideological orientation (Kitschelt et al. 1999; Hooghe et al. 2006). The literature also suggests that in the new EU member states European integration is perceived as a bundle, namely, as an institutional and normative order that is either entirely accepted or fully rejected, with no option in between (Hooghe et al. 2006).

---

\* The author would like to thank Prof. Ulrike Liebert, Ewelina Pawlak, Kathrin Packham and Prof. Hans-Jörg Trenz for their comments and suggestions on the first draft of this paper.

<sup>1</sup> Except Ireland, where the Lisbon Treaty was ratified in the national referendum.

<sup>2</sup> Germany, France, Great Britain, Poland, Hungary, Czech Republic.

The findings of this paper confirm the thesis regarding the two-dimensional (left-right, TAN-GAL) structure of party competition on EU issues. However, the paper demonstrates that opposition to the Constitutional and later the Lisbon Treaty had a somewhat different nature. Namely, these were not only non-mainstream (radical left or right) but also mainstream conservative parties that opposed institutional reforms enshrined in the Treaty. In other words, it can be argued that in the debates on the Constitutional and the Lisbon Treaty the opposition to EU integration moved towards the political centre. Furthermore, the issue bundling was no longer prominent in the new EU member states. On the contrary, political parties presented very diverse argumentations regarding EU institutions. The only difference was that the old EU member states devoted much more attention to EU policies which apparently were not (yet) politicized in the new member states. The second factor identified as explaining support and opposition to EU institutional reforms was membership in government. Governing parties, apart from presenting fairly uniform positions on institutional reforms, were more in favour of ratifying the Treaty than opposition parties.

The paper begins with a short presentation of the Constitutional and the Lisbon Treaty ratification processes. In the second step, it introduces the methodological approach of this paper. The subsequent sections present empirical findings: dominant conflict issues and veto players in each state as well as parties' positions regarding EU and national institutions, Common Foreign and Security Policy, the Charter of Fundamental Rights, ratification process and other issues. In the next section, the paper explains support and opposition to institutional reforms drawing on parties' parliamentary discourse. Political parties' positions are afterwards classified according to normative models of democracy in the EU, as developed in the RECON project (Liebert et al. 2009; Liebert and Trenz 2009). Finally, the conclusions summarise the most important findings of this paper.

## **Ratification process of the Constitutional and the Lisbon Treaty**

In December 2001 the Laeken summit of the European Council initiated the process of the European Union's institutional reform. In general terms, the announced reform had to prepare the EU for the eastern enlargement, clarify the division of competences between national and EU institutions and make the latter more democratic and accountable. The heads of states decided to found a European Convention, chaired by a former French president Valéry Giscard d'Estaing and composed of EU member states' representatives. On 29 October 2004 the document prepared by the Convention, officially called *The Treaty establishing a Constitution for Europe* or commonly referred to as the EU Constitution, was signed in Rome by representatives of the 25 EU member states. The process of national ratifications, as well as general public debates on the TCE, followed the signing of the Treaty.

Depending on national legislations, the Treaty was either to be ratified in a national referendum, or by national parliaments. The first country to ratify the Treaty in the national parliament was Lithuania (11 November 2004), followed by Hungary (20 December 2004), Slovenia (1 February 2005), Italy (6 April 2005), Greece (19 April 2005) and Austria (25 May 2005).

In May 2005 the Spanish parliament approved the Treaty, after a consultative and non-binding referendum had been held in February 2005. Shortly after the ratification process came to a crisis: France and the Netherlands rejected the Treaty in national referenda (29 May 2005 France, 1 June 2005 the Netherlands). Although Luxembourg approved the Treaty in the national referendum on 10 July, other EU member states cancelled the planned referenda. As a consequence, the ratification process came to a standstill.

The 'reflection period', announced in spring 2005, was supposed to generate a discussion on a way out of the crisis. Until 2007, the group of high-rank politicians, called Amato Group (the Action Committee for European Democracy) rewrote substantially the initial text of the Constitutional Treaty. On 21 June 2007 the European Council agreed upon a new Treaty, firstly called the Reformed and later the Lisbon Treaty, officially signed on 13 December 2007 in Lisbon.

The Lisbon Treaty abandoned the 'constitutional approach' and introduced a number of important changes as well as additional provisions (opt-outs) required by the EU member states. Additionally, the Charter of Fundamental Rights was removed from the Treaty. It was also decided that the Lisbon Treaty would be ratified by national parliaments, as long as that was in line with national constitutional provisions. The failure of the first national referendum in Ireland on 12 June 2008 stopped the ratification process for few months. After the second, this time successful referendum in Ireland on 2 October 2009, member states that withheld the ratification process reinitiated it and eventually signed the Treaty. The last EU member states that ratified the Lisbon Treaty were Poland and Czech Republic. Eventually, the Lisbon Treaty entered into force on 1 December 2009.

## **Objectives and hypotheses of the study**

National parliaments were important arenas of the European Union's institutional reform: during the ratification process of the Constitutional Treaty national parliaments decided on the ratification mode in their countries and, from 2007 to 2009, they took up the responsibility for ratifying the Lisbon Treaty. Yet, the role of national parliaments in EU politics is controversially discussed (Helms 2008). On the one hand, they count among the most important institutions in representative democracies tailoring national legislation, representing different interest and exercising a strong impact on public opinion formation (Bogdandy 2005). Due to the high legitimacy of national parliaments, their competences in EU politics were also significantly strengthened in the Constitutional and the Lisbon Treaty (O'Brennan and Raunio 2007; Benz and Broschek 2010). On the other hand, the role of political parties, and hence also national parliaments, is said to be declining in Europe. As some scholars suggest, modern politics became too complex for non-specialists (Mair et al. 2004). However, there are also scholars who argue that despite the declining role of political parties, parliamentary debates constitute the most important arena of political discussion and continue to be an important source of political information for voters (Eriksen and Fossum 2002). The latter function became particularly salient in the times of widespread mass media availability: plenary debates are no longer exclusive meetings held behind closed door; rather, they became open for the public in each and every EU member state. Plenary debates are not only well-reported in the television but also easily accessible in the Internet. Parliamentarians are aware that by

means of modern media their speeches target a very large, often even a transnational, audience.

The empirical research was based on a comparative, qualitative and quantitative discourse analysis (Liebert et al. 2009; Chilton 2004; Schmidt and Radaelli 2004; Wodak and Meyer 2001). The major asset of this method is that it allows to map and compare different parliamentary discourses on European Union's institutional and policy reforms. In other words, this research method allows to establish the diversity of argumentative strategies that parliamentarians of different political affiliation used in reference to particular institutional reform. This analysis does not focus on the outcome (the Lisbon Treaty was eventually ratified in all the EU member states) but rather on arguments in favour and against various reforms. As a consequence, we are able to reconstruct the process of compromise-building as well as identify specific conflict issues in the analysed national parliaments.

Parliamentary debates, according to Wodak and van Teun (2000), are classified under political discourse and can be defined as: 'a formal gathering of a group of elected representatives, members of various political parties, engaging in a discussion about what collective action or policy to undertake concerning an issue of public concern' (Wodak and van Teun 2000: 13):

Among the many genres of political discourse, [...] parliamentary debates [...] symbolise democratic discussion, decision making and power [...]. Parliamentary debates feature opinions based on different ideologies, and formulated against the background of different interests as represented by members of parliament (MPs) of different political parties. And as representatives, MPs are expected to voice their opinions of the citizens and organisations about immigration and ethnic affairs. Parliamentary speeches are delivered for the record and are strictly normalized [...].

The plenary debates that took place in national parliaments of France, Germany, Great Britain, Poland, Hungary and the Czech Republic were devoted to the Treaty Establishing a Constitution for Europe and later the Lisbon Treaty. All the debates were available in the Internet. The countries selected for the analysis have different parliamentary systems, for instance, Hungary has a one-chamber parliament, whilst other states in the sample a bicameral system. In order to overcome this difficulty, all the debates on the TCE and the Lisbon Treaty, that is both in the lower and the upper chamber, were selected in each state. As a consequence, the analysis covered the whole process of parliamentary discussion in the analysed states. Therefore, it was not necessary to develop a selection-strategy for a smaller number of debates that took place either in the lower or higher chamber.

The sample was composed of plenary debates only. Plenary debates are a traditional public arena for debating legislation in European states. They are organised as wide discussion forums in which all the parliamentarians can take part, raise issues and exchange opinions. Moreover, the discussion is not limited to formal questions prepared and sent in advance to the drafters of the law. Rather, discussions taking place during plenary debates evolve spontaneously due to the fact that parliamentarians can react, for example by asking questions, to the speeches of their colleagues. The subsequent speeches are also not detached from each other, although



many parliamentarians prepare the speech-text in advance, but they acknowledge and react to the arguments that were stated before.

One could minimize the importance of plenary debates by saying that they are dominated by the executive and strong party discipline. Moreover, the discussions also take place in other bodies, like parliamentary committees or experts' hearings, which may reflect a much broader spectrum of arguments from the one presented in plenary debates. Indeed, party discipline has an impact on the success or failure of a discussed bill. However, although the analysis of party discipline is important for explaining the outcome of the vote, it does not provide any answer with respect to the arguments that were used by opponents and proponents of a bill. Hence, it does not allow us to establish *why* a given bill was rejected or accepted. The committees' meetings and experts' hearings constitute, next to plenary debates, important discussion forums and ideally should also be included into the analysis. Unfortunately, in the countries under study the minutes from both committees' meetings and experts' hearings are neither recorded nor available to the public in a similar manner as plenary debates. The latter also have a strong advantage over other meetings: parliamentarians are aware that thanks to television, radio and Internet their speeches not only reach other members of their parliament, but also the general public in their states and abroad. As a consequence, parliamentary discourse has both the ability to generate public debates and to influence the process of public opinion formation.

The qualitative and quantitative analysis was conducted with help of the Atlas.ti software. The debates were coded according to standardised criteria by native-speaking research assistants<sup>3</sup>. The language of the analysis was English. The qualitative analysis was conducted in a semi-inductive way (for more information, see Maatsch forthcoming). The standardised coding approach consisted of four basic elements; namely, (A) actors' institutional affiliation (e.g. name of a political party), (B) a pre-defined list of EU and national institutions as well as policies as defined in the TCE and the Lisbon Treaty (e.g. '2,5 years' long Presidency'), (C) type of argumentation (in favour, against or descriptive), (D) justification (open coding). The code-book consists of major general codes, like 'the European Council - new institutional arrangement (Lisbon Treaty)' and more specific sub-codes, e.g. 'The European Council - new institutional arrangement (Lisbon Treaty)' sub-code 1: 'extension of QMV to new policies', sub-code 2: 'Double-majority system'.

The unit of analysis is a statement, in which we can identify an actor, a topic that matches the list of 'B' codes (otherwise the statement is irrelevant) and a direction (positive, negative). A justification was not a necessary element of a statement. The B-codes constitute the subject of this analysis; therefore, only statements referring to one of the topics from the list were coded. The list of institutions and policies was very extensive; hence, not all of them were discussed in each national parliament.

---

<sup>3</sup> Daniela Marinas - France, Paula Borowska - Poland, Tamas Kohut - Hungary, Alexander Akbik - UK, Tomas Lacina - Czech Republic, Jan Klepatz - Germany.

Table 1: An example of a coded statement

<p>We should not fear QMV. Look at the results of decisions taken by QMV—this is Britain's agenda! They are what we have sought to do. We are rarely isolated on policy decisions with QMV, because we are in the majority.</p>	<ul style="list-style-type: none"> <li>✦ A.1.3 Labour party</li> <li>✦ B.1.1.1.2.2 Decision-making procedure – qualified majority</li> <li>✦ C.1 Positive</li> <li>✦ D.009 National interest</li> </ul>
---	---

Source: Plenary debate, House of Commons, European Union Bill second reading, speaker Keith Vas, 9 February 2005.

This paper identifies two factors accounting for support or opposition towards the EU institutional and policy reforms enshrined in the TCE and later the Lisbon Treaty: ideological orientation of a party (measured on the two-dimensional, left-right and TAN-GAL scale) and membership in government.

*Hypothesis 1: In the old and new EU member states, political parties' positions on EU institutional reforms are structured according to the left-right and TAN-GAL dimensions.*

*Hypothesis 2: Governing parties are more likely to support EU institutional and policy reforms than opposition parties.*

Countries selected for the analysis represent both old (Germany, France, UK) and new EU members (Hungary, Poland, Czech Republic). This case-selection allows testing whether party positions on EU issues reflected the same, or different structure in the old and the new EU member states. The two dimensions of party competition that are tested in this paper are the left-right and TAN-GAL dimension. The first one refers to the classical economic cleavage, where the left orientation is associated with economic redistribution in fiscal policy, well-developed social state and state's interventionism in national economy. The right orientation, on the other hand, is associated with economic liberalism (Lipset and Rokkan 1967). The TAN-GAL dimension emerged from a new, non-political cleavage that became prominent in Western European societies in the seventies (Inglehart 1977). The TAN orientation stands for traditionalism, authority and nationalism, whilst GAL for green, alternative and libertarian. The empirical studies demonstrated that these dimensions are also important in the Central European states' politics (Kitschelt et al. 1999).

