



Dissensus over Liberal Democracy and Democratic Arrhythmias in the EU

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I INTRODUCTION

In the treaties, the EU is explicitly qualified as a representative democracy, founded on two co-existing and intertwined representative channels: one constituted by the European Parliament (EP) and the other by each member state's form of government. These two channels, and their parliamentary elected bodies, naturally act as the main instrument called upon to deal with the many kinds of dissensus existing in the EU and its member states.

Article 10(1) of the Treaty on European Union (TEU) qualifies the EU as a representative democracy, stating that “The functioning of the Union shall be founded on representative democracy”. The wording of one of the most important Articles of the Treaty on European Union—although often overlooked, and “hardly even commented in EU law textbooks” (Besselink, 2017, p. 30)—is embedded under the title of “Provisions on democratic principles” and looks very explicit and clear.

As specified by the subsequent paragraphs of Article 10 TEU, EU representative democracy does not rely exclusively on the European Parliament—since 1979 directly elected by EU citizens—but also on national democratic dynamics. Assessing EU democracy without considering these national dynamics, and namely national elections, has been a very common mistake. This very mistake has been indeed the basis of the rhetoric of the so-called “democratic deficit” (Blanc, 2024), which by definition compares the

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quantity and quality of democracy in the EU as a whole, considered as a stand-alone democratic polity, with (the average democracy of) that in democratic (European?) nation-states.

However, the democratic dynamics and arenas, both in the EU and in each of its member states, do not stand alone and are not reciprocally separated. As recognised by the abovementioned Article 10 TEU, they are deeply intertwined and overlapping (Mair, 2007, p. 8), among other reasons because of the features which have characterised the Council of the European Union (once the Council of Ministers) since the beginning, and, more recently, also the European Council. As is well known, the different formations of the Council are composed of representatives of national governments, who are strictly linked to their national parliaments (or at least a chamber thereof) through a relation of confidence and also to their citizens, to whom they are—to use the wording of Article 10(2) TEU—“democratically accountable”. Furthermore, almost all the member states’ heads of government are members of the European Council, with the exception of France, Romania, and Lithuania, which are represented by their heads of State.

More specifically, Article 10(2) TEU *expressis verbis* establishes a structural and permanent connection between the “form of government” of the European Union and those of all its member states. In affirming that “member states are represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national parliaments, or to their citizens”, Article 10(2) TEU recognises national forms of government as constitutive elements of the EU’s form of government. The composition, legitimacy, and accountability of the intergovernmental institutions of the EU derive from the democratic processes taking place at national level and thus depend on their dynamics (Citino, 2023; Lupo, 2020).

It is thus clear that the democratic legitimacy of the EU institutions necessarily relies on the good functioning of all the forms of government of its member states. This sets the basis, among other things, for a permanent interest on the part of the EU institutions, and also on the part of the other member states, that the form of government of each member state works in an orderly fashion. This complex and articulated institutional structure makes it extremely difficult to rule the EU democratically by determining its political direction. At the same time, Article 10(2) TEU establishes an inescapable permanent interest on the part of the EU institutions—and even on the part of the other member states—in the orderly and correct functioning of the forms of government of each member state.

Nonetheless, public statements still tend to repeat the traditional principle of “non-interference” by EU institutions and those of other member states in national-level political affairs (e.g., general elections, referendums, government crises, election campaigns). However, in practice the legal-institutional framework drawn up by Article 10(2) TEU presupposes a certain amount of intertwining, requiring a certain level of “interference”, mutual trust, and

coordination, even despite the lack of any proper competence attributed to EU institutions on purely national political affairs.

2 MULTIPLE ELECTIONS IN THE EU AS OPPORTUNITIES FOR EXPRESSING DISSENSUS

In the EU's current institutional setup, the most relevant way to give space to voices of dissensus is thus through the many representative bodies that exist: at EU level (the European Parliament, and also, although to a minor extent—consistent with their role of consultative and non-elected bodies—the European Committee of the Regions and the European Economic and Social Committee), at both the member state and subnational levels. Clearly, the first opportunity for EU citizens to express dissent is offered by the elections regularly taking place to renew all these representative bodies.

