

The richness of CONNEX research in a nutshell

Kohler-Koch, Beate

Veröffentlichungsversion / Published Version

Sammelwerksbeitrag / collection article

Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:

SSG Sozialwissenschaften, USB Köln

Empfohlene Zitierung / Suggested Citation:

Kohler-Koch, B. (2008). The richness of CONNEX research in a nutshell. In B. Kohler-Koch, & F. Larat (Eds.), *Efficient and democratic governance in the European Union* (pp. 11-56). Mannheim: Universität Mannheim, Mannheimer Zentrum für Europäische Sozialforschung (MZES). <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-195347>

Nutzungsbedingungen:

Dieser Text wird unter einer Deposit-Lizenz (Keine Weiterverbreitung - keine Bearbeitung) zur Verfügung gestellt. Gewährt wird ein nicht exklusives, nicht übertragbares, persönliches und beschränktes Recht auf Nutzung dieses Dokuments. Dieses Dokument ist ausschließlich für den persönlichen, nicht-kommerziellen Gebrauch bestimmt. Auf sämtlichen Kopien dieses Dokuments müssen alle Urheberrechtshinweise und sonstigen Hinweise auf gesetzlichen Schutz beibehalten werden. Sie dürfen dieses Dokument nicht in irgendeiner Weise abändern, noch dürfen Sie dieses Dokument für öffentliche oder kommerzielle Zwecke vervielfältigen, öffentlich ausstellen, aufführen, vertreiben oder anderweitig nutzen.

Mit der Verwendung dieses Dokuments erkennen Sie die Nutzungsbedingungen an.

Terms of use:

This document is made available under Deposit Licence (No Redistribution - no modifications). We grant a non-exclusive, non-transferable, individual and limited right to using this document. This document is solely intended for your personal, non-commercial use. All of the copies of this documents must retain all copyright information and other information regarding legal protection. You are not allowed to alter this document in any way, to copy it for public or commercial purposes, to exhibit the document in public, to perform, distribute or otherwise use the document in public.

By using this particular document, you accept the above-stated conditions of use.

Chapter 1

The Richness of CONNEX Research in a Nutshell

Beate Kohler-Koch
MZES, University of Mannheim

In order to do justice to the complexity of EU governance, research was organised in six Research Groups each approaching the ‘problematique’ of efficient and democratic multi-level governance from a different perspective. Researchers addressed the institutional architecture of the EU system as well as the nature and effects of old and new instruments of governance. They put the ways and means of enhancing democracy in the EU system under scrutiny and examined the gains and challenges of civil society participation. By bringing together a multi-disciplinary and multi-national group of scholars the diversity of approaches came to the fore and added to a highly differentiated picture of the European governance system. The productivity of CONNEX is manifest in an impressive publication output.¹ The richness of research findings is visible in the summary reports of the individual Research Groups which are documented in the second part of this chapter.

The CONNEX contribution to the academic debate

Even though leading scholars in the field have attested CONNEX to already have an imprint on the academic debate, it is still too early for a validated “impact assessment”. Only in the long run it will become manifest whether new insights have spread beyond the network or even have become common knowledge and whether shifts in methodology and theoretical conceptions emanating from CONNEX inspired subsequent research. For instance we have to wait and see if scholars will expand on the de-mystification of the New Modes of Governance and heed the advise to engage in a regular dialogue between policy studies specialists and scholars working on issues of politics and accountability to better assess the efficiency and democratic legitimacy of different modes of EU governance.

Furthermore, we have to look for the spreading of research questions and concepts. For example, will the academic community take up on the ‘normalisation’ of the Commission as a core executive and further investigate how the sectorisation of executive politics transcends levels of governance? Will they operate with the concept of ‘double-hatted agency’ to better grasp the role of national agencies in the emergent European administrative space? Will they follow the proposition that we should not be content with proxies such as ‘access’ and ‘inclusion’ to measure influence but aim at scrutinizing the capacity of different actors to have an impact on policy outcomes? And will the suggested methodological approach stand hold against critical evaluations? CONNEX was very much occupied with the normative implications of EU governance. Accountability in multi-level, network governance was a core issue and sustainability would suggest that the consensus definition arrived at in Research Group 2 would spread beyond the community of CONNEX researchers. It can also be expected that the pragmatic research strategy developed in CONNEX will be followed that is to transform the different conceptions of democracy into a number of

empirically identifiable "yardsticks" that can be used for assessing the democratic credentials of EU governance.

Apart from conceptual input CONNEX has added to our empirical knowledge and paved the ground for a review of some conventional wisdom concerning the EU. CONNEX research has displayed that the development of new modes of governance does not announce a demise of the Community method. It is applied today in a larger number of areas than fifteen years ago and there has been no substantial decline of the volume of legislative initiatives, even after the enlargement. Legal integration has not stopped, even in areas where the need for diversity is acutely felt, such as social policy. Furthermore, for the assessment of democratic representation it is important to know that many worries set off by the accession of the twelve new member states are unfounded. It is well documented now that enlargement did not markedly increase the heterogeneity of the European electorate nor did it undermine the functioning of EP elections or the operation of party groups in the EP. It also did not affect the cohesiveness and distinctiveness of the EP groups on either the left-right or the EU dimension. Even where old and new member states differ as it is the case in accepting the consequences of European citizenship, the support of European unification or with respect to mutual trust such differences may not be long-lasting since attitudes can well be explained by utilitarian considerations and, consequently, will change with benefits gained from the EU.

Whereas on balance the conditions for elections, parties and the working of parliaments look brighter than expected, CONNEX dampened the hope that civil society and NGO involvement in EU governance may redress the democratic deficit of the EU. Notwithstanding all the efforts to widen participation by lowering the threshold of access, by increased transparency and support given to weak interests, the Commission's new 'consultation regime' did not level out unequal representation, neither in terms of types of interests nor in relation to territorial origin. All in all, the

prospects for a more effective engagement of civil society in EU governance are bleak. Empirical evidence underscores that civil society organisations have a very limited capacity to enhance meaningful political linkages between the EU and its citizens. The readiness to engage with the EU is relatively weak exactly among the group of citizens that the social capital model predicts would be highest – members of voluntary associations. Consequently, bottom-up engagement that reaches up to the EU level is unlikely to emerge. The professionalization and bureaucratization of NGOs appears to be inevitable if general interests are to be voiced effectively and thus the ‘iron law of oligarchy’ may be confirmed once more. Sustainability would be achieved if future research would engage in comparative studies to scrutinise the transformation of NGOs when operating in the multi-level system of the EU.

A more detailed picture of the research resulting from the six Research Groups is presented in the following paragraphs.

Main findings by Research Groups

For the Final Conference each Research Group Coordinator produced a synthesis of the research results emanating from the many joint activities.²

Institutional Dynamics and the Transformation of European Politics

(Morten Egeberg, ARENA, University of Oslo)

RG1 research has centred on the question how the executive branch of government actually works in a multi-level system like the European Union. Against this background, one team has examined how institutional and organisational features of EU executive bodies and their inter-institutional arrangements might impact on politico-administrative behaviour (policy-making and -implementation). A key concern was to understand the

institutional/organisational conditions under which executive behaviour might transcend an intergovernmental logic, so that a multi-dimensional pattern of cooperation and conflict emerges. Furthermore, researchers looked at how institutional and organisational features of EU executive bodies themselves change. What are the scope conditions for purposeful reform? Which role does crises, contingent events, path dependence, imitation and intergovernmental bargaining play in processes of change?

Another team has dealt with implementation of EU policies at the national level. In addition, the team has concentrated on the particular conditions created by the EU enlargement. In order to explain adaptation and implementation, it has looked at the role of national administrative traditions/culture, external incentives, administrative capabilities, bureaucratic qualities and attention and motivation among executives.

Executive centre formation at the European level

In dealing with administrative bodies and networks within the EU it turned out to be wise to differentiate more clearly between at least two separate roles that national executives play: When they contribute to the Commission's policy preparation work and are held responsible for the implementation of EU policies, they, arguably, can be seen primarily as 'partners' in the 'Community (or Union) administration'. When national administrations, on the other hand, participate in the Council's legislative activities, they are not part of what we reasonably can denote as the 'Community (or Union) administration'.

We think we see a kind of 'normalisation' of the Commission as a core executive over time: the college has clearly become a genuinely political, rather than technocratic body, something which is reflected in its composition, its ever closer relationship to the European Parliament and the recognition of commissioners' right to also play a party political role (Egeberg 2006; Kassim and Dimitrakopoulos 2006; Cini 2007; Wille 2007). The

services, on the other hand, have been increasingly based on permanent positions filled by persons recruited by the services themselves on a merit basis. *Inter alia*, less interference from the political level in appointment processes and officials' careers means that the Commission administration has moved closer to the Scandinavian or British model, in contrast to in the past when its continental origin was more visible (Balint, Bauer and Knill 2008; Egeberg 2006; Wille 2007). As in national governments, politics at the Commission seems to be very much politics among departments arranged by sector or function, rather than by geography (Egeberg 2006). Nationality does not seem to explain very much about the Commission officials' information networks or loyalties (Suvarierol 2008; Trondal 2006; 2007). 'Normalised' patterns of executive politics might at least partly be accounted for by organisational factors (such as sectoral and functional specialisation) and inter-institutional dynamics (such as the relationship to the European Parliament), although more research is certainly needed to substantiate the findings.