The second hypothesis is based on constructivist assumptions. It is assumed that political actors act in line with the logic of appropriateness (Olsen and March 2004) according to which they seek to fulfil the obligations attached to their specific role. As Olsen and March argued: 'Embedded in a social collectivity, they do what they see as appropriate for themselves in a specific type of situation' (ibid.: 3). This logic applies to political roles as well. Political mainstream actors representing EU member states function in a specific environment. Even if they express Euro-sceptical opinions, they are bound by their prior consent towards EU membership. This in turn defines the scope of their actions; namely, mainstream parties can express negative opinions about deeper integration but not the European integration as such. Political discourse plays in this process a very important role. As Schimmelfenning (2001) noted, 'rhetorical action', a strategic use of norm-based arguments, is a public expression of an actor's political opinions and identity that constructs an actor's public image:

In an institutional environment like the EU, political actors are concerned about their reputation as members and about the legitimacy of their preferences and

behaviour. Actors who can justify their interests on the grounds of the community's standard of legitimacy are therefore able to shame their opponents into norm-conforming behaviour and to modify the collective outcome that would have resulted from constellations of interest and power alone.

Schimmelfenning 2001: 48

This applies particularly to governing parties: in contrast to opposition parties they are exposed to 'shaming rhetoric' of other governments and EU institutions. Due to this pressure, governing parties are more likely to mobilise internal support for EU integration.

## Findings of the study

The debates in the analysed states were in a very different extent detailed. In some states the discussions frequently drifted in a direction that was entirely unrelated to the subject of the debate. Consequently, these non-relevant statements were not coded. The highest number of statements was coded in Great Britain (1228), then Poland (738), Germany (644), France (590), Czech Republic (218) and Hungary (189). The diversity of discussed topics was higher in the old EU member states (France, Great Britain and Germany) and lower in the new EU member states (Poland, Hungary, Czech Republic).

In Czech Republic the debates were dominated by four political parties: on the one hand, the right-wing ODS and the communist KSCM representing a very Euro-sceptic position, on the other, the social-democratic CSSD and the Christian-democratic KDU-CSL with a strong pro-European stance. As a consequence, the debates had a very polarised character. Czech debates concentrated predominantly on institutional reforms rather than policies. The diversity of topics was fairly low compared to the analysed Western European states; the major topics were: the Council of Ministers (voting), competences of national parliaments and the Charter of Fundamental Rights.

In the Polish debates one could also identify two deeply polarised groups: the first one, represented by the right-wing PIS and the conservative-catholic LPR, opposed all the institutional reforms that implied transfer of competences from national to EU institutions. The second group, composed of the liberal parliamentarians from the PO and the social-democratic parties, supported the proposed EU reforms. These four parties were at the same time the dominant actors setting the discussion agenda in the Polish parliamentary debates on the Constitutional and the Lisbon Treaty. The major topics were: the Council of Ministers, competences of national parliaments, CFSP, Charter, sovereignty issues and the national ratification process.

Hungarian parliamentarians devoted very little, if any, attention to the Constitutional and later Lisbon Treaty. The dominant actors in the debate were members of the right-wing Fides, social-democrats MSZP and the liberal party SZDSZ. There were basically three topics that dominated the Hungarian debate: minority clause in the Treaty, references to Christian values and the national Treaty ratification. In comparison to parliamentary debates in other states, one could say that the Constitutional and the Lisbon Treaty were not particularly important for the Hungarian parliament. The Hungarian debates also did not bear any traces of

political polarisation: there were very few issues that divided the Hungarian political parties.

Nowhere else did the Constitutional and later the Lisbon Treaty receive as much attention as in France (Maatsch 2007). The media coverage on the Treaty was much higher in France than in other European countries (Liebert 2007) and the French 2005-bestseller was also devoted to that subject. The parliamentary discussions in France reflected that intensity; mostly regarding the thematic diversity of plenary debates. The most intensively debated topics were: the competences of the European and national parliaments, the Common Foreign and Security Policy and the position of the High Representative of the Union for Foreign Affairs and Security Policy, social policy in the EU, the Charter of Fundamental Rights and the mode of Treaty ratification in France. The most prominent parties in the debates were the centre-right governing UMP and the left-wing SRC and the GDR. The discussion took place between the two opposing groups; the UMP, on the one hand, and the social democrats (the GDR, the SRC, the SOC, the RDE) and the Greens, on the other. However, the discussion was not polarised along these lines: in principle, each parliamentary party in France was internally divided with respect to most of the discussed topics.

The British debates were dominated by the two major political parties: the Labour Party and the Conservative Party, followed by the Liberal Democratic Party. The major issues were: the national referendum, definition of sovereignty in the Treaty, the new decision-making procedure in the Council of Ministers, the new competences of national parliaments as well as the office of the EU Foreign High Representative. The governing Labour and the Liberal Democrats were more in favour of the institutional reforms whilst the Conservatives remained more sceptic.

In Germany the debates focused predominantly on the following topics: the Council, the European Parliament, national parliaments, CFSP and the Charter of Fundamental Rights. The underlying national theme was subsidiarity: this principle was referred to both in discussions on institutional competences and policies. All the German parliamentary parties were active in the discussions: the most visible were the conservative CDU/CSU and the social-democratic SPD followed by the liberal FPD, Greens and the leftist Linke. The German parties agreed with respect to most institutional and policy reforms. In comparison to other states, there were few issues that generated controversies. The opponents belonged to the leftist Linke and the conservative fraction of the CDU/CSU party.

### **National and EU institutions in the parliamentary debates**

In the Czech parliament the reform of the Council of Ministers, mostly the new double majority, generated a very heated debate. The right-wing ODS and the communist KSCM parliamentarians argued that the Lisbon Treaty made the Council of Ministers less accountable than before. Foremost, in their opinion, the position of small and medium EU member states would become weaker. In their opinion, the new system would allow the large, Western European EU member states to dominate. The KSCM but particularly the ODS were strongly in favour of the old institutional arrangement enshrined in the Nice Treaty. The ODS parliamentarians found that arrangement more legitimate for it was approved by the Czech people in the accession referendum. In their opinion the old system was also more just as it granted

small and medium states more influence. Furthermore, in the party's opinion, the old system better served the Czech national interest because it envisaged a higher number of votes for the Czech Republic in the Council of Ministers. The double majority was only welcomed by the social-democratic CSSD party. The CSSD argued that the new voting system would contribute to a more efficient way of decision-making in the EU and foster European integration.

Table 2: The most popular topics of the plenary debates on the Constitutional and the Lisbon Treaty in the selected 6 EU member states

Institutions	Council – double majority
	Council – extension of QMV to new policies
	Council – passerelles
	Presidency, new set up
	Smaller Commission
	European Parliament, new set up
	ECJ, new set up
Policies	National parliaments, new set up
	CFSP – High Representative
	CFSP, new set up
	Social policy, new set up
	Enlargement, new set up
	Fiscal policy, new set up
	Common market, new set up
Other issues	Minority protection clause
	Christian heritage in the Preamble
	Sovereignty clause
	Citizens' legal initiative
	Charter of Fundamental Rights

The ODS and the KSCM disapproved the new system of Presidency in the EU and often labelled it as unequal and discriminatory:

It is highly probable that politicians from large Western European member states will mostly be elected to the office. Small and medium member states will be detached from possibilities to influence European policy and law-making.<sup>4</sup>

The social democrats, on the other hand, argued that the new model of Presidency would strengthen the European Union's position in the international arena. The EU would also become more efficient and better represented. According to the social democrats, the new model of Presidency will continue to serve small and medium states' interests because the rotation system is not going to be abolished.

The ODS was against smaller Commission. As in other cases, the party members argued that the old institutional arrangement was better because it was approved by the Czech people in the accession referendum. According to the ODS, the European Commission was already effective enough, the reform would only decrease its

<sup>4</sup> Eva Dundackova (ODS), 46th session of Chamber of Deputies, February 2009.

democratic accountability since not all of the member states would have a commissioner during each legislative period. The communist party KSCM was dissatisfied with both the old and the new institutional set-up of the Commission for being not legitimate enough. Only the socialist party CSSD welcomed the institutional reforms of the European Commission arguing that the new system enhances the democratic decision-making process and efficiency of the EU.

According to the ODS, the Lisbon Treaty did not increase the democratic legitimacy of the European Parliament. In their opinion, the EP remains a weak and not transparent enough institution. The reform of EP was positively received by the member of the communist KSCM party and the social democrats. According to the communists, the Lisbon Treaty rightly strengthened the most democratic institution in the EU. For that reason the EP's competences should continue to be increased in the future. The social-democrats also welcomed the reform of the EP by arguing that the Lisbon Treaty makes the EP more democratic and efficient.

Extension of national parliaments' competences divided internally the ODS party. The proponents were satisfied to see national parliaments becoming stronger actors in the EU politics. On the other hand, the opponents argued that the reform does not sufficiently confirm the supremacy of national parliaments in the European Union:

[...] the importance of the Czech parliament and its 200 elected deputies is going to decrease with time. Already now one can see how many bills are only being confirmed, because they were already passed somewhere else and we are obliged to implement them. I am afraid that after ratification of the Lisbon Treaty the amount of bills which are passed by someone else somewhere else will even increase. Being elected by citizen of the Czech Republic, I am primarily accountable to them and I am ready to fulfil that commitment.<sup>5</sup>

The communist party was also dissatisfied with the new competences of national parliaments. In their view, the Lisbon Treaty should have granted national parliaments far more wider competences. Only the social-democrats perceived the reform positively as contributing substantially to combating the democratic deficit in the EU.

The Polish debate revolved around the same topics. Regarding the Council of Ministers, Polish parliamentarians focused predominantly on the Presidency and the dual majority. The liberals (PO) and the social-democrats (SLD) supported the new system of Presidency, whilst the right-wing parties (PIS and the LPR) were against it. According to proponents of the reform, the EU would gain more efficiency, transparency, competitiveness and a stronger political identity. The opponents feared that the new Presidency would turn the EU into a 'dictatorship'.

The PO and the SLD supported the new double majority system. It should be noted, however, that in 2005 the PO was against the Constitutional Treaty due to the new double majority system<sup>6</sup>. After the liberals became the governing party in 2007, their position on the new voting system changed. According to the PO, the double majority system as such makes the Council not only more efficient, but also more democratic.

---

<sup>5</sup> Ales Radl (ODS), 46th session of Chamber of Deputies, February 2009.

<sup>6</sup> It was one of the PO parliamentarians, Jan Rokita, who came up with the famous by now slogan 'Nice or death!'

As a consequence, in the debates on the Lisbon Treaty the PO was arguing that Poland's position in the Council of Ministers would not become weaker. Quite on the contrary, Poland would remain an influential member state and an important coalition partner. The PO noted that the new system is also more consensus than conflict-oriented, the Polish government should therefore focus on efficient coalition-building in the future. The social democrats referred to similar arguments and stressed a more democratic nature of the new system that takes into consideration the size of the population in each member state:

It is not going to be a case that the 24 other EU member states would impose Poland, the 25<sup>th</sup> member state, anything. Poland is going to have a great influence, corresponding to its population size and national potential.<sup>7</sup>

The right-wing parties, the PIS and the LPR, perceived the new system as a threat to national sovereignty. The PIS party argued that only the Nice Treaty secured vital interests of Poland and other medium and small EU member states. In their view, the new system is also less democratic than the old one.

The discussions also covered extension of the QMV to new policy fields. The liberals and the social democrats were in favour; however, their argumentation was rather defensive. They argued, for instance, that majority vote would not become dominant and that the QMV would not apply to sensitive policy areas. On the other hand, the PIS argued that further extension of the QMV would lead to loss of national sovereignty and a federal Europe. In the opinion of the PIS and the LPR parliamentarians, the dominant decision-making procedure in the Council should be unanimity. The social-democrats and the liberals were not against unanimity or veto power; however, they attached less value to these principles than the right-wing parties.

The discussion on the Ioannina Compromise was conducted in a similar spirit. The PIS and the LPR parliamentarians were strongly in favour of maintaining that principle. There were also some radical voices from the populist-agrarian party Samoobrona who claimed that the Ioannina Compromise does not sufficiently secure Polish national interests because a veto can only postpone, and not change, the Council's decisions. The liberals were also in favour of keeping the Ioannina Compromise due to efficiency reasons and the Polish national interests. The social-democrats did not devote much attention to that topic, but they were in favour of applying the Ioannina Compromise in sensitive policy-issues.

The competences of the Commission were not extensively debated in the Polish parliament. The social-democrats and the liberals welcomed the model of a smaller Commission and argued that the new system is more adequate for the EU composed of 27 member states. The PIS and the LPR parliamentarians preferred the current institutional status quo due to Polish national interests.