Elections, and especially parliamentary elections—that is, those aimed at selecting citizens' representatives as members of a parliamentary assembly—naturally act as multipliers of opportunities for expressing dissensus and for representing different views and interests in increasingly pluralistic and fragmented societies. In line with the traditional democratic theories (Dahl, 1972, 1982), these elections are conceived to ensure that citizens' different voices can find their own space, first through electoral campaigns and then play a role in the daily political deliberations that are held in parliaments, thus lending a high degree of legitimation to the decisions taken (Fasone 2023).

Throughout the EU, elections take place frequently: every five years for the European Parliament, and at the same or even greater frequency in each of the 27 member states. To be more precise, Cyprus has the strictest election schedule: as a presidential system, elections are scheduled every five years (both for the Head of State and for the House of Representatives). In all other member states elections are required to occur at least every four (in 20 member states) or five years (in other 6 cases), but in practice they may also take place more often, as Parliaments can be dissolved early or parties may be unable to give confidence to a Government, or, in certain cases, elections can be called directly by the Head of Government or the Head of State.

Moreover, in 13 member states (Austria, Bulgaria, Croatia, Czech Republic, France, Finland, Ireland, Lithuania, Poland, Portugal, Romania, Slovakia, Slovenia) there is also another kind of national election, as the respective heads of State are directly elected by citizens. Apart from France, Lithuania, and Romania—where the Heads of State represent their countries in the European Council, as already mentioned—the Heads of State of EU member states, even when directly elected, are generally not considered part of the executive and do not exercise autonomous governing functions. As such, most of these systems can still be classified as parliamentary democracies (in contrast, arguing that forms of governments should be qualified as semi-presidentialism if they have a popularly elected, fixed-term president, alongside a prime minister and a cabinet who are responsible to parliament, Elgie, 1999, 2011), and their

presidential elections are not necessarily decisive moments for redefining the general political direction of that member state. However, these presidential elections are important in terms of opportunities for expressing dissensus, and may indirectly determine important changes in the composition of the executive and in its parliamentary support, sometimes even leading to an early dissolution of parliament, and thus to an unforeseen and further parliamentary election.

In addition, there are many elections that regularly take place at subnational level. These may also happen to have a political nature, especially if they occur simultaneously in all or almost all the subnational entities, and so involve a relevant quota of national citizens. Such elections also matter and have often determined important effects nationwide and even at EU level.

Overall, if one applies the different categories of dissensus to parliamentary elections, it is clear that elections in the EU and in member states offer multiple opportunities for citizens to express a wide array of typologies of dissensus. Indeed, as there are perhaps even too many elections, the actual chance for dissenting voices to contribute to the election of a member of a national parliament, or even of being among the “winners” in an election in one of the member states, can be quite high.

Of course, we should take into consideration all the factors that potentially diminish the capacity of parliamentary elections to represent dissensus adequately. These include the ratio between voters and Members of Parliament (MPs); the thresholds under which no kind of representation is assured to any political force; and, especially, the type of electoral system. By definition, proportional systems are better able to represent dissenting voices as compared to majoritarian systems. For instance, the difference in electoral systems between the UK House of Commons and the European Parliament explains why UKIP (United Kingdom Independence Party) obtained three seats in the European Parliament in the 1999 elections (including the one occupied by Nigel Farage), before they achieved any representation in Westminster. More generally, this is also probably one of the reasons behind the notorious paradox according to which Eurosceptics often achieve their greatest electoral success in European elections (Benedetto, 2008; Brack, 2018, p. 2).

A further factor to be considered in relation to elections is the non-voters: that is, the percentage of citizens who have the right to vote who do not show at the electoral polls. It is clear that not every case of a non-voter is necessarily motivated by a kind of dissensus, but the decreasing electoral turnout is generally connected to a growing dissensus over the functioning of several contemporary democracies, with a decreasing level of trust in their institutions (Grönlund & Setälä, 2007; *contra*, Franklin, 2004), and also to the increasing number of elective institutions (Kostelka & Blais, 2021). More recently, it has also been linked to the question of democratic backsliding (Bassu, 2025).