Challenges faced by the Commission

The Commission, however, has to compete with the Council over some executive functions, particularly in the areas of CFSP and ESDP. The part of the Council secretariat dealing with these areas has developed into a more typical executive body than the rest of the secretariat, a development which was partly triggered by external events (Christiansen and Vanhoonacker 2008; Vanhoonacker and Duke 2006). By integrating and coupling policy fields, the Commission might be more capable of 'keeping its competences' (Lenschow and Reiter 2007). Contrary to what has often been argued, the Open Method of Coordination (OMC) does not necessarily side-track the Commission: our studies indicate that aspects of the Community Method may invade the OMC, so that in general we cannot speak of an 'OECDisation' of the EU in this respect (Gornitzka 2007). On the other

hand, extensive management reforms in the Commission services may lead to less attention available for policy innovation in the institution (Bauer 2008).

“Double-hatted” national agencies – Towards a multi-level Union administration

The peculiar division of labour (at the international level) between the Council of Ministers and the Commission is expected to trigger centrifugal forces within national executives, since the Commission, being in charge of policy preparation and implementation but not having its own agencies at the sub-territorial level, looks out for partners in these respects. Suitable partners may be found among national regulatory authorities organised at arm’s length from ministerial departments rather than among ministries which in a sense belong to the ‘Council pillar’. We, therefore, operate with the concept ‘double-hatted agency’ in order to denote national agencies that may in a sense serve both, national ministries *and* the Commission (Egeberg 2006). The extent to which ministries or the Commission play a significant role in steering the implementation activities of national agencies depends on several factors; for example, ministries’ and the Commission’s organisational capacity and competencies have been shown to be important (Bulmer et al. 2007; Gornitzka 2008; Martens 2006; 2008; Sverdrup 2006). Agencies in new member states seem to be more receptive to Commission influence, probably due to their novelty in the EU arena (Martens 2008). Also, national agencies, when practising EU legislation, cooperate and coordinate with ‘sister agencies’ in other countries, often in networks. In that sense they are more ‘multi-hatted’ than ‘double-hatted’, although horizontal networks are probably not as important as the vertical relationships with the respective ‘parent ministries’ or the Commission (Egeberg and Trondal 2007). In a similar vein, direct relationships between the Commission and regional authorities, partly by-passing national governments, are observable, not least in regionalised states like Spain (Morata 2007).

Explaining variation in implementation practices

Most studies of the implementation of EU policies at the national level do not seem to have taken into consideration the extent to which networks or other ways of organising executive functions across levels of governance make a difference as regards actual implementation. Instead, the centre of attention has been on the role of national administrative traditions. Concerning new member states, the crucial role of external incentives has also been strongly emphasised. Contributions from our group confirm such findings but, they have added new insights on the important role that Commission competences, national administrative capabilities, bureaucratic qualities and attention and motivation among the executives at the national, regional and local level play for implementation outcomes (Bulmer and Burch 2005; Esmark 2008; Fernandez 2006; Knill and Hille 2006; Knill and Winkler 2006; Schimmelfennig and Sedelmeier 2006; Sverdrup 2006). It has also been shown that concerns about one's international reputation might affect the willingness of governments to comply (Knill and Tosun 2008). Studies of 'twinning projects', the practice of seconding experts from experienced member state administrations to new member states, indicate a potential learning effect as regards implementation practices (Tomalova and Tulmets 2007). Thus, twinning can be seen as one of many instruments used in building a European administrative space.

Theoretical lessons

On the theoretical level, Research Group 1 has contributed to our knowledge about how institutional/organisational features, such as the forms of specialisation and organisational capacity, might affect politics and policies. For example, the sectoral and functional structuring of the Commission tends to bring sectoral and functional conflicts to the fore, thus complementing and partly displacing the inherited intergovernmental (territorial) pattern of

executive politics. This is important, since relocating lines of conflict in a political space redistributes power and, thus, eventually affects policy outputs. The sectorisation of executive politics within the Commission also transcends levels of governance by linking up sectoral and functional counterparts of national administrations, as well as of interest groups. In addition, the existence of the Commission as a separate executive body outside the Council (i.e. functional specialisation between institutions) brings in inter-institutional conflicts not found in IGOs, particularly in relation to the Council. Such conflicts do not remain contained at the EU level, either. It has been shown that, due to institutional change at the national level (“agencification”), new patterns of cooperation and conflict among executive bodies across levels of governance take place: thus, while the Council basically “links up” national ministries, the Commission tends to deal with national agencies that are key actors as regards policy implementation and, to a certain extent, also as regards policy preparation.

Democratic Governance and Multilevel Accountability

(Deirdre Curtin, University of Utrecht)

RG2 focused on an enhanced understanding of the nature of the European Union. A pertinent question was if we better compare the EU and its various rule-making processes with what happens in the national contexts and their constitutional and political systems or if it would be more appropriate to analyse the EU as a highly sophisticated international organisation that can be compared to other international organisations. From this comparative perspective the problems of analysing accountability and democracy in the EU multi-level context has been scrutinised. In the beginning it was open to debate if it would be possible to agree on a common definition that would cut across strong national democratic traditions both institutionally and in terms of underlying values. The Research Group was just as engaged in

clearing theoretical concepts and as in advancing our knowledge by empirical analysis: Are notions of democracy and accountability contested when moved beyond the realm of territorial states? How can we best conceptualise ‘accountability’ in order to study it empirically? Is a restricted meaning of accountability helpful in elucidating accountability practices in the EU multi-level governance context? What do we find in terms of accountability practices in the EU multi-level governance context? How does accountability operate in a complex system such as that of the EU? What mechanisms enforce accountability and in what areas are accountability mechanisms problematic?

Understanding the nature of the European Union

The issue of the nature of the European Union is a fundamental question with important implications for the study of these concepts. After all if one views the EU as simply another international organisation (albeit more institutionalised and more inclusive in terms of the scope of the issue areas dealt with) then the discussion on democracy and accountability can be quite different to viewing it in terms of an evolving and autonomous political system. In the international organisation perspective then ultimately democracy is assured through the national political process, supplemented by some weaker forms of politicisation at the European level. Legal and administrative accountability could then be considered ample in terms of this perspective.

The further call for more democracy and accountability stems from the EU’s development into a political union, whose policies go far beyond the original aims of eliminating barriers to cross border economic activities. The EU has evolved over the years from an atypical international organisation to a polity with many state-like features. The EU polity has expanded almost to the point that there is virtually no area of political or social life that is potentially not within its remit. This includes the purely regulatory to the redistributive to almost everything in between. The EU has built up a considerable body of

independent policy and regulation in fields like environmental protection, consumer protection, occupational health and safety. In addition, the EU has branched out to include issues such as immigration policies, justice and home affairs and a common foreign and defence policy. The proliferation of activities has strengthened the call for democratic decision-making and democratic accountability of European policy makers.

If the EU is viewed as a political system in its own right, albeit of a special kind, then the issues of democracy, representation, accountability etc. must be discussed and fleshed out at that level as well in relationship with the national level. Yet when we look at the EU and compare it to other political systems in the post-industrial world the most striking point is the absence of politics in the sense of responsiveness in terms of elections, parties and the conventional procedures of popular democracy (Mair, 2007). There are therefore different levels to the so-called democratic challenge: one at the level of the EU political system itself; secondly at the level of the national political system and thirdly the often intricate inter-actions between the two. This description already indicates that there is unlikely to be a single solution for Europe's democratic challenge at any level since national democracies are not only different but have been affected in critically different ways by ongoing processes of European integration.

Problems of analysing accountability, democracy and legitimacy in the EU multi-level context

Much of the work that has taken place in the context of RG2 seems to implicitly depart from the view that the EU can be analysed in terms of its own political system albeit one that is both multi-level and not fully developed. Issues of democracy and accountability, representation and legitimacy have firmly established themselves at the centre of the debate on the future evolution of the EU. The problem is that in practice concepts such as democracy, democratic accountability, representation etc. are not only

contested at that level but have in practice been filled in a manner that only compares very weakly with national counterparts and national traditions (Wiener 2007). The study of accountability, democracy, representation and legitimacy in the EU context is complicated by the fact that the EU's member states present an enormous diversity in democratic traditions, both institutionally and in terms of underlying values. This diversity has only increased with the accession of the new member states. Therefore, it is not possible simply to transpose existing democratic institutions to the European level.