For the liberals and the social-democrats the reforms of the EP and national parliaments were very high on agenda. For the social-democrats two aspects of the EP's reform were particularly important: democracy and transparency. The social-democrats argued that the reform would turn the EP into the most democratic and

---

<sup>7</sup> Tomasz Nałęcz, SLD, 2 December 2004.

transparent institution in the EU. The EP would also become a more efficient and a competitive player in international politics. In their view, the reform is not in conflict with the Polish constitution but, on the contrary, serves national interests of all the EU member-states. Parliamentarians from the PIS party disapproved the reform and argued that the EP would continue to play a secondary role in the EU politics.

The new competences of national parliaments were welcomed by the social-democrats and the liberals whilst the PIS party was internally divided on that issue. The central issue for the liberals was a stronger position of national parliaments in the EU legislative processes and, secondly, combating of the democratic deficit. The social-democrats, on the other hand, concentrated on normative implications of the reform, namely, its democracy-fostering character. The proponents of the reform in the PIS party found it positive to grant national parliaments more control over EU politics. The opponents argued that national parliaments would not have enough influence over important issues, like for instance foreign policy. The LPR parliamentarians were even more radical and claimed that national parliaments would actually become weaker than before.

The Hungarian parliament discussed the Constitutional and the Lisbon Treaty rather superficially. The social-democratic SZDSZ found it positive that the new model of the EU Presidency does not differ much from the old one. The SZDSZ was also satisfied that the rotation system is not going to be cancelled. On the other hand, the right-wing party Fides disapproved the new system of Presidency for discriminating small and medium EU states.

The double majority was not really debated in the Hungarian parliamentary debates. The very few statements were voiced by the social-democrats who found the new voting rules more effective and better representing the interests of small and large EU member states.

The Hungarian parliamentary parties preferred the current institutional set-up of the European Commission. The social-democrats found the current system more just because it guarantees all the EU member-states an equal status. For that reason the Hungarian parties were strongly in favour of keeping the old system until 2014:

It is our common success that we could enforce the requirements of sovereign equality. It is a success [...] that the principle 'one country, one commissioner' will apply in the European Commission until 2014. I believe it is particularly important for the new member states, for us [...].<sup>8</sup>

Although the SZDSZ clearly preferred the old institutional arrangement, the party members did not voice any negative statements regarding the 'smaller Commission'. That option, though not the favourite one, was nonetheless acceptable. The SZDSZ noted that smaller Commission would promote a common European interest in the future. Parliamentarians from the Fides party were against the 'smaller Commission' due to interests of small and medium EU states.

The reform of the European Parliament and extension of national parliaments' competences were positively perceived by all the Hungarian parliamentary parties.

---

<sup>8</sup> Dr Pál Vastagh (MSZP), general debate on the signing of the European Constitutional Treaty, 5 October 2004.



The Fides argued that the EP should play an even more important role in the EU. According to the party members, the reform of the European Parliament would foster a better cooperation between the European and the national parliamentarians. The social-democrats pointed to other positive aspects of the reform, like for instance stronger transparency or better control of the EP by national parliaments. It was also important for the party members that the EP would gain more influence over decision-making in the EU through the extension of co-decision procedure.

The French parties, except some SCR and unaffiliated parliamentarians, approved the new procedure of decision-making in the Council of Ministers. The UMP parliamentarians found it more democratic and better fulfilling the principle of 'bringing the EU closer to its citizens' than the old decision-making procedure. The SRC, the RDE and the GDR stressed efficiency of the new procedure: they argued that one member state would not be able to permanently block the decision-making process which otherwise becomes simpler, more transparent and solidarity-fostering. The opponents of the reform argued that the new decision-making procedure violates national sovereignty and leads towards a federal Europe (the SOC). Furthermore, other EU member states would acquire power to decide on salient national matters in France (unaffiliated).

The new institutional design of the European Commission generated controversy in the French parliament: the governing UMP was divided; some parliamentarians perceived the reforms positively, others argued that the decision-making process would only become complicated in the 'smaller Commission'. The UDP found the new institutional design less democratic than the old one. On the other hand, the centrist UC, the SRC and RDS were in favour of the reform arguing that the 'smaller Commission' is more democratic and transparent since the Commissioners are going to be nominated by the Parliamentary Assembly.

A vast majority of the French parliamentarians was in favour of extending the competences of the European Parliament. Only two parties, the UMP and the GDR, were internally divided on that issue. The proponents of the reform pointed to a higher legitimacy and transparency of the EP. They also noted that the institutional reform enhances efficiency of the EP and creates a better platform for cooperation between the EP and national parliaments, which in turn contributes to democratic legitimacy of both institutions. For the same reasons, extension of co-decision between the EP and the Council was positively received. The opponents argued that the EP's power would decrease (the UMP). Some unaffiliated French parliamentarians found the extension of EP's competences illegitimate due to the fact that the EP lacks a pan-European constituency.

On the other hand, an increase of national parliaments' competences was approved by all French parliamentarians. Subsidiarity and better control of the decision-making process in the EU were the most frequently mentioned arguments. The new institutional set-up was also widely praised for being more democratic and legitimate.

In Great Britain, the new model of the EU Presidency was supported by the Labour and the Liberal Democrats whilst the Conservatives became internally divided on that issue. For the Labour the 2,5 years' long Presidency meant most of all an improvement in the current system regarding efficiency, consistency and continuity of the agenda. The Liberal Democrats found the new system more democratic and

transparent. The Conservatives, on the one hand, acknowledged the fact that the new Presidency would help to avoid constant changes in agenda-setting, on the other, they feared that the Presidency would become too powerful. Furthermore, the Conservatives noted that competences of the President and the High Representative are overlapping and hence likely to cause problems. The office of the President was also in their view lacking legitimacy necessary to represent the EU member states.

The new procedure of decision-making in the Council (double majority and extension of QMV to new policy fields) also polarised the British parliamentarians. The Labour and the Liberal Democrats found the new system fairer, clearer and more democratic. The Labour and the Liberal Democrats welcomed the extension of QMV to new policy fields, arguing that the outcome of the decision taken by qualified majority has always been in line with the initial British position. The Conservatives opposed the extension of QMV as being against national interest of Great Britain and other member states. On the other hand, the party was in favour of the double majority system: the conservative parliamentarians noted that double majority would introduce more efficiency by avoiding the veto of small member states.

The Passerelles, allowing the Council of Ministers to decide unanimously to replace unanimity vote with QMV in a given policy without Treaty revision (intergovernmental conference), polarised the British parties along the same lines. The Labour argued that Passerelle reflect national interest, whilst the Conservatives claimed that the procedure would eventually contribute to depriving national parliaments of their powers. Furthermore, the Conservatives found the procedure too complex and not transparent enough.

The 'smaller Commission' did not generate any disagreement in the British parliament. First of all, the parliamentarians did not devote much attention to this institution. Secondly, they all acknowledged the new institutional set-up as more effective, transparent and accountable.

The extended competences of the European Parliament were positively received by the Labour and the Liberal Democrats and criticised by the Conservatives. For the Labour and Social Democrats stronger EP embodied foremost a step forward towards lesser democratic deficit in the EU. For the vast majority of the Conservatives empowerment of the EP was a decision having very negative consequences, for instance, by fostering federalism in Europe. The Conservatives also noted that since people are not interested in the politics of the European Union and do not feel represented by the EU institutions, it does not make sense to grant these institutions even more power. In their view, politics will continue to be 'national'.

The European Court of Justice was debated predominantly in the context of the EU law primacy. For the Conservative Party the Treaty went too far, namely in the federal direction, when defining the competences of the ECJ. In their view, it is not in the British interest to have a powerful ECJ that cannot be appealed against. The primacy of the EU law implies loss of national sovereignty and a stronger democratic deficit. According to the Conservatives, the ECJ should also not have any competences in CFSP: there should be no European public prosecutor office established. The Labour and Liberal Democrats played a rather defensive role in this discussion: they were attempting to convince other parliamentarians that 'the EU law does not need to be bad'. Otherwise, the Labour noted, the primacy of the EU law is a

fact since the Maastricht Treaty. It is normal, the Labour argued, that the members of one club should obey the same rules.

The British parliamentarians agreed that the competences of national parliaments should be strengthened. However, some members of the Conservative and the Liberal Democratic Party claimed that although the direction of changes is positive, national parliaments are not being granted enough power. For instance, they argued that the yellow card mechanism does not imply any power gain for parliaments, rather, there should be a red card mechanism introduced that allows not only to put on hold but to veto Commission's legislative proposals. The proponent of the reform pointed to the fact that national parliaments are for the first time granted power to halt EU decisions. In their opinion, this particular development strengthens democracy in the EU and contributes significantly to diminishing of the democratic deficit. The conservative proponents also noted that confirming the superiority of national parliaments in the EU is good in itself.

In the German parliament, the new model of the EU Presidency was positively received by all the parties. The German parties argued that the EU will finally have a face and a voice. The new model was argued to be more functional (the Greens), better corresponding with German interests in the EU (the SPD), offering more agenda-continuity (the CDU/CSU) as well as strengthening the EU's position in international politics (the Greens).

The German parties also welcomed the extension of QMV to new policies and the new double majority voting system in the Council. The most frequent arguments referred to efficiency (the SPD), a more democratic nature of the new system (the CDU/CSU), better representativeness (the Greens) and a stronger capacity to act for the whole EU (the FDP). The German parties were also in favour of the Passeurelle clause – they argued that extension of the QMV in the Council of Ministers increases efficiency of decision-making.

The CDU/CSU parliamentarians noted that the Commission is the least democratic body among the EU institutions that often disregards the position of the EU member states. However, all the German parliamentary parties were in favour of the new institutional set-up of the Commission. They found it most of all more efficient and less bureaucratic. The German parties also welcomed the new rules regarding the election of the Commission's president by the European Parliament.

The extension of the European Parliament's competences was positively received by all the parliamentary parties except some CDU/CSU members, who argued that the reformed EP is still not democratic enough. On the other hand, other parties pointed to the fact that the reform of the EP contributes significantly to decreasing of the democratic deficit in the EU. The reformed EP becomes stronger, more democratic, transparent and citizens' oriented. The Linke also noted that the EP would become internationally more effective.

The new competences of the European Court of Justice generated disagreement in the German parliament. The Linke was against extending the ECJ's competences and argued that the Court would no longer be obliged to respect national principles, like for instance social state. The CDU/CSU was internally divided on that issue; the opponents were against superiority of the EU law and argued that the ECJ would no

longer respect the subsidiarity principle. Other CDU/CSU members were in favour of the reform as long as the ECJ commits itself to respect the principle of subsidiarity. The liberals and the social-democrats, on the other hand, welcomed the reform without elaborating extensively on its consequences.

During the discussion on the TCE German parties disagreed over the new competences of national parliaments. The Linke was against, whilst the CDU/CSU and the SPD were internally divided on the issue. The FDP and the Greens supported the reform. The Linke argued that national parliaments deprive themselves voluntarily from their powers because the reform decreases, instead of increasing, national parliaments' competences. The members of the CDU/CSU pointed to the same issue. Furthermore, according to the critics, national parliaments' democratic legitimacy would decrease after the reform. The SPD was also internally divided, the opponents in the party argued that stronger national parliaments would limit national governments' influence on the EU politics. On the other hand, the proponents argued that strengthening of national parliaments reflects the principle of subsidiarity (the FDP). The SPD noted that stronger parliaments would be able to contribute better to European politics; the CDU/CSU pointed to better cooperation possibilities between national parliaments and European institutions. For the Greens, the reform was foremost an important institutional improvement. During the discussion on the Lisbon Treaty the opponents of the reform changed their opinions. The CDU/CSU argued with one voice that the increase of national parliaments' competences means more democracy in the EU. The SPD and the FDP referred most frequently to subsidiarity and the Linke to democracy in the EU.

### **Common Foreign and Security Policy**

The Czech and the Hungarian parliaments did not devote any attention to the Common Foreign and Security Policy which, on the contrary, was very intensively debated in the Polish parliament. The PIS parliamentarians assumed that a common EU position in this policy-area will not be compatible with the goals of the Polish foreign policy. Therefore, it would be better for Poland to remain unconstrained in that area. The right-wing parliamentarians from the PIS and the LPR party referred as usually to the national sovereignty and the Polish national interest. On the other hand, the liberal and social-democratic parliamentarians argued that the whole EU would benefit from a commonly conducted foreign and security policy. In their view, the EU member-states would not lose their sovereignty and the EU would become even more effective in international politics. Furthermore, as one of the liberal parliamentarians stated, a political identity of the EU could be strengthened in the process.

In France the Common Foreign and Security Policy and the High Representative internally divided all the political parties. The proponents of the reform claimed that the CFSP as defined in the Lisbon Treaty can better cope with challenges of globalisation and offer a better basis for a military and a political engagement, also in cooperation with the NATO. Apart from arguments related to efficiency, there were also many voices stressing that the new definition of CFSP fosters solidarity among Europeans and peace within the EU borders. The critics of the reform noted that the EU would no longer be independent in foreign policy because the NATO and the government of the United States of the America would take the leading role. The USA have a different approach towards fighting terrorism than the EU, therefore, a closer

cooperation with USA and the NATO is in conflict with the European interest. Instead, the EU should conduct its foreign policy independently from both USA and the NATO.