Marginalising Dissenting Voices through Executive Dominance

At the same time, notwithstanding these multiple opportunities for dissensus to be present both in the European Parliament and in national parliaments, the main features of the EU decision-making process seem to cause a significant reduction in institutional mechanisms that adequately channel political dissensus and make it relevant in the deliberative process. In other words, while the complexity of the system provides many ways to express dissensus, sometimes even endangering the good functioning of EU democracy, the peculiar features of the EU decision-making do not ensure that dissenting voices are properly heard and included in the process. There is a lack of mechanisms to integrate such opinions, or treat them as relevant and valid for co-determining and changing the political direction pursued by the EU institutions.

This apparent paradox derives mainly from the fact that in the EU decision-making, the most prominent role is played by the executives. It is well known that the EU has faced an executive dominance problem since the start, and even more after its turn in favour of inter-governmentalism (Fromage & Herranz Surrallés, 2020). Furthermore, a similar problem also exists in most, if not all of its member states, where the dominance of the executives is accelerated by several factors, one of which is the same European integration process.

In the European Union, members of the executives constantly move from the national to the EU institutional system and vice versa, acting at the same time in both institutional systems and political arenas. As part of what has been effectively named as the “fragmented executive” of the EU (Curtin, 2009, 2014; Crum-Curtin, 2015), they are able to dissimulate or deny their political responsibility, supposedly deferring to decisions taken and constraints determined by another level of a multilevel institutional system. The game of blame shifting thus becomes particularly easy and tempting for all politicians, and especially for those who hold governmental responsibilities in an EU member state (Hobolt-Tilley, 2014; Heinkelmann-Wild et al., 2024; Pinelli 2016).

This institutional feature, common to any multilevel system, makes it particularly hard to ensure the proper functioning of the mechanisms of political responsibility, on which contemporary democracies are based, as we will see in Section 6. On the one hand, the decision-making process becomes particularly long, tiresome, and complex, requiring multiple compromises, especially because of the persistence of the unanimity rule in many policy fields. On the other hand, it is difficult, if not impossible, for the decisions taken to be properly imputable either to one or more political leaders or to a political party or coalition. Many politicians would conceal their responsibility for decisions, arguing that they faced constraints and obligations due to previous decisions already taken by a higher level of government. Such assertions, of course, ignore that an essential contribution to these decisions usually came from the very same national politicians (or colleagues from the same parties)

who, at home, blame the EU and its bureaucrats for limiting their alleged political freedom and sovereign power.

3 THE LIMITED ROLE OF PARLIAMENTARY OPPOSITION(S) IN EU DECISION-MAKING

Within this polity, which has been qualified as a “Euro-national parliamentary system” (Lupo & Manzella, 2014; Fasone & Lupo, 2016; Manzella 2017), parliamentary oppositions at EU level—traditionally deemed the main mechanism by which dissenting voices in representative bodies can be expressed and somehow integrated into the decision-making process (Citino, 2021; for a wider concept of “political opposition”, Brack-Weinblum, 2011)—are not easily identified, nor is their role always clearly defined. Moreover, oppositions also face difficulties both at national and at EU level, when dealing with EU policies, albeit for different reasons.

In national forms of government, in relation to European affairs, oppositions are not always able to play an autonomous role and make their voices heard. And when they do so, they risk being accused of playing against the national interests that their government is pursuing within EU institutions. As is well known, there is a clear information asymmetry at national level between a country’s government (and majority) and parliament (and especially opposition actors) when dealing with EU policies.

Conversely, in the European Parliament, it has traditionally been difficult to track down a proper opposition—so much so that some have doubted whether there even was an opposition (Helms, 2009; Rizzoni, 2012). It is true that the EP has been articulated since the beginning in political groups. However, there has never been any significant shift in its political majority, because its internal political dynamic has always been dominated by the classic agreement between the European People’s Party and the Socialist and Democratic Party.