In order for a sense of democratic legitimacy to exist it is argued that there must be a basic system of electoral accountability with a match between the level decisions are being taken and the level to which the electorate can in the final analysis hold the decision makers to account (Mair, 2007). This does not exist in the EU. The absence of a real electoral contest fought out on European issues hampers the opportunities of citizens to hold MEPs accountable for their actions. In the evolving political system of the EU it is clear that it lacks the kind of integrated public sphere and civil society that sustain democracy and accountability in the nation states. On the other level, the EU's institutions fall short of standards of democracy and accountability: popular representation play only a minor role in many policy areas and mechanisms of accountability are not always well-developed. In addition, the EU's policy making system as well as its political system is not transparent which prevents effective democratic control and accountability.

Solutions to these perceived problems are compounded by the multilevel character of the EU and the diversity of the member states. The EU no longer undertakes activities or attempts problem solving within the formal remit of its formal institutions but also in a host of other looser, often less institutionalised forums, especially (policy) networks (Benz 2007; Papadopoulos 2007; Harlow and Rawlings 2007). In many ways, the EU presents a distinct type of polity when compared to nation states,

characterised as it is by multiple, partly overlapping layers of policy making and multiple points of political access. Moreover political participation in political processes, both at the European level and within the member states is not limited to governments, but also includes non-state actors in civil society and among private firms. This development toward vertical and horizontal networks in EU policy making has given rise to notions of a ‘multilevel’ polity when discussing the EU. The multi-levelness and interconnections between not only formal institutions but also individual actors and networks is an intrinsic part of the manner in which the EU conducts its business. Actors are not nested within one level but cross over into other levels or arenas without there necessarily being any clarity as to their authority or links back to their original level. In other words the degree to which we can sustain our analysis in terms of distinct levels may be open to question.

How can we best conceptualise ‘accountability’ in order to study it empirically?

Accountability is a broad term that reflects a range of understandings rather than a single paradigm. Until recently, accountability was not a term in common use, nor did it figure as a term of art outside the financial contexts of accountancy and audit. What can be designated the original or ‘core’ sense of accountability is that associated with the process of being called “to account” to some authority for one’s actions. In the context of a democratic state, the key accountability relationships in this core sense are those between citizens and the holders of public office, and within the ranks of office holders, between elected politicians and bureaucrats. In a delegation model of accountability, relationships are established as a means of carrying out the delegation of tasks and the communication of expectations.

Accountability can be construed as an important organizing principle of democracy resting upon specific standardized procedures. It is as a concept relatively uncontested in the sense that everyone intuitively agrees that public institutions or authorities should render account publicly for the use of their

mandates and the manner in which public money is spent. Accountability forces power to speak the truth, at least in ideal terms. However, its evocative powers make it also a very elusive concept because it can mean many different things to different people, as anyone studying accountability will soon discover (Bovens 2006). Bovens (2006) has defined accountability as a social relationship between an actor and a forum, in which the actor explains his conduct and gives information to the forum, in which the forum can reach a judgment or render an assessment of that conduct, and on which it may be possible for some form of sanction (formal or informal) to be imposed on the actor. The attractiveness of this definition for many of those working on accountability related issues is that it provides a clear procedural and organizational framework with a focus on the relationship between the actor, potentially any actor (including for example actors that can never be understood as agents, such as networks) and an accountability forum, potentially any kind of accountability forum (it can be legal, administrative, financial as well as the more obviously political). In addition it limits the focus of accountability to the *ex post* and to those mechanisms that provide in some manner for the imposition of sanctions or consequences in a looser, not strictly legal, sense.

The more limited understanding of accountability as a social relationship between an actor and a forum is an excellent way of linking actors, any actors and accountability forums, irrespective of the grand constitutional design. Moreover the fact that accountability is given a precise definition makes it possible to operationalise it in very specific institutional contexts and to study empirically the practices of accountability with regard to various forums (courts, parliaments, auditors, ombudsmen, etc.). Quite a number of those working on accountability in the EU context take the Bovens definition as their point of departure precisely because it enables them to take account of actors and forums that are not necessarily in any delegation relationship (Benz 2007; Papadopoulous 2007; Harlow and Rawlings 2007).

This has been a useful way forward, making it possible to focus how accountability practices are actually institutionalised in practice in the European multilevel polity.

Accountability practices in the EU multi-level governance context

The most interesting finding from our work on EU multi-level governance systems relates to the wide variety of actors that can be studied in terms of their relationship as a matter of legal, institutional and empirical practice with a wide variety of accountability forums. They vary from very formal and institutionalised actors to much less institutionalised forums (for example networks). One finding that arose out of the study of the practices of accountability in the context of various EU level actors was that we must not only focus on accountability practices of European level institutions at the level of the EU political system itself but also at the level of the national political systems. National representatives or 'agents' are still embedded in hierarchical chains of accountability in the national context although empirical work shows that as a matter of practice national civil servants may enjoy considerable autonomy in organizing their own work and input at the EU level (Brandsma 2007).

But national principal-agent relationships are still in place in a number of national systems and that this part of the accountability equation can in any event not be discounted. As a matter of fact, governments must negotiate on their mandates with parliaments and this is usually done under discretion at the expense of transparency (Auel 2007). Carol Harlow and Richard Rawlings (2007) show that not only courts and ombudsmen institutions play today an important role in ensuring the accountability of rules in multi-level systems, but also that for accountability to operate efficiently this requires the establishment of networks of accountability (enabling exchange of information and cooperation between the EU and the national levels). In addition work carried out in the context of the legal dimension of

accountability highlighted the fact that the concept can also be usefully applied in the context of the international legal order and its multilevel interactions with both the legal order of the EU and national legal orders (Curtin and Nollkaemper 2007; Wessel and Wouters 2008). In addition it is emerging that the EU is developing an autonomous role in defending the rule of law where the international legal order fails to do so, in the interests of individuals whose rights and interests have been affected (as for example is the case with regard to freezing of assets of terrorists legislation adopted by the UN Security Council in the aftermath of 11 September 2001). Our experience has highlighted the need for – and the interest in – even more intense inter-disciplinary collaboration between political scientists and public lawyers of all levels.

Without being able here to systematically review all the interesting results from the work of RG2, the innovative empirical research that was conducted indicated the empirical limits of the classic concept of (democratic) accountability and led the group to a more refined approach on the way accountability operates in what is a complex and multi-level system of governance.

The Citizens' Perception of Accountability

(Michael Marsh, Trinity College Dublin)

RG3 dealt with key issues of democratic legitimacy in a representative system: political parties and party groups in parliament, elections, political identity and support. Researchers concentrated on data based analyses to explore the effects of enlargement on the cohesion and distinctiveness of European parties and party groups in the European Parliament and also on electoral participation in EP elections. They investigated if the European public sphere meets the necessary conditions for competitive EP elections and to what extent the EP electoral process is structured by EU issues. Another

concern was the identification of European citizens with the EU as a political community and the readiness of citizens to accept the citizens of other EU states as their fellow citizens. Do levels of mutual trust vary over time and across countries? Do they differ significantly different between 'old' member states and the 'new' member states? And how can one explain variation in citizens' perceptions of the benefits in the EU?

The effects of enlargement on cohesion and distinctiveness of European parties/EP groups

European Parliament (EP) groups are remarkably distinct and cohesive. They are more distinct than national parties and equally cohesive. The major dimension on which EP party groups are distinct is the left-right dimension, although there are also systematic differences in how party groups position themselves on the integration-independence dimension. Enlargement did not affect cohesiveness and distinctiveness of EP groups on either the left-right or the EU dimension, but big differences exist on libertarian issues. These findings are supported by data pertaining to different political actors (Schmitt/Thomassen 2006).

The impact of enlargement on the heterogeneity of the European electorate

When looking at the distributions of electoral participation, the diversity of the European electorate seems to have increased with the 2004 enlargement of the EU. As a case in point: for the 'old' 15 member states in 2004 turnout ranges between 38% and 91%, while the addition of the 10 new member states increases this range to 17%-91% (Franklin 2007). Such a straightforward comparison cannot be made for party choice, as the set of competing parties is unique for each of the member states. Yet, when looking at choices in terms of European Parliament party groups, there are also distinct differences between the 'old' 15 and the 10 'new' member states. Voters in the new

member states supported the European Socialists in much smaller proportions than elsewhere.

Similarly, we also find strong differences in terms of other characteristics that are known to be important for electoral participation and party choice: citizens in new member states identify much less frequently with a political party than those in the older member states, etc. (Schmitt 2005). At first sight, then, one might be inclined to say that the 2004 enlargement has increased the heterogeneity of the European electorate (Schmitt 2005). Yet, such a conclusion would be misleading for two reasons. First, such a comparison would –incorrectly – suggest that the ‘old’ 15 and the ‘new’ 10 member-states themselves are homogeneous. In terms of turnout, for example, Cyprus and Malta look more similar to Belgium, Italy and Luxembourg than that they resemble, e.g., Latvia or Hungary, which themselves are more similar to Portugal and France. In all kinds of ways the ‘old’ and the ‘new’ member states are quite diverse groupings which happen to differ on average, but where the internal heterogeneity of each group is so large as to render such averages to be more misleading than informative.