The competences of the High Representative of the Union for Foreign Affairs also generated a heated discussion in the French parliament. Each political party was internally divided on that issue. The proponents argued that the EU would gain a voice and a face: the High Representative would be able to talk to other ministers of foreign affairs on an equal level. The EU would become a stronger global player and would be able to deal better with international conflicts. The office of the High Representative would also contribute to the increase of democracy and legitimacy in the EU. The opponents claimed that the competences of the High Representative would collide with other national and EU institutions. The office was criticized for having too weak and ambiguously defined competences. In the opponents' view the EU has no common foreign policy; it is therefore a failure to create an office that does not provide the necessary political power in that policy area. Furthermore, establishment of the office would only complicate the decision-making procedures between the member states and the EU institutions.

The EU Foreign High Representative also polarised the British parties. The members of the Conservative party were against the office and claimed it would not serve national interests of the Great Britain. Furthermore, the EU Foreign High Representative would exercise pressure on UK, if the British agenda differed from the major line. Regarding CFSP, the Conservatives were against the EU having any independent or even shared competences. The Labour and the Liberal Democrats, on the other hand, supported the introduction of the EU Foreign High Representative office. They argued that the reform would not imply any power decrease for the UK; rather, it is in the British interest to share some competences in foreign policy between nation states and the EU. Common actions are namely more effective and do not preclude the intergovernmental nature of CFSP.

The new institutional set-up of the Common Foreign and Security Policy in the EU also generated disagreement among the German parliamentary parties. On the one hand, there was a widespread support for establishment of the EU Foreign High Representative but the Linke disapproved strongly of the clause regarding joint military interventions of the EU member states. The importance of the issue for the party was extremely high: the party members even declared to vote against the Treaty due to that clause.

Regarding the EU Foreign High Representative, German parties argued that the office gives Europe a face and a voice. According to the SPD parliamentarians, the EU should speak with one voice in the foreign policy because it increases its capacity to act. The Greens also pointed to the same issue and argued that the EU would be taken more seriously in the international arena. The CDU/CSU drew on similar arguments but also pointed to a better continuity in the foreign policy agenda.

Closer cooperation in the CFSP was welcomed by all the parties safe for the Linke. For the Greens, the reform of the CFSP meant most of all more security in the EU, further democratisation of the near and Middle East as well as a better capacity to act in a globalised world. The CDU/CSU pointed most of all to a better cooperation capacity and a more democratic nature of the reformed CFSP. The SPD welcomed better

security measures for the EU citizens whilst the FDP, among others, new possibilities to investment in armament. As already mentioned, the Linke voiced their objection towards military interventions of the EU and further armament of the EU member states. In their opinion, the treaty fosters military conflicts' solutions which, according to the party, are less successful than diplomatic measures. Other German parties noted, that, first of all, there is no obligation imposed over the member states to invest in weapons (the Greens) or participate in military operation (the FDP), secondly, military operations are also important because they help to protect civilians (the SPD).

### **Charter, ratification and other issues**

The Charter of Fundamental Rights divided the Czech parliamentarians very deeply. The ODS remained strongly against it arguing that the Charter does away with national documents guaranteeing individual rights. In their view the Charter lack legitimacy because it was written by the EU politicians. The Charter weakens the EU member states, its interpretation remains unclear, furthermore, it reflects the leftist ideology which is not acknowledged by all the EU states. Finally, in the opinion of some ODS parliamentarians, the adoption of the Charter of Fundamental Rights will make it possible to the German citizens to claim the properties and land they used to possess in the Czech Republic. The KSCM party did not devote that much attention to the Charter. The party rejected the Charter arguing that it should simply not be part of the Lisbon Treaty. On the other hand, the social-democrats supported the Charter unanimously, perceiving it as an important step in the process of the European integration and a better guarantee of individual rights EU-wide.

In the debates on the Constitutional and the Lisbon Treaty the issue of national sovereignty was central for the ODS only. The party members stated very clearly that only the member states constitute sovereign entities: the EU is not a state and cannot be one. There is also no such thing as a European nation. The ODS remained sceptical with respect to all the reforms introduced by the Lisbon Treaty, arguing that they aim at establishing a federal Europe. In the party's view, the EU and the member states are not ready for the 'federal experiment'.

Finally, all the political parties in the Czech parliament were in favour of a national referendum as a mean of treaties' ratification: concerning both the Lisbon Treaty and the future ones. The communist party KSCM was particularly outspoken on that subject. The party argued that given the scope of institutional changes involved in the Lisbon Treaty, it is basically necessary to consult citizens directly. A national referendum is a more democratic procedure than parliamentary ratification. The social democrats and the ODS also pointed to the fact that the great importance of all EU treaties requires a national referendum as a ratification modus. The social-democrats noted, however, that in the case of the Lisbon Treaty parliamentary ratification in the Czech Republic is necessary because the Czech Prime Minister committed himself to that. Therefore, changing the mode of ratification at that stage could be received negatively by the other EU member states and initiate further speculations concerning the Czech Republic's commitment to the European integration process.

As already mentioned, the minority protection clause was very high on the Hungarian parliamentary agenda. All the political parties welcomed very positively the fact that minority rights were included in the Constitutional and the Lisbon

Treaty. The parliamentarians applied very similar argumentation pointing either to national or European interest or to the situation of the ethnic Hungarians abroad. However, according to the right-wing party Fides, minority protection in the EU could be based on even higher standards. For that reason the party members suggested to introduce an additional declaration concerning collective minority rights. In their view, the institutional reform of the EU could initiate a new framework of minority protection standards in the EU. The Fides members were also concerned that the reference to minority rights in the preamble of the Constitution will not guarantee sufficient protection for the European minorities, including, obviously the large external Hungarian diaspora. The Fides parliamentarians were therefore arguing that it is a national duty to protect the ethnic Hungarians abroad. The social-democrats and the liberals did not find it necessary to introduce an additional declaration on collective minority rights to the Constitutional Treaty. In their view the declaration would not have the legal consequences that the Fides members expect, rather, it would only have a symbolic value. The Fides members were therefore criticised for playing a partisan card and manipulating their constituency.

Although all the Hungarian parliamentary parties got involved in the discussion on minority rights, the Charter of Fundamental Rights did not receive a comparable amount of attention. The parliamentarians from the Fides party did not mention the Charter at all, whilst the social-democrats and the liberals devoted only few comments to the Charter. They noted that the Charter strengthens democracy and human rights' standards in the European Union. However, there were also some critical voices among the social-democrats for whom the Charter was not social enough.

The second important topic of the debates was the reference to the Christian heritage in the Constitution. The Fides was in favour of that idea, whilst the social-democrats and the liberals strongly opposed it. The parliamentarians from the Fides party argued that only partisan interest prevented the convention from mentioning the Christian heritage in the preamble of the Constitutional Treaty. In their view, a reference to the Christian heritage would not undermine the secular basis of the EU member-states. Quite on the contrary, it would be in line with the tradition of the European Union. In order to strengthen their argument, the Fides referred to Schumann's writings in which he argued that Christianity contributed to the development of democracy in Europe. Finally, the right-wing parliamentarians noted that the Christians, who constitute 81 per cent of the European Union's population, are the strongest religious group in the EU. On the other hand, the social-democrats and the liberals argued that the reference to the Christian values reflects partisan interest and undermines the secularism of the EU member-states. Furthermore, the history of Europe is longer than Christianity, therefore, it is wrong to identify Christianity as a major source of values in Europe.

Beyond the minority issue, in my second point, I shall briefly mention what we believe is another important shortfall of the constitution, that is non other, but the absence of the reference to the Christianity in the constitutional text. Although this, my honourable fellow MPs, is not a question of belief or religious affiliation. It is simply an historical fact, that in the evolvement of Europe Christianity had a leading role. The European Union would have not come into existence without the notion of Christianity, and we, Hungarians would be different, if we existed at all, without Christianity. It is sad that the European

Union is divided on its roots, and that it makes this question into a current political issue.<sup>9</sup>

As an alternative solution, Fides proposed to introduce an additional declaration on Christianity to the Constitutional Treaty. In that context the parliamentarians from the Fides party also presented their opinion on the Turkish membership in the EU. Some of the parliamentarians were against it and argued that the public opinion in the EU is already extremely divided on that matter. Others were in favour of the Turkish membership in the EU but at the same time they noted that Christianity should maintain its dominant position.

The Hungarian Democratic Forum is supportive of this corrective proposal, because we would like to achieve, even if only in the resolution, or rather in the authorisation, what the government receives for the signing and ratification, that a mentioning of the reference of the Christian roots, and the importance of the national minorities should appear. We support it for two reasons. In this month the European Council will decide, or will be able to decide on the accession of Turkey to the European Union. Turkey's accession divides the countries of Europe, the peoples of Europe, the member states of the European Union, since it is about the joining of a country of nearly 80 million, which country lays only partly in Europe, or is in Europe. It is not a Christian country but an Islamic one, an Islamic community. If we leave the reference to the Christian roots out, if we do not state, that the European Union is a community of Christian countries and Christian states, than actually the gates would be wide open. It would be about a completely different European Union, from what the Christian democrat founding fathers had envisaged and decided upon after the Second World War, and from the practice that Europe is still maintaining.<sup>10</sup>

The liberals and the social-democrats were against the additional declaration on Christianity. Apart from arguments referring to secular neutrality in the EU, they also pointed to the fact that the Hungarian constitution itself does not contain any reference to the Christian values. Hence, there is really no ground for the Hungarian parliament to propose this declaration.

The mode of EU treaties' ratification also polarised the Hungarian parliamentarians. The independent parliamentarians advocated very strongly a popular referendum, also in the case of the Constitutional Treaty. In their opinion a direct referendum has a stronger legitimacy than a parliamentary ratification, furthermore, a referendum would initiate a public debate and help the Hungarians to realise the importance of the Constitutional Treaty. The social-democrats and the liberals were against a direct referendum in Hungary. They argued that the Hungarian constitution envisages only one mode of EU Treaties' ratification, namely, a parliamentary ratification being not less democratic than a referendum. In these respects, the referendum on the EU accession should remain an exception. The socialists and the Fides parliamentarians pointed also to another difficulty: the turn-out in the referendum could be too low in order to make the referendum binding. First, the Hungarian society does not take part

---

<sup>9</sup> Dr Richárd Hörcsik (FIDESZ), general debate on the signing of the European Constitutional Treaty, 5 October 2004.

<sup>10</sup> Károly Herényi (MDF), detailed debate on the ratification of the European Constitutional Treaty, 6 December 2004.



in referendums very eagerly, and, second, the Hungarians do not show much interest in the EU matters. The liberal and the right-wing parliamentarians from the Fides party also noted that the Constitutional Treaty is probably too complicated for a referendum. One of the liberals argued that a popular referendum on the Constitutional Treaty would only make sense if all the EU member-states organised it at the same time. Otherwise Hungary should not make an exception.

The sovereignty issues did not polarise the Hungarian parliamentarians very much. The vast majority of the parliamentarians located sovereignty and legitimacy on the national level. They argued that the whole legitimacy that the EU institutions enjoy is, and should be, derived from the member-states. The smaller group composed of the social-democrats and the Fides argued that sovereignty is already divided among three levels and that the Constitutional Treaty rightfully acknowledges that. Some members of the liberal party were against that and argued that the EU will become a super-state in the course of that process.

The Charter of Fundamental Rights was one of the most problematic topics in the Polish parliamentary debates on the Constitutional and the Lisbon Treaty. Already during the discussion on the Constitutional Treaty the right-wing parties raised serious criticism. The major objections concerned Christian values, which, in the eyes of the right-wing parties, were violated or at least threatened by the Charter. When the British government decided not to sign the Charter (the so called British Protocol), the Polish right-wing parties began to push the liberal government to abstain from signing the Charter, though for different reasons than the British government. The right-wing parties (PIS and LPR) argued that the Charter threatens the Polish sovereignty and the Polish religious values. In their view the Charter is also not compatible with the Polish constitution because, among others, it decreases the standards of life and family-protection in Poland. Like in the Czech Republic, the Polish right-wing parties were also seriously concerned that the Germans, who used to live on the Polish territory, will be able to claim back their land and other properties. The social-democrats and the liberals were in favour of the Charter. The liberals were trying to convince the opponents by demonstrating that the Charter does not pose any threat to the national sovereignty. Rather, they argued, the Charter will raise human rights' standards in Poland. The social-democrats argued that the Charter unifies human rights' standards in the EU, which in consequence will make the EU more democratic. The social-democrats also noted that the Charter serves most of all the EU citizens because they will be able to profit from the Charter directly. As a consequence, by abstaining to sign the Charter the Polish government will do harm to their own citizens, who will be in a disadvantaged position in comparison to citizens from the EU states that signed the Charter.