The persistent lack of a proper majority-opposition dynamic in the European Parliament contributed to the birth and development of Eurosceptic parties and political groups in recent decades (Brack, 2014, 2018). This created a kind of anti-system opposition, against which the constitutional convention of the “cordon sanitaire” was created and applied (Ripoll Servent, 2019; Kantola & Miller, 2021). According to this constitutional convention, the political groups radically opposing any form of European integration are completely excluded from the assignment of positions within the European Parliament. The “cordon sanitaire” can be qualified as a constitutional convention because it is an outcome accepted to a certain degree by the same Eurosceptic parties, which have no interest in leading or even taking an active part in the crucial bodies that pursue and move forward the integration process. In other words, in this institutional context in which formal and informal rules tend to diminish the room for manoeuvre of Eurosceptic MEPs, especially if they are non-affiliated or part of small political groups, Eurosceptic parties may find it more convenient to act as complete outsiders

(Brack, 2018, p. 115 ff.), instead of trying to have their dissenting voices heard in any influential manner during parliamentary lawmaking.

Finally, in order to counterbalance or at least to mitigate the many information asymmetries arising, national opposition forces can try to play a role in the many forums of interparliamentary cooperation, namely in interparliamentary conferences (see also Schininà in this Handbook). However, in practice, although national MPs representing national oppositions do take part in the interparliamentary conferences, they do not seem to be particularly active in these debates, thus impairing the ability of these conferences to channel oppositions' viewpoints, echoing the domestic discontent on governments' positions regarding EU affairs. This argument is based especially on an analysis of the Interparliamentary Conference on Stability, Economic Coordination and Governance in the EU (Bartolucci & Lupo, 2022, p. 461), an interparliamentary forum established in 2013 which has been called upon to address a policy field in which EU democracy has shown many limits and flaws (Crespy et al., 2024).

It is not clear whether this outcome is more the result of marginalisation imposed by national parliamentary majorities or rather a kind of self-restraint on the part of the national oppositions who are often reluctant to play an active role in such interparliamentary meetings. In either case, proposals have been advanced to encourage a richer and more vivid articulation of the debates in these interparliamentary forums. These aimed to help elected representatives play a more relevant and coordinated role, both within and outside national parliaments, channelling, at least up to a certain degree, oppositions, minorities, and dissenting voices in the EU decision-making process (Kröger & Bellamy, 2016; Crum, 2022).

However, indeed, especially given the current *status quo*, Eurosceptic parties are disinclined to establish connections between the European Parliament and national parliaments, as highlighting these connections would hinder their political game, which often consists of raising sovereigntist claims and—as mentioned above—blaming the EU for decisions that have been largely taken by national governments, or at least with their consent. This attitude has held even more true since, as has happened more frequently in the last decade, some Eurosceptic parties became members of the national parliamentary majorities and even provided heads of government or heads of State. Although with relevant differences depending on each member state (Karlsson & Persson, 2022), such parties' contributions usually focus on providing criticism rather than alternative policies, and the multiple intertwinements between EU and national politics tend to be overlooked or even explicitly denied.

4 IN SEARCH OF POLITICAL RESPONSIBILITY IN THE EURO-NATIONAL PARLIAMENTARY SYSTEM

The almost impossible task of channelling dissenting voices in EU decision-making is further increased by the lack of coordination and synchronisation among the Union's multiple cycles and timeframes, which generate a series of "democratic arrhythmias" (Lupo, 2024). In other terms, a multilevel system in which political-electoral cycles are not coordinated or synchronised risks being extremely difficult to rule and manage according to the democratic principles, as the traditional mechanisms of representative democracy—such as political accountability and responsibility—are deeply altered at the national as well as the EU level (Fasone et al., 2020).