The second reason why we should not conclude that the 2004 enlargement has increased the heterogeneity of the European electorate is that the determinants of electoral participation and of party choice are exceedingly similar across all member states of the Union, old and new ones alike (Van der Brug/Franklin/Tóka 2006). In other words, when comparing citizens in new member-states with counterparts in older member-states we see very little differences between them, if any (van der Brug/Franklin/Tóka 2006). The apparent differences in citizens’ behaviour and orientations that are manifest at the surface are the consequence of different historical legacies, of different stages of economic development, and of different forms of political organisation in their respective countries. But they do not indicate that these citizens are of a different nature, or that the factors that determine their behaviours and choices are different.

European public sphere and the conditions for competitive EP elections

The good news is that elections are gaining in visibility in the news, there are more European actors in the news stories about the EP than before. Euro-sceptic political parties seem to drive some of this increase so in a sense the conditions for a competitive election are emerging. But it has to be noted that the political cleavages that show up are 'Europe pro-con' rather than policy cleavages (De Vreese 2006).

To what extent is the EP electoral process structured by EU issue concerns?

The traditional answer to the first part of this question, embodied in the concept of EP elections as 'second order national elections', is 'not much'. Furthermore, in most EU countries there has been broad consensus about integration between the main parties. There are significant exceptions to the general conclusion, most notably in the case of Denmark. It is also true that in 2004 Euro-sceptic and even outright anti-EU parties won their best results ever. Even so, it was as clear in 2004 as it was in 1979 that the results of EP elections could be predicted very effectively from the national circumstances of the contending national parties (Schmitt 2005). Yet there are ways in which it can be said 'Europe matters'. First, and most notably, in as much as national competition is, perhaps increasingly, influenced by EU issues then there is an EU influenced structure to national competition which will be reflected in EP elections. There are ways in which EU issues generate conflict which overlap with traditional cleavages: the immigration issue is a case in point. There are also EU issues which may cut across old left right divides, but they, too, can be part of national level competition (Schmitt 2007). Secondly, there is evidence that EU concerns have motivated a minority of voters to switch allegiances between national and EP elections. Finally, it has always been the case that many issues discussed in the EP fall on a more

traditional left right scale and so are reflected in the make-up of parties in the EP (Schmitt/Thomassen 2006).

Enlargement has had some impact on the answer to this question in as much as the parameters of a second order election model seem to be different in the new accession countries, at least taken as a whole. It also seems clear that in at least some of them, the EU issue is a highly salient one for electoral competition. Even so, EP election results can still be predicted reasonably well from national ones (Marsh 2007).

The citizens' identification with EU as a political community

Three indicators were used for European identity. First, the willingness of EU citizens to accept all other citizens of the (enlarged) Union as their fellow citizens and to accept that all EU-citizens are therefore entitled to all rights that come with the citizenship of the Union. A second indicator of an emerging political community is the extent to which people do consider themselves as citizens of the European Union. A third indicator is mutual trust.

In general people from the older member states are more inclined to accept the consequences of European citizenship, i.e. to accept that European citizenship implies equal rights across national borders. However, it is unlikely that this is a direct consequence of the duration of membership. The findings of RG3 suggest that the higher level of economic development and the longer tradition of liberal democracy in Western Europe are a better explanation for these differences (Scheuer/Schmitt 2007). In general the people from the new member states in Central and Eastern Europe are less inclined to see themselves as European citizens than people in the older member states, but this is not a uniform pattern. The differences between some of the founding member states are as large as between any other pair of countries (Thomassen 2007). In Western Europe mutual trust in general is high and has increased over the years but there is little evidence that this is

due to European Union membership. Among the citizens of the older member states trust in the people of at least some of the accession countries, not to speak of (then) candidate countries like Bulgaria, Romania and Turkey is extremely low (Scheuer/Schmitt 2007).

Citizens' support of EU institutions

In contrast to general expectations, trust in European governmental institutions and, in particular, the European Parliament, is higher in the present decade than in the 1990s. Whereas the European Commission and the Council of Ministers faced declining trust between 1993 and 1999, but recovered fast, the European Parliament continuously gained support. However, there is a dramatic drop in trust between the Spring and Autumn of 2004. This development coincided with the Eastern enlargement and the signing of the Constitutional Treaty in Rome in October of that year. In the period from 1993 to Spring 2004, trust in national institutions was higher than in European ones in no more than four of the fifteen member states. From the Autumn of 2004 trust in both national parliaments and the European Parliament increased somewhat whereas trust in national governments increased tremendously. This revival of trust in national institutions is probably due to enlargement and the discussion about the European Constitution.

It seems to be a stable pattern that citizens in the new member states trust European institutions more than do citizens in the old member states. In contrast, trust in national institutions is considerably lower in new than in older member states. Also, since 2004 trust in national governments in the new member states has dramatically declined, making the gap between new and old member states even wider (Thomassen 2007).

The citizens' satisfaction with EU policies

Over time, citizens' perceptions of benefits from the EU have first risen, then fallen, and now seem to be rising again. This is not simply a consequence of the changing composition of EU or the latest accession wave. In fact, this sort of pattern is characteristic of most waves of accession. There is also no sign of growing diversity in national reactions to the EU (Marsh/Mikhaylov 2008). In looking to explain these variations we find that utilitarian considerations matter. Direct utilitarian benefits in terms of trade and transfer payments are associated with variation, as are changes in national economic performance, with the EU seemingly rewarded for good times. A very simple, purely utilitarian, model is quite good at explaining the cyclical pattern at an aggregate level. Such an explanation is also consistent across different accession waves (and not only the latest enlargement round). Only two countries prove to be major exceptions to the utilitarian model of support for EU policies. One is the Netherlands, where the gradual disenchantment with the benefits of membership since the early 1990s is not reflected in the underlying material changes. A more striking exception, and the most striking negative result, is the case of the UK. There, support has fallen since the early 1980s, and fallen sharply from the relative heights achieved in the early 1990s. Predictions from the model suggest support should have risen steadily, rather than fallen steadily from around 1993.

Civil Society and Interest Representation in EU-Governance

(Beate Kohler-Koch, University of Mannheim)

The transformation of the European nation state is said to go along with the decline of electoral and party politics and the migration of the 'authoritative allocation of values' into policy networks and negotiation systems in which

interest groups and civil society organisations assume prominent positions. Consequently, interest groups and civil society are well established on the social science research agenda but dealt with by different research communities. Furthermore, empirical research was for a long time scattered across disciplinary and policy specific research fields with little cross-cutting intellectual exchange. Therefore, RG4 engaged in a concerted effort to link the debate on the alleged biased representation of interest groups in the EU with research on the promised benefits of civil society involvement in EU governance. RG4 did not shy away from methodological challenges but took up the thorny issue of measuring influence and aimed at making sense of the divergent concepts of civil society and the diverse functional roles attributed to civil society in EU governance. Empirical research concentrated on the Commission's efforts to enhance democracy by empowering civil society both within the EU and abroad.

Biased representation in the EU

It is a common criticism that the EU is plagued by biased representation and that economic interests enjoy privileged influence on EU policies. But on closer scrutiny there is little agreement on the kind of empirical data that is needed to support or refute the common supposition. If empirical evidence supports the assumption, how do we explain the persistence of biased representation?

A state of the art evaluation of interest groups in EU policy-making (Eising 2008) went together with comparative research on interest group influence (Dür/DeBièvre 2007). The challenge of trying to measure influence was deliberately taken up (Dür 2008). 'Access' and 'inclusion' are mostly taken as proxies but this approach provides little information on 'effective participation' which – according to Dahl – is the relevant criterion for assessing the democratic nature of decision making. 'Biased representation'

only makes sense when linked to the capacity of having an impact on policy outcomes.

Empirical research on European trade policy gives evidence that civil society organisations of all different kinds have gained access to policy-makers. However, these representatives of general interests have largely failed to shift policy outcomes in their favour. This does not result from the overwhelming presence of focused producer interests since numbers do not necessarily count in international negotiations. The explanatory factor is neither the lack of expert knowledge but a lack of resources in terms of not being able to diminish or enhance the chances of political actors to be re-elected or re-appointed.

In order to draw a full picture of interest representation and influence, researchers further have to take into account that interest groups aim not only at policy influence but also at maintaining their organization. The participation in consultations may be attractive for gathering information and expertise, for cultivating political networks, and for enhancing public visibility vis-à-vis key constituencies. Thus, while much lobbying could easily be viewed as ineffective in terms of shaping policy outcomes, this may underestimate the usefulness of the lobbying effort from the perspective of maintaining the organisation.

Is civil society a remedy to the perceived legitimacy crisis of the EU?

The positive image of civil society has many roots: the legacy of civil society in the peaceful transformation to democracy in Central and Eastern Europe, the recourse to NGOs as active representatives of general values and of rights based interests in global governance, the dissemination in academia of theories which attribute to civil society a key role in rejuvenating democracy such as public sphere and deliberate democracy theories and comparative associationalism.

