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***Europarties and the making
of a Demos***

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The Setting *

The European Union (EU) emerges as a fairly enough established collectivity in the form of a legally and politically ordered plurality which, at this particular stage of its historical and institutional evolution, becomes a reflection of a 'polities' polity' (Lavdas and Chrysochoou 2007). This pluralist depiction of the EU comes closer to a 'sympolity' of historically constituted units in Tsatsos' (2009) sense of the term, or to an 'organized synarchy' of co-determined sovereignties (Chrysochoou, 2009), rather to a federally constituted polity. Although the EU may not have evolved into a democracy in its own right, it projects a profound locking together of democratic polities regarding the joint exercise of authority, representing the most advanced case of voluntary regional integration. What follows links the debate on European party political development with the question of how to re-activate public interest in EU affairs. By transcending the centrality of the oft-raised questions of 'who governs and how', this essay calls attention to the equally crucial question of 'who is governed'. The point is that designing a comprehensive reform package for Europarties as a means of mobilizing the democratic energies of citizens is no easy task, not least due to the EU's systemic complexity, embedded diversity, and evolutionary character. Schmitter's (2000:75) view of the EU as 'the most complex polity that human agency has ever devised' makes the point well. But this may be turned into an advantage, should one clarify the 'constitutive mission' of Europarties, and how an informed and principled public dialogue on their political development can

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facilitate the emergence of a plural demos, whose members can direct their democratic claims and concerns to, and via, the central institutions.

The Debate

Underlying discourses on European party regulation is a deeper concern of how to co-constitute a transnational civic space composed of free and equal citizens – a European *civitas composita* with its own sense of ‘demos-hood’ (Lavdas and Chrysochoou, 2007) – and what a collective democratic founding in the form of a ‘civic contract’ among diverse peoples, states and central authorities might entail for the future of integration as a polity-building exercise. But why should a discussion of EU polity development and democracy-enhancing focus on European party structures? A plausible answer was offered by Schattschneider (1942:1), who famously wrote: ‘The political parties created modern democracy and modern democracy is unthinkable save in terms of political parties’. Political parties are ‘an integral expression of the individuals’ right to freely form associations’ (Venice Commission, 2010:6) and ‘the most widely utilized means for political participation and exercise of related rights’ (Ibid:8). A political party can be defined as ‘a free association of persons, one of the aims of which is to express the political will of citizens including through participation in the management of public affairs and the presentation of candidates to free and democratic elections’ (Ibid:12).

Hence a corresponding function of Europarties is to offer a sense of democratic direction (and purpose) based on a clear view of European demos, as well as on how to keep it together as a politically connected, recognizable, and self-identifying community of citizens. This way, Europarties can intensify their role in constructing a European civic identity and reassign meaning to the Maastricht provision on their potential ‘to forming a European awareness and to expressing the political will of the citizens of the Union’. This view accords with an understanding of political parties as ‘conveyor belts’ or ‘preformators’ of the citizens’ will (Giannakou, 2010:5). The point to make is that one should not refer to a single or undifferentiated notion of EU demos inspired by ethnocultural expressions of unity or based on a melting-pot type of society, but rather should aim at the horizontal interaction of citizens as active members in a larger polity, to which they also belong. Underlying this view is Pettit’s (1997:200) notion of ‘a

democracy of ideas': 'a democracy that follows deliberative patterns of decision-making, that includes all the major voices of difference within the community, and that responds appropriately to the contestations raised against it'.

As the EU should not be detached from its constituent identities, an EU demos cannot be the outcome of a process akin to national integration that aims to replace pre-existing identities by 'an overriding sense of national loyalty' (Birch 1989:37). Instead, it is linked to the making of an extended discursive civic space, where politically connected citizens are free to develop common democratic 'grounds' and pursue their chosen political goals within a larger polity to which they also belong (Lavdas and Chrysochoou 2007). Strengthening Europarties may well become a means of enhancing participatory governance in the EU and, hence, its social legitimacy, ascribing to a currently fragmented European electorate a sense of plural 'demos-hood' based on the notion of 'many peoples, one demos': a distinctively European version of unity constituted by a composite citizenry, if not a restatement of the American constitutional founders' motto, *et pluribus unum*.

The Statute

Keeping in mind that 'political parties have rights and responsibilities regardless of their legal status' (Venice Commission, 2010:12), granting Europarties a legal status and a legal personality is crucial for lessening their dependence from national party structures, while increasing their capacity to act as representative agents of EU citizens. Such a statute would also provide them with a political platform from which to strengthen their democratic bonds with a currently fragmented European citizenry that feels increasingly dissociated from EU politics and processes. Europarties can introduce innovative means of connecting to the European publics and their public spheres. The idea of transnational party lists as discussed by the European Parliament is a good case in point, contributing to the making of a transnational civic space. In line with the above is the idea of Europarties being authorized to participate in referenda campaigns on EU-related issues. This poses a series of challenges to their collective political and discursive capacity to articulate their views directly to the citizen, and even to be allowed to steer or shape the debate on Europe within a member polity. To argue that such a prospect constitutes an unacceptable form of interference to the domestic

public spheres is to miss the point that the referenda concerned should have a direct link with EU politics (Giannakou, 2010: 7). It all comes down to a political question: whether or not Europarties should be given the right to influence national public opinion, by which means, and to what extent. But if they express the political will of EU citizens, as the Maastricht provision stipulates, it seems logical to be allowed to participate in a referendum campaign.