Far from suffering an alleged "democratic deficit", EU representative democracy seemingly needs a better synchronisation of its many political-electoral cycles. As mentioned above, representative democracy here should be interpreted, in line with the wording of Article 10 TEU, as encompassing both EU and national dynamics. If democracy is better synchronised, it should be easier to channel and convey the dissensus that inevitably arises in democratic elections, both at national and EU levels. Such a dissensus needs to be internalised and taken into consideration, without paralysing the institutional system or initiating asymmetrical and often unpredictable shocks for its (complex) decision-making process and (delicate) institutional balance. Shocks that—it goes without saying, especially in times of high electoral volatility—risk becoming extremely frequent.

The most widespread contemporary concept of democracy is probably the minimalistic approach developed by Schumpeter and Popper, who argue that democracy is essentially a way to substitute the rulers through free elections and without any kind of fight or war: democracy is conceived as "an institutional arrangement in which the individuals acquire the power to decide by means of competitive elections" (See Coman in this Handbook). However, the "arrhythmias" characterising the EU democracy make this outcome rather difficult to reach.

Schumpeter (1946), for example, saw the democratic method as the institutional mechanism by which individuals acquire the power to make decisions through a competition for the popular vote. Then there is Popper's (1966) definition, according to which democracy is the institutional system that allows a population to get rid of a government without bloodshed, but through general elections. This implies that, in the views of both authors, the temporally limited nature of the power that is exercised becomes central, as well as the theoretical possibility for the electors to assess the behaviour of their rulers and to remove them from their offices.

Therefore, for democracies to be able to function, they must adopt institutional tools suitable for ensuring the political responsibility of the rulers, i.e., institutional tools which allow voters to remove those in power through

periodic elections, if they have not acted in a way judged (by the voters themselves) satisfactory. To these ends, the mechanisms of political responsibility are crucial. It is assumed that citizens, also through the action of parliaments, are able to identify the political responsibilities of the rulers and, if necessary, remove them in the subsequent elections. However, the institutional mechanisms aimed at asserting political responsibility and exercising parliamentary and public control over the work of the government, although essential in order to ensure the democratic character of contemporary regimes, are never easy to implement (Bidégaray, 2000, p. 5) and encounter enormous difficulties in adapting to the dynamics of the European Union.

It has already been observed that the “fragmented executive” of the European Union is, at the same time, weak and powerful: weak, as it requires complex and tiresome procedures to reach a decision; and powerful, since the EU makes it extremely easy for any of its components (the Commission, the Council, the European Council, national governments) to escape political responsibility and effective forms of scrutiny and oversight over its actions. As has been remarked (Fabbrini 2021, p. 923 ff.), the executive, moreover, being the result of a combination of two “methods of government”—the community-supranational (with the Commission at the top) and the inter-governmental (with the European Council at the top)—ends up having very limited “political accountability” towards both parliaments and citizens.

Shirking their political responsibility becomes even easier in relation to spheres such as economic and fiscal policy in which the Union’s competences are limited formally and qualified by the Treaties as mere coordination (Article 5 TFEU), but which have been exercised in a particularly incisive way in the last two decades. This was especially true for economic and fiscal policy in the context of the economic crisis and the attacks on the euro in the financial markets between 2008 and 2012. This was the time when semi-hidden forums such as Ecofin and the Eurogroup were called upon to play a key role (Craig, 2017; Crum, 2018; Markakis, 2020; Schmidt, 2020), without adequate compensatory mechanisms having been set up in the parliamentary sphere (Hennette et al., 2019; Fasone et al., 2020; Fromage, 2021).

From the outset, the process of European integration has undermined the mechanisms of political responsibility and parliamentary oversight that traditionally operate at member state level in parliamentary forms of government. These mechanisms normally ensure that decisions taken by governments are considered legitimate as they are rooted in the will of the people, albeit indirectly, and derive from the link between government and parliament ensured by their relation of confidence (Griglio, 2020, pp. 34 ff.). European integration and the diffusion of non-majoritarian politics substantially reduce the stakes of competition between political parties, dampen the potential differences wrought by successive governments, and disempower the classical opposition (Mair, 2007, p. 13; see also Mair, 2013, p. 125 ff.).