Comparative research (Jobert/Kohler-Koch 2008) scrutinised the varieties of civil society concepts and supports the hypothesis that the recourse to civil society is more often than not a response to profound legitimacy crisis while also having an instrumental value (Edler-Wollstein/Kohler-Koch 2008). The EU is no exception (Michel 2008): The discourse on civil society draws, mostly implicitly, on many divergent concepts and, consequently, promises the cure of all kind of deficiencies. Thus, the involvement of civil society as propagated by EU institutions, above all by the Commission, is meant to foster both input and output legitimacy (Finke 2007; Kohler-Koch/Finke 2007). However, institutional factors and the reality of associational life in Europe channel how these ideas are put into practise.

It is widely acknowledged that the diversity in political cultures, languages and national allegiances in Europe are obstacles to the emergence of a trans-national civil society. Less noticed are the effects of civil society changes at member state level. Even in Scandinavia, which used to be a model of association based democracy, the organisation of civil society has converted from mass member based associations which served as transmission belts of collective interests to government into a more pluralist associational life serving individual interests (Wollebæk/Selle 2008). As the Scandinavian model is even in decline in the countries of origin, we can hardly expect its re-invigoration in the EU. Rather, the EU is faced by a pluralist system of highly professional organisations in which value and rights based civil society organisations compete with a wide range of social and economic interests groups (Kohler-Koch 2008a).

When trying to assess the democratic value of civil society engagement, we have to take into account that normative benchmarks vary with theoretical approaches. The discourse on EU-civil society relations was heavily influenced by normative theories advocating deliberative democracy and the value of a European public sphere. Following this approach,

empirical research explored the contribution of civil society to greater reciprocity and publicity in EU decision making (Hüller/Kohler-Koch 2008).

Involving civil society: A contribution to participatory democracy?

The European Commission has pledged to bring the EU closer to the people by redesigning EU governance. How did it translate the high principles of European governance – openness, participation, transparency, and accountability – in strategies and instruments? And did the new ‘consultation regime’ effectively support weak interests and enhance the democratic input to European governance?

Since the turn of the century, EU institutions, above all the Commission, have been active to provide citizens with more opportunities to participate effectively in policy-making. In close cooperation with NGOs and the Commission researchers investigated the variety of approaches, the different uses of instruments and the divergent effects at different levels of government. The Commission has introduced a new ‘consultation regime’ that has effectively widened participation by lowering the threshold of access; it has increased transparency and has lent support to the representation of weak interests (Quittkat/Finke 2008). Notwithstanding all these efforts, equal representation has not been achieved, neither in terms of types of interests nor in relation to territorial origin (Persson 2007). Representativeness and accountability are truncated due to the multi-level character of EU governance (Hüller/Kohler-Koch 2008) and due to the organisational features of concerted civil society representation, which is a response to growing interest group competition (Kohler-Koch 2008a). Furthermore, the commitment of the Commission to evidence based decision-making gives preference to expert knowledge and puts political, value oriented debates second.

However, the participatory discourse has clearly raised the awareness for the need of input legitimacy. Though the out-spoken commitment to ‘the

principle of participatory democracy' in the Constitutional Treaty is not part of the Reform Treaty, procedural reforms have been introduced that provide for more transparency and responsiveness. Comparing the first with the second pillar of the EU, it is evident that civil society involvement in foreign and security policies is less in the spot light but research reveals that it is still very present. Although the institutions and governance styles in the two pillars make a difference, variations in policy issues and types of conflicts have shown more discernible impacts on the kind and degree of civil society involvement (Dembowski/Joachim 2008).

The Europeanisation of national civil societies

In line with the pledge 'to bring Europe closer to the people' the Commission has reached out to national civil society organisations and decreed their inclusion in the formulation and implementation of sectoral policies. The way in which the demands and arguments of civic groups are taken into account evolves in the course of this interaction. It is heavily influenced by the regulatory object and by the regulatory public (O'Mahony/Coffey 2007). Furthermore, detailed case studies reveal a two way effect: civil society involvement changes the perception of the responsible General Directorate of its own role in such public participation exercises and it contributes to the Europeanisation of involved interest groups. Europeanisation, however, does not result from the 'teaching exercise' of the Commission's communication policy, nor does it follow the functional logic of shifting loyalties; it rather comes about as a 'banal Europeanism' caused by the 'enhabitation' of the EU at an every day level (Cram 2006).

The EU as 'external democratizer'

The promotion of 'good governance' and democracy is a prime objective of the EU's foreign policy. The strengthening of civil society is considered both

as an end in itself and as a device to bring about political reform. Empirical research reveals that the EU has not a clear conception of civil society when it sets out to promote democracy in third states by empowering civil society. A comparative investigation of the choice of instruments and partners documents that the EU is often trapped by the dilemma of having to choose between societal organisations which are closely associated with government and organisations in opposition to the (authoritarian) government. Apparently, this is a choice between, on the one hand, short term political stability and a possibly long-term transition to democracy and, on the other hand, a more conflict prone process that may bring about change more rapidly but with the risk of instability and political turmoil. Irrespective of all the differences that accrue from different national situations, democracy promotion through civil society support turned out to be a fly-by-night instrument that was used with ever greater hesitation over time.

Social Capital as Catalyst of Civic Engagement and Quality of Governance

(Frane Adam, University of Ljubljana)

RG5 comprised three research teams. The first group addressed the topic of social capital and governance in old and new EU-member states, paying special attention to national elites and their (trans-European) networks. The second examined the question of civil society and multi-level governance focussing on a possible move from national toward international linkages, and the third investigated the EU contributions to civil society development in Central and Eastern Europe.

To what extent has there been an Europeanization of Civil Society?

One of the major aims of Research Group 5 was to integrate top-down approaches for the study of relationships within the developing EU-multilevel

system (i.e. the consequences of Europeanisation for civil society at the local level) and bottom-up approaches (i.e. the consequences of civil society for the process of European integration and democracy in the EU). The combination of various research perspectives and approaches demonstrated that the linkages in the European multi-level system are characterised by national features and developments and that voluntary associations have a very limited capacity to enhance meaningful political linkages between the EU and its citizens. The linkages are heavily influenced by national elites who play a key gatekeeper role to exert top-down control.

The Europeanisation process in terms of civil society actors adapting to the European political space has been somewhat uneven. Engagement with, and confidence in, the EU (compared to national institutions) is relatively weak exactly among the group of citizens that the social capital model predicts would be highest – members of voluntary associations. (Attitudes towards Europe and European institutions among activists are not much more positive than those found among the general populations.) Consequently, because support for the EU is weak among citizens active at the local level bottom-up engagement at the EU level is unlikely to emerge. Thus, the social capital being generated in EU democracies is nation-centred: i.e. values and trust are heavily oriented to national societies and political systems. Consequently, there appears to be a deficit in the stock of social capital required that could contribute to ‘good’ EU governance and enhance political legitimisation. Combining various perspectives made clear that linkages in the European multi-level system are: (i) evidently characterised by national features and developments, (ii) only, in rather restricted ways, ascertained by voluntary associations, and (iii) heavily influenced by national elites who are able to control top-down linkages. (Maloney/van Deth 2008). In contrast to the empirical findings on the local level, other RG5 research indicated an increasing interest in European affairs among civic organizations organised on trans-national (trans-European) level. It seems that the capacity of national civic organizations as well as citizens of the EU to get engaged in trans-

national civic organizations on the EU level varies greatly among EU members. (Adam 2007).

The transformation of civil society organizations on the European level into advocacy groups

Research findings in Research Group 5 (and other CONNEX groups) chart the apparently inexorable trend towards the professionalization of representation. The professionalization of European NGOs and associations have been characterised by a shift to service provision with management and expertise increasing in importance leading to a strengthening of the leadership vis-à-vis the membership: i.e. leading to a weakening of political linkage. While the ‘power balance’ may be tipping towards leaders there remains a necessity for an active core of members who can be mobilized when required. For some scholars these changes may signal a shift away from democratic aspirations and/or expectations. However, from the group perspective it is a necessary response to trans-nationalisation processes and the multi-level policy-making system of the EU. Professionalization and bureaucratization appear to be inevitable if NGOs are to effectively represent their interests and influence outcomes. These developments may ultimately result in a segmented and hierarchically structured civil society offering decreasing levels of political linkage and leading to the development of new civil society elite. The discussion concerning the transformation of NGOs’ – especially when active on the European level – into advocacy groups in which managerial, lobbyist, communication and cognitive competencies are more important than grass-root activism was a recurring topic in joint discussions. A new market niche has been opened for such organisations – providing practical expertise and knowledge. It was agreed that comparative European studies would benefit from bringing the activities of trans-national NGOs more into focus.