Regulating the Europarties is part of a wider evolution of party law in the member polities, but also in international settings such as the Council of Europe (Molenaar, 2010). This is yet another indication that the EU can be taken as 'a polity like any other' (Hix, 1994), and that the debate on EU party regulation relates to different conceptions of 'eurodemocracy', ranging from a postnational view of 'demos-cracry' to more instrumental or statecentric accounts of 'demoi-cracry' (Nikolaidis, 2004). As Molenaar (2010: 4) argues, 'one should keep in mind that party regulation is always a means to support a higher normative goal'. Likewise, different conceptions of the EU account for different strategies for European party regulation. From a 'demos-cracry' perspective, an EU party statute which can lead to a legal personality for Europarties claims that the latter should act as agents of EU political will-formation, if not political-systemic change. On the other hand, the notion of an EU 'demoi-cracry' envisages a rather functionalist role for Europarties as an extension of national party structures, patterns of loyalty, and forms of political contestation, implying that they have a limited and nationally-controlled role to play in EU democracy-enhancing. Although in-between lies a variety of takes on the meaning of 'eurodemocracy' and how to tackle the EU's multiple (and multiplying) democratic deficits, a European party statute has a role to play in dealing with the low levels of civicness shared amongst Europeans. As the argument goes, the more the EU relies on democratic credentials and on the need for 'input-oriented' forms of legitimacy (Scharpf 1999), the greater its efforts should be to encourage participation.

The Benefits

The preceding analysis linked European party development with a vision of democratic politics that promotes certain public goods, whose relevance extends beyond narrowly defined electoral concerns. Early as it may be to speculate either on a possible end state of EU party reforms or on their impact on the quality of

democracy in the EU as well as in the domestic political spheres, the views expressed here aim to offer a blueprint for civic-oriented reforms that would take the EU closer to a polity composed of diverse but constitutive units that share in the authority of the collectivity in ways that are compatible with their democratic arrangements. In this sense, a European civic space offers a plausible answer to Europe's concerns with heterogeneity, which may serve as a condition for uniting, but not unifying, diverse publics into a 'Republic of Europeans' (Lavdas and Chrysochoou, 2007) driven by the inclusionary virtues of *caritas rei publicae*: 'a caring (or affection) for things public' or, in Viroli's (2002:79, 80) sense of the term, 'a charitable love of the republic'; which, in the case of the EU, may take the form of a civic attachment to a democentric process of union. This way also, the EU can respond to the question of whether it can be seen as 'a community united in a common argument about the meaning, extent and scope of liberty' (Ignatieff, 2000:265). But for the EU to be driven by an engaging demos, it is important to recognize the potential of Europarties as system-steering agencies that can induce integrative sentiments, build on existing transnational political rights, structure political contestation at EU level through a party system (Hix, 2002:50), and assist in the making of a transnational demos. This way the EU will be better equipped to allocate rights and values within its emergent civic society and to offer a sense of direction that can inspire diverse citizens to share a sense of plural demos-hood.

References

- Birch, A. H. (1989), *Nationalism and National Integration*, London: Unwin Hyman.
- Chrysochoou, D. N. (2009), *Theorizing European Integration*, 2nd edition, London and New York: Routledge.
- Giannakou, M. (2010), 'Draft Report on European Political Parties and Foundations' (2010/2201(INI)).
- Hix, S. (2002), 'A Supranational Party System and the Legitimacy of the European Union', *International Spectator*, 37(4): 49-59.
- Hix, S. (1994), 'Approaches to the Study of the EC: The Challenge to Comparative Politics', *West European Politics*, 17(1): 1-30.
- Ignatieff, M. (2000), 'Republicanism, Ethnicity and Nationalism', in C. McKinnon and I. Hampsher-Monk (eds), *The Demands of Citizenship*, London: Continuum.
- Lavdas, K. A. and Chrysochoou, D. N. (2007), 'A Republic of Europeans: Civic Unity in Polycultural Diversity', in L. Bekemans *et al.* (eds), *Intercultural Dialogue and Citizenship: Translating Values into Actions*, Venice: Marsilio.
- Molenaar, F. (2010), 'The Development of European Standards on Political Parties and their Regulation', Working Paper Series on the Legal Regulation of Political Parties, no. 4, University of Leiden.
- Nikolaidis, K. (2004), 'The New Constitution as European Democracy?', *Critical Review of International Social and Political Philosophy*, 7(1): 76-93.
- Pettit, P. (1997), *Republicanism: A Theory of Freedom and Government*, Oxford: Clarendon Press.
- Scharpf, F. W. (1999), *Governing in Europe: Effective and Democratic?*, Oxford: Oxford University Press.
- Tsatsos, D. Th. (2009), *The European Symptom: Towards a New Democratic Discourse*, Brussels: Bruylant.
- Venice Commission (2010), 'Guidelines on Political Party Regulation', Study No. 595/2010, Strasbourg.
- Viroli, M. (2002), *Republicanism*, New York: Hill and Wand.