According to this logic, the suboptimal functioning of mechanisms of parliamentary government operating within some of the EU member states

has potentially lethal consequences for the democratic legitimacy of the European Union. For, as has been clearly demonstrated, the foundation of this legitimacy still ultimately depends on the “legitimising structures” and “normative principles” of the postwar constitutional settlement. That is why, in the EU, instead of a “democratic deficit”, it seems more correct to speak of a “democratic disconnect” (Lindseth, 2010, 2020).

In short, the temptation to shift political responsibility elsewhere and enter into a kind of “blame game” has become so attractive and so frequently practiced in the EU that it has introduced a series of obstacles at the heart of the democratic mechanisms of European democracy, which are known to be very delicate. This has ended up making European democracy particularly vulnerable to attacks from the (numerous) enemies that democratic systems face in the contemporary world and has nurtured the dissensus over liberal democracy.

5 “DEMOCRATIC ARRHYTHMIAS” IN THE EU AND THEIR EFFECTS

Contemporary democracies are characterised by political-electoral cycles in which certain regularities can be observed in relation to the connection between the dynamics of parliamentary and legislative activity on the one hand, and electoral events on the other (Döring & Hallerberg, 2004; Orr, 2015). Representative democracy, especially in the Schumpeterian and Popperian interpretation described above, is characterised by fairly regular rhythms that are influenced by the proximity to elections. These generally guarantee a certain balance and a “fair distance” between the will of the people, as expressed in elections, and the decision-making process that takes place within the institutional system. Policies pursued in this way are thus consistent with the broad direction indicated by the voters, while also being designed by representatives and members of the executive who have a certain margin of autonomy, albeit while respecting the technical constraints that every governmental activity necessarily implies.

In this context, one of the most important effects of European integration is precisely the alteration of these political-electoral cycles. The times and rhythms typical of parliamentary democracies, which differ in each member state, have been significantly modified by the EU and its democratic dynamics. As has been acutely observed (Goetz, 2012, 2015, 2017, 2024), within the European Union there is no single or dominant political cycle comparable to the political-electoral cycle in national democratic systems. EU institutions follow different timetables—some linked to elections, others not—and key EU policies develop according to varied cycles. Furthermore, the timing of the EU institutions’ actions is highly sensitive to influences from Member States, in particular to the election calendar in the larger member states (Schneider, 2019; De Vries et al., 2021).

For example, it has frequently happened that a certain decision to be taken in the European Council or the Council of the Union has been postponed for one or more months pending an election scheduled in a member state, or perhaps even just in one or more of the German *Länder*, or Italian regions. Or, to mention a somewhat reciprocal example, there have been occasions when a certain decision of considerable importance has been taken when a member state was represented at European level by a Prime Minister and a government that had lost the confidence of their national Parliament, or had even already been defeated in a very recent election. Such intergovernmental meetings happened, therefore, with the common awareness that another representative would soon take over, generally with different, if not opposite, political agendas and priorities. This obviously weakened the representative's ability to adequately represent and protect the interests of their member state and to negotiate effectively with other partners on possible agreements and exchanges for the more or less immediate future.

This phenomenon tends to be accentuated when decisions at the European level are taken on the basis of a real or perceived emergency, for example the economic crisis, the migration crisis or the COVID-19 pandemic. In fact, the succession of emergency measures of this sort has led to the establishment of new institutions and unprecedented procedural mechanisms within the European Union that have reconfigured the way decisions are made. This represents a (further) challenge to the realisation of democratic principles and the traditional dynamics of national politics (White, 2020, pp. 64 ff.).

Similarly, as a result of the same phenomena, at the level of the member states, the traditional rhythms of parliamentary democracy no longer function satisfactorily. The stages of the decision-making process become irregular and unpredictable, while political responsibility for the choices made tends to dissolve, placing opposition forces at a significant disadvantage, and often pushing them into opposing the European Union ("Europe") itself (Mair, 2007, p. 12). The characteristic rhythms of representative democracy do not disappear, but are marginalised, interrupted, and crushed, and lack synchrony with each other, thus leaving the political opposition in a position of weakness (White, 2014, p. 87 ff.).