The impact of EU's democratization strategies on civil society organizations in "third" states

Research on democratization promotion by the EU challenged the 'one size fits all' approach. Different strategies for the promotion of civil society in external states can be observed and the EU akin to other external actors faced significant problems in adequately taking the local contexts into account. There were problems with regard to the funding programmes and democratization instruments. EU funding of civil society tended to privilege a few large and well-connected NGOs and smaller and geographically dispersed organizations became the poorer relatives. The EU also tended to draw on large resource rich NGOs as 'administrative partners' and the increasingly complexity of policy-making and funding acts as a further barrier to the development of resource poor and smaller NGOs. These developments are likely to lead to greater hierarchy and stratification within civil society (Susan Stewart 2009).

The Transformation of the European Policy Space

(Renaud Dehousse, Sciences-Po, Paris)

RG6 concentrated research on four core questions: Are New Modes of Governance (NMG) an alternative to the 'Community method'? How can one assess the crucial role of experts of all kinds in EU policy making? How democratically legitimate are soft modes of governance? To what extent are new modes of governance EU-specific? Concerning the significance of the emergence and development of NMG it has been open to debate whether they suggest the demise of the old system or whether they simply represent a first step of a new era of EU governance. Closely related is the question whether the emergence of NMG is a response to specific problems faced by the EU or rather the innovative response of the EU to problems common to

most public actors of our time. Equally disputed is the need of and possible mechanisms to supply democratic legitimacy.

New Modes of Governance and the 'Community method'

New modes of governance, which were at the heart of RG6 reflections, are traditionally defined in opposition to the traditional "Community Method". Although in-depth analyses concerning the concrete operation of the Community Method have been lacking, the basic principles are clearly identified. They include: the transfer of legislative powers to the EU, the creation of the European Commission as a "supranational" executive, the possibility of voting in order to adopt binding legislation, and enforcement powers are vested in the European Court of Justice. One of the most remarkable elements of this international regime has been its stability: 50 years on, despite a significant enlargement of the number of member countries and several treaty revisions, it may be argued that the key features of the system have remained unchanged. New modes of governance provide a near-perfect mirror-image of all of these elements. Centralization is deliberately avoided (particularly if it entails a strengthening of the Commission's powers). Uniformity is perceived as unduly burdensome: flexibility is the new buzzword. For the same reason, non-binding instruments are preferred. The development of NMG could, therefore, easily be seen (and is often presented) as a sign of the obsolescence of the Community method.

However, the study of EU policies conducted in the framework of RG6 suggests that the opposition of these two models is somewhat artificial. Similarities are about as manifold as the differences. As a rule, EU policies are less centralised than those conducted in many Member States. Being the product of a consensus, they are often bound to be fairly flexible – hence the frequent resort to techniques such as minimum harmonization or opt outs. Moreover, the emergence of new modes of governance has not been

accompanied by a decline of the Community method. It is applied today in a larger number of areas than fifteen years ago and there has been no substantial decline of the volume of legislative initiatives, even after the enlargement (Dehousse, 2008). Legal integration has not stopped, even in areas where the need for diversity is acutely felt, such as social policy (Pochet 2007). NMGs can even be used by EU institutions in order to enhance their own influence (Cram, 2007). In other words, the development of new modes of governance does not announce a demise of the Community method.

Assessing the crucial role of experts in EU policy-making

Another recurrent theme in various workshops organized by RG 6 has been the limited role of political actors in most day-to-day decisions taken at the EU level. While classical international relations theory insists on the crucial part of ‘governments’ in EU policy-making, recent work has shed light on the role of two types of actors: bureaucrats and experts. Scientific experts are crucial actors in risk governance, whether at the level of the regulatory decision-making process or at the level of the courts, and the powers of the EU in this field have been growing steadily (Vos, 2008). Also, the problems linked to the tendency of law-makers to delegate part of their powers to different actors (whether these be administrative agencies or private bodies) have been addressed in several research teams. It has been shown that a ‘one size fits all’ approach was inconclusive: in monetary policy, for instance, the independence of central banks is widely regarded as indispensable, even though there is a lively debate on how they can be made to account for their decisions (Laurent/ Le Cacheux, 2006).

Clearly, this increasing polycentricism is not specific to EU policy-making. At the domestic level as well, policy-making is characterized by an ever-wider array of decision structures. Yet this trend is most likely reinforced by the multi-level character of the EU, which creates the need for coordination between all the actors in charge of a given problem, thereby

making it more difficult to achieve a coherent ‘national’ viewpoint on all issues. This trend has been partly described in the existing literature on policy networks. The web of EU committees has also been analyzed along these lines.

It is evident that the role of non-political actors (experts and bureaucrats) in EU policy-making has implications on the way Europe is perceived by its citizens. Given the weakness of partisan cleavages at the European level, decision-making appears to be dominated by technocratic elements. The complex lines of command that exist in the EU makes it often nearly impossible for ordinary citizens to identify who is responsible for a given decision. Given the prevalence of the parliamentary model in the European political culture, it is not surprising to find that even technocrats may feel uncomfortable with this (Borras, 2008). Moreover, the depoliticization of EU policy-making may create incentives for shifting responsibility for sensitive decisions to the European level in order to avoid political tensions at the domestic level (Palier, 2008). Clearly, discussions within RG6 have shown the need for a regular dialogue between policy studies specialists and scholars working on accountability issues or on national and European politics.

The democratic legitimacy of New Modes of Governance

While the normative qualities of soft governance arrangements are usually seen in their alleged higher effectiveness in attaining policy goals, serious concerns remain regarding their democratic legitimacy. Soft modes of governance may be able to shape what is perceived as “sound” policy at EU and domestic level, and may be used to implement Community legislation, thus privileging some societal interests over others. Therefore, they may imply, entail or legitimise an authoritative allocation of values, which makes their democratic legitimacy a valid concern.

The research group identified the need to take into account the diverse nature of soft modes of governance, as well as the necessity to assess the democratic legitimacy of these governance arrangements against different theoretical concepts of democracy: On the one hand, new modes of governance might be considered as problematic from a liberal standpoint since they often bypass parliamentary procedures and lack in transparency and accountability. On the other hand, the participatory nature of many soft governance arrangements can be an important source of democratic renewal since they might constitute alternative sources of legitimacy for the EU from the standpoint of deliberative conceptions of democracy. Thus, the discussion of the democratic legitimacy of soft modes of governance depends both, on the particular policy instrument at hand and the conception of democracy that is employed.

A pragmatic research strategy that is considered promising in this context is to transform the different conceptions of democracy into a number of empirically identifiable “yardsticks” that can be used for assessing the democratic legitimacy of specific examples of soft modes of governance.

Is the EU still unique?

Finally, discussions within RG6 quite often stumbled upon the same question: to what extent are new modes of governance EU-specific? Comparisons between developments within EU public policies and those occurring at the domestic or international level have frequently been conducted as part of the group’s work. For instance, while one research team analyzed the politics of reforms of continental European welfare states”, another group systematically compared the EU with other international organizations and with the US administrative model. Such studies inevitably lead to the well-known *n=1* problem of European studies. While many policy developments within the EU are similar to the changes taking place in other arenas (whether domestic or international), the EU itself is not a state,

nor a ‘classical’ international organization; it has several characteristics that are rarely found in other settings. Nonetheless, in the social sciences, comparisons are often indispensable to draw conclusions of a general nature. Is the development of the new modes of governance addressed in this working group a response to specific problems faced by the EU, or rather the EU’s response to problems common to most public actors of our time?

The responses to this question were somewhat mixed. Clearly, from a governance perspective, the EU is not unique since, in terms of policy-making, agenda-setting, decision-making, and evaluation, it looks like a political system like any other. The issues it has to address, and the instruments it uses, are similar to those that one may come across in other systems (Kassim and Le Galès, 2010). It may be affected by trends existing worldwide in the functioning of public administration (Boussaguet and Dehousse, 2008b), such as the emergence of “New Public Management”.

However, the EU undoubtedly has some original features. Like all federal systems, it attempts to strike a balance between unity and diversity, even if the areas in which uniformity is sought are not always the same. But in contrast to most federal systems, member states’ governments play a central role in its functioning: in the words of Beate Kohler-Koch, it is a system of governance with governments – that is to say a system centred on steering those who are responsible for steering. Moreover, politics do not play the same role: though it has an elected Parliament, the latter is not seen as effective in representing the citizens’ views, and party politics do not play the same role as in domestic politics. All this may explain why in governance debates so much importance has been attached to the accountability of EU institutions.

Notes

¹ See the list of CONNEX publications <http://www.mzes.uni-mannheim.de/projekte/typo3/site/index.php?id=37>

² Apart from the short introductory paragraph the presentation of the findings was drafted by the Research Group Coordinators.