The mode of ratification was discussed twice in the Polish parliament: during the debate on the Constitutional and the Lisbon Treaty. During the first debate the parliamentarians reached the consensus and decided that the Constitutional Treaty will be ratified in a national referendum. The second discussion was already more polarised: the right-wing parties were against parliamentary ratification and argued that a new treaty, being a very important document, should be ratified by the Polish people. The parliamentarians from the LPR party justified their opinion claiming that parliamentary ratification of the Lisbon Treaty would violate the Polish constitution. Although the social-democrats favoured national referendum as a general mode of treaties' ratification, they advocated a parliamentary ratification of the Lisbon Treaty

for more practical and strategic reasons. In their opinion the Treaty should be ratified by the parliament in order to signal that the Polish institutions are as pro European as the Polish society. The Treaty is an important European document that emerged from the compromise of the member-states, it is therefore in the Polish interest to be part of that process. According to the social-democrats, the EU needs the Lisbon Treaty because it guarantees a more efficient functioning of the European Union. The liberals from the PO party advocated parliamentary ratification for both strategic and ideological reasons. They pointed to the fact that a blockade of the ratification process would have very negative international consequences for Poland. The liberals were convincing the opponents that the Lisbon Treaty is really in the Polish interest. They were reminding everybody that the Polish citizens voted for the EU accession in the national referendum, therefore, the liberals argued, it can be expected that Poles would also support the Lisbon Treaty in the national referendum. That obliges the parliamentarians to act upon that. Finally, the liberals brought attention to one practical aspect of a parliamentary ratification, namely, it is cheaper than a national referendum.

Regarding sovereignty issue, the Polish parliamentarians shared the view that neither the Constitutional, nor the Lisbon Treaty establishes the EU-state. The right-wing parliamentarians were, however, concerned with all the reforms shifting the balance in favour of the EU institutions. As a consequence, they objected all the institutional reforms that could enable a federal Europe in the future. In their view the EU is and should remain a voluntary union of independent, sovereign nation-states. For the right-wing parties sovereignty can have only one locus, namely, a nation-state. The liberals were in favour of shared sovereignty, however, they did not perceive the federal Europe as an ultimate goal of the European integration process. Only the social-democrats were ambivalent on the issue: they were not against the idea of shared sovereignty with nation-states as dominant actors, however, they did not voice any criticism regarding the federal EU. Instead, the social-democrats stated that it is still too early to introduce federalism in Europe.

The Charter of Fundamental Rights was discussed twice in the French parliament, namely, during the debate on the Constitutional and the Lisbon Treaty. The positions of the parties remained constant though. Two political parties, that is the communists (the CRC) and the social-democratic republicans (the GDR) were against the Charter. They feared that the ECJ would become too dominant once the Charter is ratified (the GDR). There were also voices saying that the ratification of the Charter would diminish the importance of the French National Declaration of Human Rights. Others noted that the Charter does not guarantee enough rights for Europeans, namely, it does not give permanent residents the right to vote in European elections (the GDR). The CRC also criticised the Charter for providing an insufficient legal protection for an individual: as one CRC parliamentarian noted, the Charter does not stipulate the right to abortion and divorce. The proponents of the Charter acknowledged frequently the social clause as particularly compatible with the French values. They argued that the social clause would contribute to creation of more work-places in Europe. Other frequent arguments in favour of the Charter were related to democracy, legitimacy and a better protection of an individual's rights. The opt-outs for Poland and the UK were met with a strong, unanimous criticism: Poland and the UK were said to be acting against the cohesion in the EU.

Regarding sovereignty issues, French political parties shared an almost unanimous position. The conception of EU as a sovereign state with a state-like constitution was rejected. As the UMP parliamentarian argued, the EU should also not replace member states in the Security Council of the UN. The model of a reinforced cooperation between member states was perceived as a better alternative to the EU as a sovereign state. The national law should also remain superior to the EU law (the UMP). On the other hand, the French parliamentarians were in favour of the EU with a political and legal personality. Only the SOC party was internally divided on this issue. A legal personality should make it easier for the EU to sign international treaties and, in general, to be more influential on the international scene. The largest parties (the UMP, the SOC and the UDF) were therefore in favour of sharing sovereignty between the EU and the member states. Nonetheless, there were some critical voices in the SOC, saying that acquisition of a legal personality would turn the EU into a federation and deprive the member states of their sovereignty. French parliamentarians were also against giving up EU symbols in the Treaty. As the UMP noted, the EU symbols were enshrined in the former treaties and should not be erased from the current one. Symbols are also important for the European identity and European politics (the SRC).

The mode of Treaty ratification was discussed twice in the French parliament: regarding the Constitutional and the Lisbon Treaty. In the first case, the parliamentarian majority decided to organise a national referendum, in the second the parliament opted for a parliamentary ratification. The UMP was again divided regarding this issue: the proponents argued that a national referendum brings EU closer to its citizens, allows them to take part in an important discussion and express their opinion. Other parties supporting national referendum as a ratification mode (the GDR, the SRC, the UDF, the UC) referred mostly to democratic principles, expression of national sovereignty and importance of the issue for the whole society. The opponents of the referendum argued that the French elected their president knowing that he is against organising a national referendum. A parliamentary ratification was in their eyes sufficient and by no means less democratic.

The two issues, namely CFSP and the Charter, remained unresolved during the plenary debates over the TCE in 2005. The debates over the Reformed Treaty in 2008 took up these issues again. As a consequence, the British parliament agreed upon the list of opt-outs and protocols, namely, regarding migration policy, closer cooperation in police and justice matters as well as the Charter of Fundamental Rights. The opt-outs were approved by both major political parties. The Labour Party was seeking support for the Reformed Treaty by arguing that the opt-outs and protocols radically change the initial document and safeguard the national interest even better than the TCE.

Another issue that generated the Conservatives' disapproval was the Charter of Fundamental Rights. Members of the Conservative Party feared that incorporation of the Charter to the Treaty would allow the ECJ to interfere into the British legislation. The Labour and the Liberal Democrats were in favour of the Charter, the Labour members noted that the Charter repeats in fact the rights enshrined in the British Human Rights Act from 1989. Therefore, introduction of the Charter would not change the scope of human rights that are already guaranteed in the United Kingdom.

Sovereignty issue generated an extremely intensive, though not polarised, discussion in the British parliament. The TCE was criticised by all the British parties for fostering the 'EU state'. The Lisbon Treaty, on the other hand, received more approval due to a more articulate confirmation of nation states' supremacy. In these respects, the discussion on sovereignty issue revolved around the consequences of the introduction of the TCE/Lisbon Treaty for the EU member states' sovereignty. As already noted, all the British parties argued that member states, and not the EU, are sovereign entities. The Labour party parliamentarians argued that the new EU member states probably do not want to give up their recently re-acquired national sovereignty. There was also a wide-spread agreement in the British parliament that constitutions should be only in force on the national level. For the British parliamentarians the EU-superstate was just a 'continental' myth and, as Lord Giddens argued, 'Euro-federalism is dead and the Lisbon Treaty wrote 'RIP' on its coffin'<sup>11</sup>. Both Labour and Conservatives were against the idea of the EU having state-like constitution. According to the major parties, it would be step forward towards a federal Europe and a violation of national democracy. Furthermore, both the Conservatives and the Labour noted that the British people would not want a federal Europe. However, some members of the Labour and Liberal Democratic Party were in favour of sovereignty being shared among the three levels (international, EU and domestic). They argued that sharing competences among two or three levels can be more effective in some policy areas than independent actions of the member states. The Labour noted, however, that the nation states are the actors deciding how far the cooperation or sovereignty-pooling can proceed. On the other hand, members of the Conservative Party were against sharing sovereignty and called the process a one-way street from unanimity to majority vote leading to federalism on the EU level.

The national referendum, as a mode of treaty ratification, was discussed twice in the British parliament. During the first debate in 2005 the governing Labour Party was in favour of the referendum pointing to the importance of the document, whilst the Conservatives were against it. The parliamentary majority decided that the national referendum shall take place; nonetheless, the debate was not continued due to the French and Dutch 'no'. In 2008 the discussion was renewed, but the political parties' opinions were radically changed: the Labour was against the national referendum and the Conservatives were in favour of it. The Labour argued that the Reformed Treaty is a different document than the TCE and that its legal status does not differ from prior treaties approved by the parliamentary vote in the UK. The Conservatives, on the other hand, wanted a national referendum on the Lisbon Treaty and justified their position with importance of the issue. They also argued that the government should keep the promise and organise a national referendum. In reply, Labour expressed their doubts saying that the agenda of the referendum could be 'hijacked', for instance by the media striving to manipulate the British public. Eventually, the parliamentary majority decided that the Lisbon Treaty should be ratified by a parliamentary vote.

The vast majority of the German parliamentarians perceived the Charter of Fundamental Rights as a success. Only the CDU/CSU was internally divided on that issue. The proponent of the Charter within the CDU/CSU argued that the Charter contributes to democracy in the EU, extends European values to the new EU member states and corresponds with the German national values. The SPD, as well as the

---

<sup>11</sup> House of Lords, European Union Bill 2nd Reading, speaker: Lord Giddens, 1 April 2008.

Greens, stressed most of all the fact that the Charter was going to be legally binding and better protecting individuals' rights. For the FDP the protection of individuals' rights was the most important matter. Nonetheless, some members of the CDU/CSU rejected the Charter for not containing a reference to god.

The mode of treaty ratification was not a prominent topic in the German parliamentary debates. The German parties, except the CDU/CSU, were in favour of changing the German Basic Law in order to organise a referendum on the TCE. In their view a referendum would be more legitimate and debate-generating than a parliamentary ratification. The Green party suggested even to organise a pan-European referendum, namely, a referendum taking place on the same day in all the EU member states, in which the pan-European, not national majority would be decisive. During the discussion on the Lisbon Treaty the mode of ratification was no longer on the agenda.

Sovereignty issues were also not extensively debated: the only party that engaged in this subject was the CDU/CSU. The party clearly favoured the EU in which only member states are the sovereign entities. The member states were presented as 'masters of the treaties'. According to the CDU/CSU, this vision of the EU reflects also EU citizens' preferences.

Citizens' legal initiative was only mentioned by the SPD and the Linke. Both parties found the initiative good, namely, fostering democracy and increasing citizens' capacity to influence the EU politics.

## **Explaining party discourses and voting behaviours**

In the course of the empirical analysis it was established that none of the analysed states developed a unitary national position on the Constitutional and later the Lisbon Treaty. Rather, the analysed parliamentary parties had very divergent opinions regarding the discussed EU reforms. The issue bundling in the new EU member states was no longer observed: the discussions in the new EU member states were diverse and strongly polarised between the left and right political spectrum. However, the new member states did not devote a lot of attention to policies and instead focused on EU and national institutions. The differences in political parties' position in the old and new EU member states are explained by two factors: the two-dimensional left-right and TAN-GAL cleavage and participation in the government. Furthermore, the analysis demonstrated that opposition to EU reforms moved towards centre. The mainstream conservative parties, classified before as moderate supporters of EU integration (Hooghe et al. 2006), radicalised their positions.

Social-democratic and liberal parties belong to proponents of the reforms whilst the conservative or radical-left parties constituted more often the veto players. In Czech Republic the veto players belonged to the conservative ODS and the communist KSCM parties, in Poland these were the conservative PIS and the radical-catholic LPS party, in Hungary it was the conservative FIDES party, whilst in Great Britain the veto players counted among the Conservatives. These parties presented an internally uniform intergovernmental stance on the discussed reforms. On the other hand, French and German veto players were scattered over different parties and often constituted only a radical wing of an internally divided political party. Namely, in

Germany the veto-players belonged to the radical-left party Linke and to the EU-sceptic fraction of the conservative CDU/CSU party. The French veto-players could be found both among the social-democratic parties (the SRC, the GDR, the RDE), in the communist party (the SOC) and in the conservative UMP. In all these parties the veto players belonged to a fraction.

Table 3: Vote on the Lisbon Treaty

Country, chamber	Party	Total number	Present	Yes	No	Abstain
Germany Bundestag	CDU/CSU	222	195	195	0	0
	SPD	231	172	171	0	1
	FDP	61	40	39	0	1
	Die Linke	45	44	0	44	0
	Die Grünen	51	40	40	0	0
	indep.	3	3	1	2	0
France	UMP	319	212	206	5	1
	SRC	205	163	121	25	17
	GDR	24	22	2	18	2
	NC	7	5	1	4	0
UK House of Commons	Cons	193	179	3	176	0
	Lab	325	307	297	10	0
	LDem	63	46	44	2	0
	DUP	9	8	0	8	0
	IND	5	2	2	0	0
	PC	3	3	0	3	0
	SDLP	3	0	2	0	0
	SNP	6	5	0	5	0
Czech Republic Chamber of Deputies	CSSD	71	71	71	0	0
	ODS	79	79	33	37	9
	KSCM	26	25	0	23	2
	KDU-CSL	13	12	12	0	0
	SZ	4	4	4	0	0
	Indep	7	6	5	1	0
Hungary national parliament	MSZP	190	184	184	0	0
	Fides	139	114	114	1	5
	KDNP	22	1	1	3	8
	SZDSZ	20	19	19	0	0
	MDF	11	6	6	1	1
	Indep.	3	1	1	0	0
Poland Sejm	PO	209	192	192	0	0
	PIS	159	149	89	55	5
	LID	53	45	45	0	0
	PSL	31	28	26	0	2
	indep.	8	5	5	0	0

Source: Internet pages of the respective national parliaments

In general terms, the social-democrats and the liberals were in favour of pooling the EU member states' sovereignty in order to grant EU institutions better capacities to represent the member states and act efficiently on the international arena. The right-wing parties, on the other hand, were unwilling to abandon the intergovernmental

nature of decision-making. These parties rejected the reforms because they confirmed and strengthened the notion of sovereignty-sharing in the EU. In other words, the opponents were in favour of EU integration as long as nation states' dominant role could be confirmed.