As mentioned above, beyond a presence that is generally ensured but often marginal within the European Parliament, it is extremely difficult for national opposition parties to regain ground in other forums and institutions such as the interparliamentary conferences established within the framework of cooperation between the parliaments of the European Union. Therefore, if they are not able to join the majority, for instance in a large coalition government or in supporting a technocratic executive, it becomes much easier for such parties to opt for a more decidedly critical stance towards the European Union. They thereby prefer to pursue a radical dissensus rather than a constructive opposition aimed at improving the content of the decisions being taken. This behaviour allows them to present themselves, in most cases, as new parties, alternatives to the ruling elite, with a programmatic agenda often oriented

towards populism, sovereignty, and therefore tending to be anti-establishment (De Vries, 2018, p. 204 ff.).

To summarise this situation, the metaphor of arrhythmia may be useful. It is well known that heart rhythm disorders, or cardiac arrhythmias, occur when the electrical impulses that coordinate the heartbeat do not function properly, causing the heart to beat too fast, too slow, or irregularly. The heartbeat continues, but with significant irregularities which may put vital organs and the cardiovascular system as a whole at greater risk. Despite all the necessary approximations, this metaphor better conveys how the limits and problems of democracy in the European Union are inextricably linked to the democratic systems of member states, compared to previous attempts that relied on the overused—and often criticised—formula of “democratic deficit”.

In light of what we have observed in this chapter, it can be argued that in the EU democracy there are significant “arrhythmias” both within the political and institutional dynamics that take place at both the European and national levels. The intertwining of these different levels of government originates a series of alterations in the timing and rhythms with which, at least according to traditional principles, a democratic system should function. Thus, these “arrhythmias” impede the development of a proper majority-opposition dynamic, in which the opposition aims to substitute the majority in the next election and, in the meantime, to adequately represent dissenting voices in the decision-making process.

These democratic “arrhythmias” seem thus largely structural, depending on the aforementioned architecture of the European institutions, which is closely linked to the forms of government of each Member State as recognised by Article 10(2) TEU. However, some of these irregularities can be eliminated or at least mitigated: both by acting on the narrative of the functioning of democracy in the European Union and by proposing some innovations in the timing of the mechanisms, primarily electoral, which lend structure to this complex democracy.

6 THE PRACTICE OF APPOINTING LEADERS DEFEATED IN NATIONAL ELECTIONS TO “TOP EU JOBS”: A CRITICISM

The origins of the EU as an international organisation and its reliance mainly on institutions that were initially lacking any political or democratic element help explain some of the current flaws of EU democracy, often highlighted by those who oppose liberal democracy. The recent trend towards the politicisation and democratisation of EU institutions is of course impressive, albeit incomplete. This evolution reveals many of the ambiguities on which the EU has relied for a long time.

As an example, it is possible to recall one practice derived from the internationalist origins of the EU that persists despite the fact that it seems clearly incompatible with a proper democracy: namely, the act of appointing recently defeated politicians to top jobs in the numerous institutions that make up the

executive of the Union. This practice sees the promotion of figures who had previously held government positions at the highest level in a member state but who no longer occupy their positions because they were in some way “defeated” in recent or very recent elections.

It is clear that this practice has its own very precise rationale. Such personalities usually enjoy great political and institutional experience and also bring with them the benefit of reputation, and intra- and extra-European connections in political parties, high administration, and diplomatic circles. Such “baggage” can obviously be an invaluable advantage in performing the functions of, for instance, President of the European Council, President of the Commission, or European Commissioner. Moreover, by proposing—or accepting, depending on the circumstances—the name of a predecessor belonging to an opposition party, the (new) government of the member state in question can even broaden its consensus and strengthen the actions aimed at better protecting their national interests on the part of supranational institutions.