References

- ADAM, Frane (Ed.) (2007a), “Social Capital and Governance: Old and New Members of the EU in Comparison”, Berlin: Lit Verlag
- ADAM, Frane (2007b), “Introduction: The Structure and Intention of the Volume”, in ADAM (2007a), 11-18.
- ADAM, Frane (2007c), “The Distribution of Social Capital and the Quality of Data from Cross-national Surveys”, in ADAM (2007a), 21-50.
- AUEL, Katrin (2007), “Democratic Accountability and National Parliaments: Redefining the Impact of Parliamentary Scrutiny in EU Affairs”, in BENZ/HARLOW/PAPADOPOULOS (2007), 487-504.
- BALINT, Tim; BAUER, Michael; KNILL, Christoph (2008), “Bureaucratic Change in the European Administrative Space. The Case of the European Commission”, in CURTIN and EGEBERG (2008).
- BAUER, Michael (2008), “Diffuse Anxieties, Deprived Entrepreneurs. Commission Reform and Middle Management”, in BAUER, Michael (Ed.), “Reforming the European Commission”, Special Issue *Journal of European Public Policy*, Vol. 15, Issue 2.
- BENZ, Arthur (2007), “Accountable Multilevel Governance by the Open Method of Coordination?”, in BENZ/HARLOW/PAPADOPOULOS (2007), 505-522.
- BENZ, Arthur; HARLOW, Carol; PAPADOPOULOS, Yannis (Eds) (2007), Special Issue *European Law Journal*, Vol. 13, Issue 4.

- BEYERS, Jan; EISING, Rainer; MALONEY, William (Eds) (2008), "Much We Study, Little We Know? The Analysis of Interest Group Politics in Europe", Special Issue *West European Politics*, Vol. 31, Issue 6.
- BORRAS, Susana (2008), "The Legitimacy of New Modes of Governance in the EU: A Descriptive-Analytical Approach", in DEHOUSSE/BOUSSAGUET (2008).
- BOUSSAGUET, Laurie; DEHOUSSE, Renaud (2008), "Le développement de nouveaux modes de gouvernance", in DEHOUSSE, Renaud (Ed.), "Politiques européennes", Paris: Presses de Sciences-po.
- BOVENS, Mark (2006), "Analysing and Assessing Public Accountability. A Conceptual Framework", in *European Governance Papers (EUROGOV)* No. C-06-01.
- BRANDSMA, Gijss Jan (2007), "Accountability Deficits in European 'Comitology' Decision-making", in *European Integration Online Papers* No. 11.
- BULMER, Simon; BURCH, Martin (2005), "The Europeanization of UK Government: From Quiet Revolution to Explicit Step- Change?", in *Public Administration*, Vol. 83, Issue 4, 861-90.
- BULMER, Simon; DOLOWITZ, David; HUMPHREYS, Peter; PADGETT, Stephen (2007), "Policy Transfer in European Union Governance: Regulating the Utilities", Routledge: Abingdon.
- CHRISTIANSEN, Thomas; VANHOONACKER, Sophie (2008), "At a Critical Juncture? Change and Continuity in the Institutional Development of the Council Secretariat", in CURTIN and EGEBERG (2008).
- CINI, Michelle (2007), "Ethics Management in the European Commission", in EGEBERG (2007), 119-148.
- CRAM, Laura (2006), "Inventing the People: Civil Society Participation and the Enhabitation of the EU" in SMISMANS, Stijn (Ed.), "Civil Society

and Legitimate European Governance”, Cheltenham: Edward Elgar, 241-259.

CURTIN, Deirdre; NOLLKAEMPER, André (2007), “Conceptualizing Accountability in International and European Law”, in CURTIN, Deirdre; NOLLKAEMPER, André (Eds), “Accountability in the International Legal Order”, *Netherlands Yearbook of International Law*, Vol. 36, 3-20.

CURTIN, Deirdre; EGEBERG, Morten (Eds) (2008), “Towards a New Executive Order in Europe?”, Special Issue of *West European Politics*, Vol. 31, Issue 4.

DE VREESE, Claes (ed) (2006), “Parties, Media and Voters: Challenges of Direct Democracy“, *Party Politics* 12(5), 579-580.

DE VREESE, Claes; SCHMITT, Hermann (Eds) (2007), “A European Public Sphere: How much of it do we have and how much do we need?“, CONNEX Report Series No 2, Mannheim.

DEHOUSSE, Renaud (2008), “The ‘Community Method’: Chronicle of a Death too Early Foretold?” in DEHOUSSE/BOUSSAGUET (2008).

DEHOUSSE, Renaud; BOUSSAGUET, Laurie (Ed.) (2008), “The Transformation of EU Policies. EU Governance at Work”, CONNEX Report Series, No. 8.

DEMBINSKI, Matthias; JOACHIM, Jutta (2008), “Von der Zusammenarbeit europäischer Regierungen zum Europäischen Regieren? Nichtregierungsorganisationen in der EU-Außenpolitik“, *Neue Soziale Bewegungen* 2/2008.

DÜR, Andreas (2008), “How to Assess Power and Influence in EU Politics?”, in BEYERS/EISING/MALONEY (2008).

DÜR, Andreas; DE BIÈVRE, Dirk (Eds) (2007), “Interest Group Influence on Policymaking in Europe and the United States”, Special Issue *Journal of Public Policy*, Vol. 27, Issue 1.

- EDLER-WOLLSTEIN, Stefanie; KOHLER-KOCH, Beate (2008), "It's about participation, stupid. Is it? – civil society concepts in comparative perspective, in JOBERT/KOHLER-KOCH (2008), 195-214
- EGBERG, Morten (2006), "Executive Politics as Usual: Role Behaviour and Conflict Dimensions in the College of European Commissioners", in *Journal of European Public Policy*, Vol. 13, 1-15.
- EGBERG, Morten (Ed.) (2006), "Multilevel Union Administration – The Transformation of Executive Politics in Europe", Basingstoke: Palgrave Macmillan.
- EGBERG, Morten (Ed.) (2007), "Institutional Dynamics and the Transformation of Executive Politics in Europe", CONNEX Report Series Nr. 3, Mannheim.
- EGBERG, Morten; TRONDAL, Jarle (2007), "National Agencies in the European Administrative Space: Government Driven, Commission Driven or Networked?", in EGBERG (2007), 291-312 and in *Public Administration*.
- EISING, Rainer (2008), "Interest Groups in EU Policy-making", *Living Reviews in European Governance*, 4/2008.
- ESMARK, Anders (2008), "Tracing the National Mandate – Administrative Europeanization Made in Denmark", in *Public Administration*, Vol. 86, Issue 1.
- FERNÁNDEZ PASARIN, Ana Mar (2006), "Europeanisation of Consular Affairs: The Case of Visa Policy", in Clingendael Discussion Papers in Diplomacy, No. 105, 2006.
- FINKE, Barbara (2007), "Civil Society Participation in EU Governance", *Living Reviews in European Governance*, 2/2007.
- FRANKLIN, Mark (2007), "Effects of Space and Time on Turnout in European Parliament Elections", in VAN DER BRUG/VAN DER EIJK (2007).

- GORNITZKA, Åse (2007), “Historical Legacies and New Modes of Governance in European Education Policy – The Inception of the Open Method of Coordination”, in ENDERS, Jürgen; VAN VUGHT, Frans (Eds), “Towards a Cartography of Higher Education Policy Change”, Enschede: University of Twente.
- HARLOW, Carol; RAWLINGS, Richard (2007), “Promoting Accountability in Multi-Level Governance: A Network Approach”, in BENZ/HARLOW/PAPADOPOULOS (2007), 542-562.
- HÜLLER, Thorsten; KOHLER-KOCH, Beate (2008), “Assessing the Democratic Value of Civil Society Engagement in the European Union”, in KOHLER-KOCH/DE BIÈVRE/MALONEY (2008), 145-182.
- JOBERT, Bruno; KOHLER-KOCH, Beate (Eds) (2008), “Changing Images of Civil Society: From Protest to Government”, London: Routledge.
- KASSIM, Hussein; LE GALES, Patrick (Eds), “Governing the European Union: Policy instruments in a multilevel polity”, special issue, *West European Politics*, forthcoming (2010)
- KASSIM, Hussein; DIMITRAKOPOULOS, Dionyssi (2006), “Leader or Bystander? The European Commission and EU Treaty Reform”, in BEACH, Derek; MAZZUCELLI, Colette (Eds), “Leadership in the Big Bang of European Integration”, Basingstoke: Palgrave.
- KNILL, Christoph; HILLE, Peter (2006), “‘It’s the Bureaucracy, Stupid’: The Implementation of the Acquis Communautaire in EU Candidate Countries 1999-2003”, in *European Union Politics*, Vol. 7, Issue 4, 531-552.
- KNILL, Christoph; TOSUN, Jale (2008), “Emerging Patterns of Multi-Level Governance in EU Environmental Policy”, in CONZELMANN, Thomas; SMITH, Randall (Eds), “Multilevel Governance in the EU: Taking Stock and Looking Ahead”, Baden- Baden: Nomos.