The second decisive factor was membership in the government. In all the analysed states, the governing parties were striving to ratify the treaty and overcome internal opposition. As a consequence, the veto players were more likely to be found in opposition parties.

Political parties often changed their discourse after becoming the governing party. The liberal PO, as an opposition party, was against the Constitutional Treaty in 2004. It was one of the prominent party members, Jan Rokita, who came up with the slogan 'Nice or death!' (Wyrozumska 2007). However, as a governing party, the PO has overcome internal opposition and successfully mobilised support for the Treaty. A similar mechanism was observed in Germany. In the German parliament, the new competences of national parliaments were very high on the agenda, both during discussions on the Constitutional and later Lisbon Treaty. As an opposition party, the CDU/CSU was internally divided on this issue. After entering the governing coalition with the SPD, the CDU/CSU worked out a unitary and a positive position on national parliaments' competences.

These findings illustrate that governing parties had a stronger incentive than opposition to seek internal support for EU reforms. It can be expected that it had to do with the very nature of the ratification process in the European Union; namely, a Treaty can enter into force when it is ratified in all the EU member states. A ratification failure in one member state puts on hold the whole ratification process and a government that failed to ratify a treaty can be blamed by other governments for blocking a reform. Governments, as international players, are not conducting their national politics in a vacuum and therefore they take these consequences into consideration.

## **Democracy models in parliamentary debates**

As Fossum and Eriksen noted (2007), the discussion on the democratic deficit in the European Union is heavily marked by the dilemma between rescuing national democracy, on the one hand, and uploading democracy to the European level (though on the cost of national democracy), on the other hand. The three models of democracy developed by Fossum and Eriksen (2007) depart from that dilemma and offer three different solutions to the democratic deficit problem. This section introduces shortly the three models and demonstrates the pattern of the models' support and rejection by different parties in debates on the Constitutional and Lisbon Treaty.

According to the first model, democracy in the EU is exclusively associated with the nation-state. It is assumed here that legitimacy can only be derived from the democratic institutions of the member states. In this model the EU is conceptualised as a functional regime that was established in order to deal with problems that the member states cannot address equally well on their own. Consequently, the EU institutions have a purely intergovernmental form.

According to the second model, the EU needs to have a direct legitimation. This requires, in consequence, a sort of a common solidaristic basis necessary for the establishment of a welfare-state. The federal model does not necessarily presuppose an absolute decline of national identities and the emergence of a pan-European identity. However, one of the requirements of this model is a general community-feeling based rather on the constitutional than ethnic principles.

Comparing the two models one could say that the first one implies a 'return to the nation-state' whilst the second envisages a federal Europe in which state-like institutions are established on the EU level. Although these models could not differ more, they both share one commonality, namely, they offer solutions which do away with the legitimacy problem by allocating it entirely on the national (model 1) or the EU level (model 2). Both of these models are also radical propositions: they imply that either national (model 2) or EU institutions (model 1) would need to give up the competences that they already enjoy.

The third, cosmopolitan model proposed by Eriksen and Fossum does not have state-centric features like the two other models. Rather, it is based on the assumption that democracy is possible without a state. In that model legitimacy sources are dispersed between the international, EU and the national level. The model envisages the impact of international organisations and transnational non-state institutions over the European Union.

In the analysed parliamentary debates it was possible to identify the intergovernmental model 1 and the federal model 2, whilst the cosmopolitan model 3 was absent. Instead, parliamentarians conceptualised the European Union as a polycentric, multilevel system without a clear hierarchy. That model, already well-documented in the literature (by now classical contributions: Marks et al. 1996; Kohler-Koch and Eising 1999; Schmitter 2000; Hooghe and Marks 2001), assumes a multilevel locus of legitimacy, but without introducing one vertical order encompassing all institutions and policies. In these respects that model can neither be classified as a federal one for it lacks a federal-like vertical institutional hierarchy, nor as a cosmopolitan one, for it only acknowledges national and EU institutions as sources of legitimacy.

The federal model received very little attention. None of the parliamentary parties advocated it, but there was a small group of parliamentarians in all the analysed states who voiced statements against federal European Union. They either claimed that selected reforms introduced in the Constitutional and the Lisbon Treaty lead to the federal Europe, or they were content that the Lisbon Treaty made it clear that no state-like EU would be established. On the other hand, the cosmopolitan model was entirely absent: parliamentarians conceptualised democracy and legitimacy in Europe as a two-level phenomenon, defined by national and European politics. The international or transnational realm as a potential source of normative standards was not acknowledged.

In the analysed states, these were mainstream social-democratic and liberal parties that were in favour of shared sovereignty. The conservative and non-mainstream parties supported intergovernmental European Union. Respectively, parties that supported the model of shared sovereignty were: the CSSD in Czech Republic, the SLD and the PO in Poland, the Liberal and the Labour Party in the UK, the SPD, the Greens, the FDP and party the CDU/CSU in Germany. The French parties, on the



other hand, were internally divided between the two observed models. The intergovernmental model of the EU was supported by the KSCM and the ODS parties in Czech Republic, the LPR and the PIS in Poland, the FIDES in Hungary, the Conservatives in the UK and the Linke in Germany.

The major question that arises here is whether the polycentric model is capable of effectively combating democratic deficit in the European Union. On the one hand, this model improves legitimacy and accountability of single institutions and policies and allows uploading more democracy to the European level in the future. Member states can decide if they want to enhance or put on hold European integration in different policy-areas. On the other hand, that model does not offer a comprehensive normative framework for the whole EU, namely, it democratises single institution by uploading democracy simultaneously to the national and to the EU level. As a consequence, national and European institutions become more accountable, but legitimacy continues to be dispersed along two levels.

## Conclusions

The comparative analysis of plenary debates on the Constitutional and the Lisbon Treaty established that the decision to ratify the Treaty emerged in each state in a conflict – there were no unitary national positions. Secondly, even single political parties often had internally very divergent opinions regarding different institutional and policy reforms, the extreme example being France. The findings also illustrate that while the right-left and TAN-GAL dimensions continue to account for the European integration, the opposition moved towards the centre. Namely, the right-wing mainstream parties (i.e. conservative, Christian Democracy), traditionally classified as supporters of the European project, were, next to radical non-mainstream parties, the opponents of the institutional and policy reforms enshrined in the Constitutional and the Lisbon Treaty. According to these parties the reforms (selected ones, or all) detached too far from the initial intergovernmental nature of the European Union. However, as government, the mainstream right-wing parties counted among supporters of the reforms. The proponents of the reforms supported a polycentric, multilevel vision of the European Union that already departed significantly from the intergovernmental model, but was still distant from the federal one. However, these parties did not strive to develop further towards federalism, on the contrary, they were content with the institutional arrangement that pools sovereignty depending on functional needs in different policy-areas. In their view, the Lisbon Treaty embodied to a large extent that approach.

Membership in the government was the second factor identified in this paper as explaining support and opposition to the Constitutional and the Lisbon Treaty. Firstly, governing parties tended to support the Treaty. Secondly, governing parties were also more likely to change their negative position on the Treaty or a specific issue and seek internal support for the Treaty. Thirdly, even if governing parties had an internal conflict, the final vote on the Lisbon Treaty would not reflect the full depth of the conflict. Namely, in France the deeply divided, governing UMP would cast much more votes in favour of the Lisbon Treaty as one could expect given the internal polarisation of the UMP party.

The analysis illustrated very clearly that parliamentarians conceptualise the European Union as a bipolar political space demarcated by intergovernmentalism and European federalism. Federalism, though recognised by parliamentarians as a theoretically

possible option, was rejected as a future political order for the European Union. The transnational and global dimensions were not relevant for parliamentarians. Further research, for instance media analysis, could demonstrate if non-political actors, who are not legitimised by the national mandate, perceive the discussed institutional reforms in the same, or in a different, possibly cosmopolitan perspective.

Finally, the heterogeneity of the analysed parliamentary debates demonstrates that EU integration raises different concerns in the member states. What is then the lesson to be learned? It can be expected that future EU institutional and policy reforms would have to be introduced separately since a reform-package, composed of various new elements, would have difficulty in finding approval in all the EU member states. As a consequence, the success of the European integration process is going to depend increasingly on openness of the policy-making process as well as quality and intensity of communication between national political and social actors.

## Appendix

Table 4: Overview of plenary debates on the TCE and the Lisbon Treaty in the analysed states

	Date	Official code/name	Title of the debate	Chamber	Reading
F	25.01.2005	123 seance	Modification of title XV of the French Constitution	Lower	1st
	25.01.2005	124 seance	Modification of title XV of the French Constitution(follow-up discussion)	Lower	1st
	26.01.2005	125 seance	Modification of title XV of the French Constitution(follow-up discussion)	Lower	1st
	26.01.2005	126 seance	Modification of title XV of the French Constitution(follow-up discussion)	Lower	1st
	27.01.2005	128 seance	Modification du titre XV de la Constitution (suite de la discussion)	Lower	1st
	01.02.2005	130 seance	Modification of title XV of the French Constitution(follow-up discussion)	Lower	1st
	15.02.2005	Seance 57	Modification of title XV of the French Constitution(follow-up discussion)	Upper	1st
D	18.02.2005	808	Bundesrat, Plenarprotokol 808	Upper	1st
	27.05.2005	811	Bundesrat, Plenarprotokol 811	Upper	2nd
	15.02.2008	841	Bundesrat, Plenarprotokol 841	Upper	1st
	23.05.2008	844	Bundesrat, Plenarprotokol 844	Upper	2nd
	24.02.2005	15/160	Bundestag, Plenarprotokoll 160	Lower	1st
	12.05.2005	15/175	Bundestag, Plenarprotokoll 175	Lower	2nd
	13.03.2008	16/151	Bundestag, Plenarprotokoll 151	Lower	1st
	24.04.2008	16/157	Bundestag, Plenarprotokoll 157	Lower	2nd
U K	21.05.2005	Unknown	European Union Bill	House of Commons	1st
	09.02.2005	Vol. No. 7, part No. 37	European Union Bill	House of Commons	2nd
	17.12.2007	Vol. No 434, part No. 78	European Union (Amendment) Bill	House of Commons	1st
	21.01.2008	Vol. No. 469, part No. 24	European Union (Amendment) Bill	House of Commons	2nd
	11.03.2008	Vol. No.470, part No.34	European Union (Amendment) Bill	House of Commons	3rd
	12.03.2008	Vol. No. 699, part No. 64	European Union (Amendment) Bill	House of Lords	1st
	01.04.2008	Vol. No. 700, part No. 75	European Union (Amendment) Bill	House of Lords	2nd
18.06.2008	Vol. No. 702, part No. 110	European Union (Amendment) Bill	House of Lords	3rd	
H U	05.10.2004	171./17-59.	H/11434: General debate on the signing of the European Constitutional Treaty		1st
	11.10.2004	172. /237-253.	H/11434: Detailed debate on the signing of the European Constitutional Treaty		2nd
	01.12.2004	192./1-23.	H/12631: General debate on the ratification of the European Constitutional Treaty		1st
	06.12.2004	193./210-261.	H/12631: Detailed debate on the ratification of the European Constitutional Treaty		2nd
	17.12.2007	120./357-377.	T/4678: Debate on the ratification of the Lisbon Treaty		1st

	Date	Official code/name	Title of the debate	Chamber	Reading
<b>Cz</b>	07.10.2003	21	Information of Czech government standpoint concerning the proposal of the Treaty establishing the Constitution for Europe	Lower	1st
	19.3.- 1.4.2008	28	Governmental proposal to ratify the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community	Lower	1st
	24.04.2008	13	Governmental proposal to ratify the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community	Higher, Senate	1st
	9.12. 2008 – 18.2. 2009	46	Governmental proposal to ratify the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community	Lower	2nd
	06.05.2009	6	Governmental proposal to ratify the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community	Higher, Senate	1st
<b>PL</b>	30.03- 02.04.2004	Sitting No. 72	Ratification of the TCE - debate on the bill on not signing of the TCE	Lower, Sejm	1st
	01- 03.12.2004	Sitting No. 92	Ratification of the TCE: signing of the Treaty, preparation of a media campaign, organisation of a national referendum	Lower, Sejm	1st
	02- 03.02.2005	Sitting No. 76	Ratification of the TCE	Higher, Senat	1st
	27- 28.02.2008	Sitting No. 9	Ratification of the Lisbon Treaty	Lower, Sejm	2nd
	12- 13.03.2008	Sitting No. 10	Ratification of the Lisbon Treaty	Lower, Sejm	2nd
	01.04.2008	Sitting No. 12	Ratification of the Lisbon Treaty: signing of the Treaty by the Polish President	Lower, Sejm	3rd
	02.04.2008	Sitting No. 8	Ratification of the Lisbon Treaty	Higher, Senat	1st
	09.11.2008	Sitting No. 19	Ratification of the Lisbon Treaty: signing of the Treaty by the Polish President	Lower, Sejm	1st
22- 23.01.2009	Sitting No. 34	Ratification of the Lisbon Treaty: signing of the Treaty by the Polish President	Lower, Sejm	2nd	