However, unlike in a traditional international organisation, where this practice is very common but does not produce particularly deleterious effects, the persistence of such a practice in a democratic political system like the EU, with its different levels of political representation and multiple electoral cycles and accountability, may be problematic. For example, it may risk discrediting the Union in the eyes of national public opinions and enhance dissensus towards EU leadership and European integration more generally. This is particularly important when there is a need to improve the level of trust in the institutions of the Union and in its leaders, who are called upon to respond to increasingly demanding challenges globally and to deal with increasing amounts of dissensus over liberal democracy.

It happened several times that leaders who have recently been defeated in national elections have also been appointed to head European institutions. In the eyes of citizens—especially those less equipped to grasp the complexities of today’s European democracy—this may seem an outcome that is rather the opposite to what might be expected on the basis of the electoral results and the aforementioned principles of political responsibility. From the perspective of the dissenting voices, and especially from radical Eurosceptics, the practice in question could even be accused of being aimed at guaranteeing a sort of continental-scale “promotion” (or “parachute”) for national leaders who have done well in European terms, but have come out as losers in the national elections and have been ousted from the government of the Member State to which they belong for whatever reason. According to a sovereigntist narrative, this could even be seen as a kind of justified promotion of “traitors” of national sovereignty.

Objectively speaking, this is of course not true, and it must also be said that many of the leaders in question have performed their European functions very well. However, for the proper functioning of EU institutions and to strengthen their legitimacy, their leaders must be shielded from any possible

accusations of this kind. Moreover, even in the context of the delicate distribution of these offices among the different member states, leaders should enjoy an autonomous legitimacy “from below” on the part of European citizens, starting with those of the member state from which they come. Otherwise, due to the many “arrhythmias” characterising EU democracy, this practice may fuel Eurosceptic and radical dissenting voices. Finding someone whom voters had democratically removed from a national government in one of the few leading positions at the EU level could definitely strengthen the arguments about the non-democratic and the elitist nature of EU politics.

7 CONCLUSION

The chapter has shown that within the EU’s complex representative democracy, articulated in two intertwining channels, there are many ways to express dissensus, and that dissenting voices also have a good chance of success, and of being represented both at the EU and national levels. However, the features of the EU’s decision-making process, mainly due to the role of the executives and often following a negotiating style, do not encourage the proper inclusion of these dissenting voices. As a result, they are not integrated in ways that would allow them to influence the political direction pursued by EU institutions and they are often encouraged to pursue a more radical dissent, questioning the European integration in itself and/or the principles and the actual functioning of liberal democracy.

One key factor that weakens the already limited channelling of dissent in EU decision-making is the lack of coordination and synchronisation among the EU’s multiple electoral cycles and institutional timeframes. This increases the democratic disconnect and generates a series of “democratic arrhythmias”, altering the timing and rhythms which should govern how a democratic system functions, at least according to traditional principles. The intertwinement between the multiple representative channels thus impedes the development of proper majority-opposition dynamics, which would require an opposition aiming to substitute the majority in the next election and, in the meantime, to adequately represent dissenting voices in the decision-making processes.

It has been argued that these “democratic arrhythmias” contribute to transforming the ordinary political dissensus, usually channelled through parliamentary oppositions, into dissensus over liberal democracy. They disrupt majority-opposition dynamics, weaken opposition forces, and fuel populism and Euroscepticism. Limiting space for dissensus in the EU can itself generate dissensus over liberal democracy, particularly over the efficacy of mechanisms at the basis of its political dimension such as elections, participation, and representation (see Coman in this Handbook).

As described above, one minor but clear example of these effects is the practice of appointing leaders recently defeated in national elections to “top EU jobs”. Although consistent with a noble tradition of other international

organisations, when it is repeated in a democratic arena such as the contemporary EU, this practice fuels Eurosceptic and radical dissenting voices, and leads critics to question the functioning of EU liberal democracy. Finding that someone whom voters had democratically removed from a national government just a few weeks earlier has now been appointed to one of the leading positions at the EU level could definitely strengthen the arguments of those who criticise the non-democratic and the elitist nature of EU politics.

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