- KNILL, Christoph; WINKLER, Daniela (2006), "Convergence or Divergence of National Legal and Administrative Structures? Europeanization Effects of the Environmental Impact Assessment in Germany and England", in *Journal for European Environmental & Planning Law* 1, 43-51, (Part 1) and 2, 44-53.
- KOHLER-KOCH, Beate (2008), "Civil Society Contribution to Democratic Governance: A Critical Assessment", in KOHLER-KOCH/DE BIÈVRE/MALONEY (2008), 9-18.
- KOHLER-KOCH, Beate; DE BIÈVRE, Dirk; MALONEY, William (Eds) (2008), "Opening EU Governance to Civil Society – Gains and Challenges", CONNEX Report Series, Vol. 5.
- KOHLER-KOCH, Beate; FINKE, Barbara (2007), "The Institutional Shaping of EU-Society Relations: A Contribution to Democracy via Participation?", *Journal of Civil Society*, Vol. 3, Issue 3, 205-221.
- LAURENT, Éloi; LE CACHEUX, Jacques (2006), "Integrity and Efficiency in the EU: The Case against the European Economic Constitution", in Working Paper Series No. 130, Center for European Studies, Harvard University.
- LENSCHOW, Andrea; REITER, Renate (2007), "Keeping Competence - Policy Coordination as a Means for the Institutional Embedment of European Environmental Policy and Regional Policy", in EGEBERG (2007), 149-190.
- MAIR, Peter (2007), "Political Opposition and the European Union", in *Government and Opposition*, Vol. 42, Issue 1, 1-17.
- MALONEY, William A.; VAN DETH, Jan W. (Eds) (2008), "Civil Society and Governance in Europe: From National to International Linkages", Cheltenham: Edward Elgar.
- MARSH, Michael (2007), "Vote Switching in European Parliament Elections: Evidence from June 2004", in

- MARSH/MIKHAYLOV/SCHMITT (2007).
- MARSH, Michael; MIKHAYLOV, Slava (2008), “Output support”, in THOMASSEN (2008).
- MARSH, Michael; MIKHAYLOV, Slava; SCHMITT, Hermann (Eds) (2007), “European Elections after Eastern Enlargement: Preliminary Results from the European Election Study 2004“, CONNEX Report Series No 1, Mannheim.
- MARTENS, Maria (2006), “National Regulators between Union and Governments: A Study of the EU’s Environmental Policy Network IMPEL”, in EGEBERG (2006).
- MARTENS, Maria (2008), “Run-away Bureaucracy? Exploring the Role of Nordic Regulatory Agencies in the EU”, in *Scandinavian Political Studies*, Vol. 32, Issue 1.
- MICHEL, Hélène (2008), “Incantations and Uses of Civil Society by the European Commission”, in JOBERT/KOHLER-KOCH (2008), 187-210.
- MORATA, Francesc (2007), “European Integration and the Spanish State of the Autonomies”, in *Zeitschrift für Staats- und Europawissenschaften*, 4, March 2007.
- O’MAHONY, Joan; COFFEY, Clare (2007), “From Civic Choice to Civic Voice: The Changing Role of Society in European Fisheries Governance”, *Journal of Civil Society*, Vol. 3, Issue 3, 239-251.
- PALIER, Bruno (2008), “Farewell to Bismarckianism? Welfare Reforms in France”, in PALIER in PALIER, Bruno (Ed.) “A Long Good Bye to Bismarck? The Politics of Welfare Reforms in Continental Europe”, Amsterdam/Chicago, Chicago University Press.
- PAPADOPOULOS, Yannis (2007), “Problems of Democratic Accountability in Network and Multilevel Governance”, in BENZ/HARLOW/PAPADOPOULOS (2007), 469-486.

- PERSSON, Thomas (2007), "Democratizing European Chemicals Policy: Do Online Consultations Favour Civil Society Participation?", *Journal of Civil Society*, Vol. 3, Issue 3, 223-238.
- QUITTKAT, Christine; FINKE, Barbara (2008) "The EU Commission Consultation Regime", in KOHLER-KOCH/DE BIÈVRE/MALONEY (2008), 183-222.
- SCHEUER, Angelika; SCHMITT, Hermann (2007), "Dynamics in European Political Identity", in MARSH/MIKHAYLOV/SCHMITT (2007).
- SCHIMMELFENNIG, Frank; SEDELMEIER, Ulrich (2006), "Candidate Countries and Conditionality", in GRAZIANO, Paolo; VINK, Maarten (Eds), "Europeanization: A Handbook for a New Research Agenda", Basingstoke: Palgrave.
- SCHMITT, Hermann (2005), "The European Parliament Elections of June 2005: Still Second-Order?" in *West European Politics*, Vol. 28, Issue 3, 650-679.
- SCHMITT, Hermann (2007), "The Nature of European Issues: Conceptual Clarifications and Some Empirical Evidences", in DE VREESE/SCHMITT (2007).
- SCHMITT, Hermann; THOMASSEN, Jacques (2006), "Az Európai Unió pártrendszerének a keleti bővítés után (The EU Party System After Eastern Enlargement)", in TÓKA/BATORY (2006).
- STEWART, Susan (Ed.) (2009), "External Democracy Promotion Before and After the 'Colour Revolutions' Special issue of *Democratization*, Nr.4, 2009.
- STEWART, Susan, "The Interplay of Domestic Contexts and External Democracy Promotion: Lessons from Eastern Europe and the South Caucasus", in STEWART (2009).

- SUVARIEROL, Semin (2008), “Beyond the Myth of Nationality: Analysing Networks within the European Commission”, in CURTIN/EGEBERG (2008).
- SVERDRUP, Ulf (2006), “Policy Implementation”, in GRAZIANO, Paolo; VINK, Maarten (Eds), “Europeanization: A Handbook for a New Research Agenda”, Basingstoke: Palgrave.
- THOMASSEN, Jacques (2007), “European Citizenship and Identity”, in MARSH/MIKHAYLOV/SCHMITT (2007).
- THOMASSEN, Jacques (Ed.) (2008), “The legitimacy of the European Union after enlargement“, Oxford: Oxford University Press.
- TÓKA, Gábor; BATORY, Agnes (Eds) (2006), “A 2004-es Európai Parlamenti választások: Pártok és szavazói magatartás nemzetközi összehasonlításban (2004 European Parliament Elections: Parties and their Voters in European Parliament Elections)”, DKMKA, Budapest. [Also published in Czech as “Volby do Evropského parlamentu 2004”, SOU/FSH, Prag, 2007].
- TOMALOVÁ, Eliška; TULMETS, Elsa (2007), “Twinning Projects: Analysing the Experience of ‘old’ EU Member States and Evaluating the Benefits of Twinning Out for the ‘new’ EU Member States” in EGBERG (2007), 379-428.
- TRONDAL, Jarle (2006), “Governing at the Frontier of the European Commission. The Case of Seconded National Experts”, in *West European Politics*, Vol. 29, Issue 1, 147-160.
- TRONDAL, Jarle (2007), “Contending Decision-making Dynamics within the European Commission”, in *Comparative European Politics*, Vol. 5, Issue 2, 158-178.
- VAN DER BRUG, Wouter; FRANKLIN, Mark; TÓKA, Gábor (2006), “Egységes vagy nemzetekre tagolt választóközönség? Szavazói magatartás Európa új és régebbi demokráciáiban (One Electorate or Many? Voting

- behavior in new and established democracies in Europe)", in TÓKA/BATORY (2006).
- VAN DER BRUG, Wouter; VAN DER EIJK, Cees (Eds.) (2007), "European Elections and Domestic Politics: Lessons from the Past and Scenarios for the Future", University of Notre Dame Press, Southbend.
- VANHOONACKER, Sophie; DUKE, Simon (2006), "Administrative Governance in CFSP: Development and Practice", in *European Foreign Affairs Review*, Vol. 11, Issue 2, 163-182.
- VOS, Ellen (Ed.) (2008), "European Risk Governance: Its Science, its Inclusiveness and its Effectiveness", CONNEX Report Series, N°6.
- WESSEL, Ramses; WOUTERS, Jan (2008), "The Phenomenon of Multilevel Regulation: Interactions between Global, EU and National Regulatory Spheres", in CURTIN/WILLE (2008a), 380-410. [Also published in FOLLESDAL/WESSEL/WOUTERS (2008)]
- WIENER, Antje (2007), "Contested Meanings of Norms: A Research Framework", in WIENER, Antje (Ed.) "Contested Meanings of Principles and Procedures of Democracy: The Challenge of Democratic Governance beyond the State", Special Issue *Comparative European Politics*, Vol. 5, Issue 1, 1-17.
- WILLE, Anchrit (2007a), "Bridging the Gap: Political and Administrative Leadership in a Reinvented European Commission", in EGEBERG (2007), 7-42.
- WILLE, Anchrit (2007b), "Senior Officials in a Reforming European Commission: Transforming the Top?", in BAUER, Michael; KNILL, Christoph (Eds), "Management Reforms in International Organizations", Baden-Baden: Nomos.
- WOLLEBÆK, Dag; SELLE, Per (2008), "A Social Democratic Model of Civil Society?", in JOBERT/KOHLER-KOCH (2008), 84-123.