Table 5: Parliamentary parties present in the debates on the Constitutional and the Lisbon Treaty

COUNTRY	POLITICAL PARTY	NAME, NATIVE LANGUAGE	NAME, TRANSLATION	IDEOLOGICAL AFFILIATION
Czech Republic	CSSD	Ceska strana socialne demokraticka	Czech Social Democratic Party	social democracy
	KSCM	Komunisticka strana Cech a Moravy	Communist Party of Bohemia and Moravia	communist
	ODS	Obcanska demokraticka strana	Civic Democratic Party	conservative
Poland	SLD	Sojusz Lewicy Demokratycznej	Democratic Left Alliance	social democracy
	PO	Platforma Obywatelska	Civic Platform	liberal
	LPR	Liga Polskich Rodzin	The League of Polish Families	catholic-conservative
	PSL	Polskie Stronnictwo Ludowe	Polish Peasant Party	agrarian
	PIS	Prawo i Sprawiedliwosc	Law and Justice	conservative
Hungary	MSZP	Magyar Szocialista Párt	Hungarian Socialist Party	social democracy
	SZDSZ	Szabad Demokraták Szövetsége	Alliance of Free Democrats	liberal
	FIDES	FIDESZ Magyar Polgári Szövetség	FIDESZ – Hungarian Civic Union	conservative
France	SOC	Goupe Socialiste	Socialist Group	social democracy
	SRC	Socialiste, Radical, Citoyen et diverses gauches	Socialist, Radical, Citizens and Different Left Group	radical left
	GDR	Gauche Democraté et Republicaine	Democratic and Republican Left	communist
	RDSE	Rassemblement démocratique et social européen	Democratic and Social European Reunion	radical left
	UMP	Union pour un Mouvement Populaire	Union for a Popular Movement	conservative
Great Britain	LIBERAL	Liberal Democrats		liberal
	LABOUR	Labour Party		social democracy
	CONSERVATIVE	Conservative Party		conservative
Germany	LINKE	Die Linke	The Left	radical left
	SPD	Sozialdemokratische Partei Deutschlands	Social Democratic Party of Germany	social democracy
	GREENS	Bündnis 90/die Grünen	Alliance '90/The Greens	ecological
	CDU/CSU	Christlich Demokratische Union Deutschlands	Christian Democratic Union Germany	conservative
	FDP	Freie Demokratische Partei	Free Democratic Party	liberal



European Parliament	Legitimacy Transparency	(+) Legitimacy Transparency Efficiency (-) National sovereignty	Legitimacy Transparency	(+) Legitimacy Transparency Efficiency (-) National sovereignty	Democratic deficit	Federal EU National sovereignty	International position	Democracy Democratic deficit Transparency	(+) Democracy Democratic deficit (-) Democracy Transparency	Democracy Democratic deficit Transparency		
	ECJ				Integration process Efficiency	National sovereignty Democratic deficit	National values	Democracy	(+) Subsidiarity (-) National values	Democracy		
	National Parliaments	Subsidiarity Democracy Legitimacy Better control of the EU			(+) Democracy Democratic deficit National sovereignty (-) National sovereignty	(+) Democracy democratic deficit National sovereignty (-) National sovereignty	National sovereignty National democracy	Democracy	(+) Subsidiarity Horizontal cooperation of nat. parliaments (-) Government's interests	TCE. (+) Subsidiarity (-) LISBON TREATY. (+) Democracy		
Policies	CFSP - High Representative	The Czech Republic		CFSP - High Representative	Poland				Hungary			
		CSSD	KSCM		ODS	SLD	PO	LPR	PIS	MSZP (SOC-D)	SZDSZ (Lib)	FIDES
	CFSP				EU's interest	EU's interest Political identity of the EU	Threat to national sovereignty					
	Social policy											
	Enlargement											
	Fiscal policy											
Common market												
Other Issues	Christian heritage in the Preamble									Secularism Particularistic interests	European values	
	Sovereignty clause			Only member states Against federal EU	Shared		Only member states	Only member states and shared		Only member states and shared		
	Citizens' legal initiative											
	Charter of Fundamental Rights	EU integration fostering Progress in HR	Lacks legitimacy Leftist ideology	Progress in HR More democracy in the EU	Violates religious and national values	(+) Democracy, progress in HR (-) The Charter is not social enough	Democracy Progress in HR					

	France								UK			Germany			
	SOC	SRC	GDR	RDSE	Green	UMP	Liberal	Labour	Conservative	Linke	SPD	Greens	CDU/CSU	FPD	
Policies	CFSP - High Representative	(+) Political identity for the EU, EU stronger at the international arena, democracy, legitimacy; (-) inefficient, national interest, national sovereignty													
	CFSP	(+) Efficiency, better cooperation with NATO and USA, solidarity in the EU; (-) EU's interest, dominance of NATO and USA													
Policies	Social policy	Improvement National values, Democracy Globalisation	Liberal values Economic interests			Improvement National values Democracy Globalisation									
	Enlargement	Values+ identity (-) Institutional crisis; Against Turkish membership	Values+ identity (-) Institutional crisis Against Turkish membership	Values+ identity (-) Institutional crisis Against Turkish membership	Values+ identity (-) Institutional crisis Against Turkish membership	Values+ identity (-) Institutional crisis(+) EU's interest Globalisation	Values+ Identity	Values+ Identity	Values+ Identity		National interest	Peace Security	Low social acceptance Institutional crisis	National interest	
Policies	Fiscal policy						Distribution only	Distribution only	Distribution only						
	Common market									Neoliberal values	Social values			Social values and competitiveness	
Other issues	Christian heritage in the Preamble														
	Sovereignty clause	Only m-s and shared	Shared			Shared	Only m-s and shared	Only m-s					Only m-s		
Other issues	Citizens' legal initiative	+				+				Democracy					
	Charter of Fundamental Rights	French values Economic interests, Democracy Individuals' rights	ECJ's dominance National values, People's interest	French values, economic interests, democracy, legitimacy, individuals' rights		French values Economic interests Democracy Legitimacy Individuals' rights	National values National legislation	National sovereignty National law			Progress in HR	Progress in HR	(+) Democrat EU and national values (-) Christianity	Progress in HR	



## References

- Bartolini, S and Mair, P. (1990) *Identity, Competition and Electoral Availability: The Stabilisation of European Electorates 1885-1985*, Cambridge: Cambridge University Press.
- Benz, A. and Broschek, J. (2010) 'Nationale Parlamente in der Europäischen Politik. Funktionen, Probleme und Lösungen', *Internationale Politikanalyse*, Friedrich Ebert Stiftung, March 2010.
- Bogdandy, A. (2005) 'Parlamentarismus in Europa: Eine Verfalls- oder Erfolgsgeschichte?', *Archiv des öffentlichen Rechts*, 130(3): 445-464.
- Chilton, P. (2004) *Analyzing Political Discourse. Theory and Practice*, London: Routledge.
- Eriksen, E. O. (2009) *The Unfinished Democratization of Europe*, Oxford: Oxford University Press.
- Eriksen, E. O. and Fossum, J. E. (2002) 'Democracy through Strong Publics in the European Union?', *Journal of Common Market Studies*, 40(3): 401-24.
- (2007) 'Europe in Transformation: How to Reconstitute Democracy?', *RECON Online Working Paper 2007/01*, Oslo: ARENA. Available at: <http://www.reconproject.eu/projectweb/portalproject/AbstractRECONwp0701.html>.
- (eds) (2009) *RECON. Theory in Practice*, RECON Report No 8, ARENA Report 2/09, Oslo: ARENA. Available at: [http://www.reconproject.eu/projectweb/portalproject/Report8\\_TheoryInPractice.html](http://www.reconproject.eu/projectweb/portalproject/Report8_TheoryInPractice.html).
- Eriksen, E. O., Joerges, C. and Rödl, F. (2008) *Law, Democracy and Solidarity in a Post-national Union. The Unsettled Political Order of Europe*, London: Routledge.
- Fossum, J. E. and Crum, B. (2009) 'The EU's Multilevel Parliamentary Field. Analytical Framework', E.O. Eriksen and J. E. Fossum (eds) *RECON. Theory in Practice*, RECON Report No 8, ARENA Report 2/09, Oslo: ARENA. Available at: [http://www.reconproject.eu/projectweb/portalproject/Report8\\_TheoryInPractice.html](http://www.reconproject.eu/projectweb/portalproject/Report8_TheoryInPractice.html).
- Helms, L. (2008) 'Governing in the Media Age: The Impact of the Mass Media on Executive Leadership in Contemporary Democracies', *Government and Opposition*, 43(1): 26-54.
- Hooghe, L. and Marks, G. (2001) *Multilevel Governance and European Integration*, Lanham: Rowman and Littlefield.
- Hooghe, L., Marks, G. and Wilson, C. J. (2002) 'Does Left/Right Structure Party Positions on European Integration?', *Comparative Political Studies*, 35(8): 965-989.
- Hooghe, L., Marks, G., Nelson, M. and Edwards, E. (2006) 'Party Competition and European Integration in the East and West. Different Structure, Same Causality', *Comparative Political Studies*, 39(2): 155-175 .
- Inglehart, R. (1977) *The Silent Revolution: Changing Values and Political Styles*, Princeton: Princeton University Press.
- Kitschelt, H. P., Mansfeldova, Z., Markowski, R. and Toka, G. (1999) *Post-Communist Party Systems, Competition, Representation and Inter-Party Cooperation*, Cambridge: Cambridge University Press.
- Kohler-Koch, B. and Eising, R. (eds) (1999) *The Transformation of Governance in the European Union*, London: Routledge/ECPR Studies in European Political Series.

- Liebert, U. (ed.) 'Europe in Contention: Debating the Constitutional Treaty', *Perspectives on European Politics and Society*, 8(3).
- Liebert, U. and Trenz, H.-J. (2009) 'Between Norms and Practices of the Public Sphere: Assessing the Infrastructures for Democracy in Europe', in E. O. Eriksen and J. E. Fossum (eds) *RECON. Theory in Practice*, RECON Report No 8, ARENA Report 2/09, Oslo: ARENA. Available at: [http://www.reconproject.eu/projectweb/portalproject/Report8\\_TheoryInPractice.html](http://www.reconproject.eu/projectweb/portalproject/Report8_TheoryInPractice.html).
- Liebert, U., Maatsch, A. and Packham, K. (2009) 'Comparative Political Discourse Analysis (ComPDA): An Atlas.ti Based Methodology and its Application to EU Treaty Reform Ratification', paper presented at the ECPR General Conference, Potsdam, 10-12 September 2009.
- Lipset, S. and Rokkan, S. (eds) (1967) *Party Systems and Voter Alignments: Crossnational Perspectives*, New York: Free Press.
- Maatsch, A. (forthcoming) *Ethnic Citizenship Regimes: Europeanisation, Post-war Migration and Redressing Past Wrongs*, Basingstoke: Palgrave Macmillan.
- Maatsch, S. (2007) 'The Struggle to Control Meanings: The French Debate on the European Constitution in the Mass Media', *Perspectives on European Politics and Society*, 8(3): 261-80.
- Mair, P., Mueller, W.C. and Plesser, F. (eds) (2004) *Political Parties and Electoral Change. Party Responses to Electoral Markets*, London: Sage.
- Marks, G., Scharpf, F., Schmitter, P. and Streeck, W. (1996) *Governance in the European Union*, London, Sage.
- O'Brennan, J. and Raunio, T. (eds) (2007) *National Parliaments Within the Enlarged European Union. From 'Victims' of the Integration to Competitive Actors?*, Abingdon: Routledge.
- Olsen, J. P and March, J .G (2004) 'The Logic of Appropriateness', ARENA Working Papers 04/09, Oslo: ARENA. Available at: [http://www.arena.uio.no/publications/wp04\\_9.pdf](http://www.arena.uio.no/publications/wp04_9.pdf).
- Schimmelfenning, F. (2001) 'The Community Trap: Liberal Norms, Rhetorical Action and the Eastern Enlargement of the European Union', *International Organisation*, 55(1): 47-80.
- Schmidt, V. and Radaelli, C. (2004) 'Policy Change and Discourse in Europe: Conceptual and Methodological Issues', *West European Politics*, 27(2): 183-210.
- Schmitter, P. (2000) *How to Democratize the European Union... And Why Bother?*, Lanham: Rowman and Littlefield.
- Wodak, R. and Meyer, M. (eds) (2001) *Methods of Critical Discourse Analysis*, London: Sage.
- Wodak, R. and van Dijk, T. A. (eds) (2000) *Racism at the Top. Parliamentary Discourses on Ethnic Issues in Six European States*, Klagensfurt: Drava.
- Wyrozumska, A. (2007) 'Who is Willing to Die for the Constitution? The National Debate on the Constitutional Treaty in Poland', *Perspectives on European Politics and Society*, 8(3): 314-41.

## RECON Online Working Papers

2010/18

Aleksandra Maatsch  
**Between an Intergovernmental and a Polycentric European Union**  
National Parliamentary Discourses on Democracy in the EU Ratification Process

2010/17

Erik O. Eriksen and John Erik Fossum  
**Bringing European Democracy back in**  
Or how to Read the German Constitutional Court's Lisbon Treaty Ruling?

2010/16

Jean L. Cohen  
**Constitutionalism Beyond the State**  
Myth or Necessity?

2010/15

Rainer Forst  
**Two Stories about Toleration**

2010/14

Zdenka Mansfeldová and Petra Rakušanová Guasti  
**The Quality of Democracy in the Czech Republic**

2010/13

Emmanuel Sigalas, Monika Mokre, Johannes Pollak, Peter Slominski and Jozef Bátora  
**Democracy Models and Parties at the EU Level**  
Empirical Evidence from the Adoption of the 2009 European Election Manifestoes

2010/12

Antje Wiener and Uwe Puetter  
**Informal Elite Dialogue and Democratic Control in EU Foreign and Security Policy**

2010/11

Erik Oddvar Eriksen  
**European Transformation**  
A Pragmatist Approach

2010/10

Justus Schönlau  
**The Committee of the Regions**  
The RECON Models from a Subnational Perspective

2010/09

Asimina Michailidou and Hans-Jörg Trenz  
**2009 European Parliamentary Elections on the Web**  
A Mediatization Perspective

2010/08

Kolja Möller  
**European governmentality or decentralised network governance?**  
The case of the European Employment Strategy

2010/07

Kjartan Koch Mikalsen  
**In Defence of Kant's League of States**

2010/06

Nora Schleicher  
**Gender Identity in a Democratic Europe**

2010/05

Christian Joerges  
**The Idea of a Three-Dimensional Conflicts Law as Constitutional Form**

2010/04

Meltem Müftüler-Baç and Nora Fisher Onar  
**Women's Rights in Turkey as Gauge of its European Vocation**  
The Impact of 'EU-niversal Values'

2010/03

Neil Walker  
**Constitutionalism and Pluralism in Global Context**

2010/02

Dominika Biegoń  
**European Identity Constructions in Public Debates on Wars and Military Interventions**

2010/01

Federica Bicchi and Caterina Carta  
**The COREU/CORTESY Network and the Circulation of Information within EU Foreign Policy**

- 2009/19  
Rachel Herp Tausendfreund  
**The Commission and its Principals**  
Delegation Theory on a Common  
European External Trade Policy  
in the WTO
- 2009/18  
Marianne Riddervold  
**Making a Common Foreign Policy**  
EU Coordination in the ILO
- 2009/17  
Uwe Puetter and Antje Wiener  
**EU Foreign Policy Elites and  
Fundamental Norms**  
Implications for Governance
- 2009/16  
Emmanuel Sigalas, Monika Mokre,  
Johannes Pollak, Jozef Bátora and  
Peter Slominski  
**Reconstituting Political Representation  
in the EU**  
The Analytical Framework and  
the Operationalisation of the  
RECON Models
- 2009/15  
Meltem Müftüleri-Baç and Yaprak Gürsoy  
**Is There an Europeanisation of  
Turkish Foreign Policy?**  
An Addendum to the Literature  
on EU Candidates
- 2009/14  
Maria Weimer  
**Applying Precaution in Community  
Authorisation of Genetically  
Modified Products**  
Challenges and Suggestions for Reform
- 2009/13  
Dionysia Tamvaki  
**Using Eurobarometer Data on Voter  
Participation in the 2004 European  
Elections to Test the RECON Models**
- 2009/12  
Arndt Wonka and Berthold Rittberger  
**How Independent are EU Agencies?**
- 2009/11  
Tanja Hitzel-Cassagnes and Rainer  
Schmalz-Bruns  
**Recognition and Political Theory:**  
Paradoxes and Conceptual Challenges of  
the Politics of Recognition
- 2009/10  
Hans-Jörg Trenz and Pieter de Wilde  
**Denouncing European Integration**  
Euroscepticism as Reactive Identity  
Formation
- 2009/09  
Pieter de Wilde  
**Designing Politicization**  
How Control Mechanisms in National  
Parliaments Affect Parliamentary Debates  
in EU Policy-Formulation
- 2009/08  
Erik Oddvar Eriksen  
**Explicating Social Action**  
Arguing or Bargaining?
- 2009/07  
Hans-Jörg Trenz, Nadine Bernhard  
and Erik Jentges  
**Civil Society and EU  
Constitution-Making**  
Towards a European Social Constituency?
- 2009/06  
Kjartan Koch Mikalsen  
**Regional Federalisation with a  
Cosmopolitan Intent**
- 2009/05  
Agustín José Menéndez  
**European Citizenship after  
Martínez Sala and Bambaust**  
Has European Law Become  
More Human but Less Social?
- 2009/04  
Giandomenico Majone  
**The 'Referendum Threat', the  
Rationally Ignorant Voter, and the  
Political Culture of the EU**
- 2009/03  
Johannes Pollak, Jozef Bátora, Monika  
Mokre, Emmanuel Sigalas and  
Peter Slominski  
**On Political Representation**  
Myths and Challenges

2009/02

Hans-Jörg Trenz

**In Search of Popular Subjectness**

Identity Formation, Constitution-Making  
and the Democratic Consolidation of the  
EU

2009/01

Pieter de Wilde

**Reasserting the Nation State**

The Trajectory of Euroscepticism in the  
Netherlands 1992-2005

2008/20

Anne Elizabeth Stie

**Decision-Making Void of Democratic  
Qualities?**

An Evaluation of the EU's Foreign and  
Security Policy

2008/19

Cathleen Kantner, Amelie Kutter and  
Swantje Renfordt

**The Perception of the EU as an Emerging  
Security Actor in Media Debates on  
Humanitarian and Military Interventions  
(1990-2006)**

2008/18

Cathrine Holst

**Gender Justice in the European Union**

The Normative Subtext of Methodological  
choices

2008/17

Yaprak Gürsoy and Meltem Müftüleri-Baç

**The European Union's Enlargement  
Process and the Collective Identity  
Formation in Turkey**

The Interplay of Multiple Identities

2008/16

Yvonne Galligan and Sara Clavero

**Assessing Gender Democracy in the  
European Union**

A Methodological Framework

2008/15

Agustín José Menéndez

**Reconstituting Democratic  
Taxation in Europe**

The Conceptual Framework

2008/14

Zdzisław Mach and Grzegorz Pożarlik

**Collective Identity Formation in the  
Process of EU Enlargement**

Defeating the Inclusive Paradigm of a  
European Democracy?

2008/13

Pieter de Wilde

**Media Coverage and National  
Parliaments in EU Policy-Formulation**

Debates on the EU Budget in the  
Netherlands 1992-2005

2008/12

Daniel Gaus

**Legitimate Political Rule Without a State?**

An Analysis of Joseph H. H. Weiler's  
Justification of the Legitimacy of the  
European Union Qua Non-Statehood

2008/11

Christopher Lord

**Some Indicators of the Democratic  
Performance of the European Union  
and How They Might Relate to the  
RECON Models**

2008/10

Nicole Deitelhof

**Deliberating ESDP**

European Foreign Policy and  
the International Criminal Court

2008/09

Marianne Riddervold

**Interests or Principles?**

EU Foreign Policy in the ILO

2008/08

Ben Crum

**The EU Constitutional Process**

A Failure of Political Representation?

2008/07

Hans-Jörg Trenz

**In Search of the European Public Sphere**

Between Normative Overstretch and  
Empirical Disenchantment

2008/06

Christian Joerges and Florian Rödl

**On the "Social Deficit" of the European  
Integration Project and its Perpetuation**

Through the ECJ Judgements in  
*Viking* and *Laval*

2008/05

Yvonne Galligan and Sara Clavero  
**Reserching Gender Democracy in  
the European Union**  
Challenges and Prospects

2008/04

Thomas Risse and Jana  
Katharina Grabowsky  
**European Identity Formation in the  
Public Sphere and in Foreign Policy**

2008/03

Jens Steffek  
**Public Accountability and the Public  
Sphere of International Governance**

2008/02

Christoph Haug  
**Public Spheres within Movements**  
Challenging the (Re)search for a European  
Public Sphere

2008/01

James Caporaso and Sidney Tarrow  
**Polanyi in Brussels**  
European Institutions and the  
Embedding of Markets in Society

2007/19

Helene Sjursen  
**Integration Without Democracy?**  
Three Conceptions of European  
Security Policy in Transformation

2007/18

Anne Elizabeth Stie  
**Assessing Democratic Legitimacy  
From a Deliberative Perspective**  
An Analytical Framework for Evaluating the  
EU's Second Pillar Decision-Making System

2007/17

Swantje Renfordt  
**Do Europeans Speak With  
One Another in Time of War?**  
Results of a Media Analysis  
on the 2003 Iraq War

2007/16

Erik Oddvar Eriksen and  
John Erik Fossum  
**A Done Deal? The EU's Legitimacy  
Conundrum Revisited**

2007/15

Helene Sjursen  
**Enlargement in Perspective**  
The EU's Quest for Identity

2007/14

Stefan Collignon  
**Theoretical Models of Fiscal  
Policies in the Euroland**  
The Lisbon Strategy, Macroeconomic  
Stability and the Dilemma of  
Governance with Governments

2007/13

Agustín José Menéndez  
**The European Democratic Challenge**

2007/12

Hans-Jörg Trenz  
**Measuring Europeanisation of  
Public Communication**  
The Question of Standards

2007/11

Hans-Jörg Trenz, Maximilian  
Conrad and Guri Rosén  
**The Interpretative Moment of  
European Journalism**  
The Impact of Newspaper Opinion  
Making in the Ratification Process

2007/10

Wolfgang Wagner  
**The Democratic Deficit in the EU's  
Security and Defense Policy – Why  
Bother?**

2007/09

Helene Sjursen  
**'Doing Good' in the World?**  
Reconsidering the Basis of the Research Agenda  
on the EU's Foreign and Security Policy

2007/08

Dawid Friedrich  
**Old Wine in New Bottles?**  
The Actual and Potential Contribution of  
Civil Society Organisations to Democratic  
Governance in Europe

2007/07

Thorsten Hüller  
**Adversary or 'Depoliticized' Institution?**  
Democratizing the Constitutional Convention

2007/06

Christoph Meyer

**The Constitutional Treaty Debates as Revelatory Mechanisms**

Insights for Public Sphere Research and Re-Launch Attempts

2007/05

Neil Walker

**Taking Constitutionalism Beyond the State**

2007/04

John Erik Fossum

**Constitutional Patriotism**

Canada and the European Union

2007/03

Christian Joerges

**Conflict of Laws as Constitutional Form**

Reflections on International Trade Law and the *Biotech* Panel Report

2007/02

James Bohman

**Democratizing the Transnational Polity**

The European Union and the Presuppositions of Democracy

2007/01

Erik O. Eriksen and John Erik Fossum

**Europe in Transformation**

How to Reconstitute Democracy?

## **Reconstituting Democracy in Europe (RECON)**

RECON seeks to clarify whether democracy is possible under conditions of complexity, pluralism and multilevel governance. Three models for reconstituting democracy in Europe are delineated and assessed: (i) reframing the EU as a functional regime and reconstituting democracy at the national level; (ii) establishing the EU as a multi-national federal state; or (iii) developing a post-national Union with an explicit cosmopolitan imprint.

RECON is an Integrated Project financed by the European Commission's Sixth Framework Programme for Research, Priority 7 – Citizens and Governance in a Knowledge-based Society. Project No.: CIT4-CT-2006-028698.

Coordinator: ARENA – Centre for European Studies, University of Oslo.

Project website: [www.reconproject.eu](http://www.reconproject.eu)

### **RECON Online Working Paper Series**

The Working Paper Series publishes work from all the researchers involved in the RECON project, but it is also open to submissions from other researchers working within the fields covered by RECON. The topics of the series correspond to the research focus of RECON's work packages. RECON Online Working Papers are widely circulated and included in online social science databases. Contact: [admin@reconproject.eu](mailto:admin@reconproject.eu).

### **Editors**

Erik O. Eriksen, *ARENA – University of Oslo*

John Erik Fossum, *ARENA – University of Oslo*

### **Editorial Board**

Ben Crum, *Vrije Universiteit Amsterdam*

Zdzislaw Mach, *Jagiellonian University Krakow*

Yvonne Galligan, *Queen's University Belfast*

Agustín José Menéndez, *University of León*

Christian Joerges, *University of Bremen*

Helene Sjursen, *ARENA – University of Oslo*

Ulrike Liebert, *University of Bremen*

Hans-Jörg Trezn, *ARENA – University of Oslo*

Christopher Lord, *ARENA – University of Oslo*

Wolfgang Wagner, *Peace Research Institute Frankfurt*