

Opportunity Structures for Citizens' Participation: The Case of the European Union

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Abstract

This paper offers an analytical framework in order to capture the various channels for the involvement of citizens in democratic systems. It introduces the notion of 'opportunity structures for citizens' participation' (OSCPs) and analyses seven dimensions of OSCP. This analytical framework is then applied to the political system of the EU. The paper argues that a closer look at the EC institutions' work during the few years since the adoption of the Maastricht Treaty reveals an increased focus on citizens' involvement. However, as will be shown here, only indirect and non-binding, largely informal OSCP have been implemented so far. With a view to the current Intergovernmental Conference (IGC) and democratic reforms even afterwards, the article concludes with some proposals for innovative OSCP at the Euro-level.

Kurzfassung

Das Papier bietet einen analytischen Rahmen, um die unterschiedlichen Kanäle für die Einbeziehung von BürgerInnen in demokratischen Systemen zu erfassen. Der Begriff der 'opportunity structures for citizens' participation' (OSCPs) wird eingeführt und dessen sieben Dimensionen analysiert. Dieser analytische Rahmen wird dann auf das politische System "EU" angewandt. Es wird argumentiert, daß ein genauerer Blick auf die Arbeit der EG-Institutionen während der paar Jahre seit der Entscheidung über den Maastrichter Vertrag aufzeigt, daß BürgerInnen vermehrt einbezogen werden. Allerdings wurden bislang vor allem indirekte und nicht-bindende, großteils informelle OSCP implementiert. Mit Blick auf die laufende Regierungskonferenz (IGK) und mögliche demokratische Reformen auch danach schließt der Artikel mit einigen Vorschlägen für neuartige OSCP auf EU-Ebene.

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I. Introduction

In the wake of the 1996 IGC on European Union reform, the mainstream debate on institutional reform was conducted within the theoretical framework of a representative democratic system, whereby the European Parliament (EP) should be at the heart of the decision-making process with a Commission fully accountable to the legislature. Hitherto, the political rights of European citizens⁽²⁾ with respect to the European system have been limited to the right to vote and to stand for European elections (Articles B TEU and 8 ff. ECT). But recently, a growing number of authors discuss the pros and cons of elements of direct democracy yet with very different approaches⁽³⁾. Public debate in Europe has also been influenced by the relatively high number (10!) of national referendums on European issues since 1992⁽⁴⁾. The outcome of the current IGC will again be subject to referendums in at least some states. In that respect, the EP even proposed a Europe-wide referendum on the results of the conference which should take place the same day in all Member states of the Union 'on the grounds that a collective decision affecting the whole of Europe is at stake' (EP 1995: pt. 44). Most recently, the Italian and Austrian governments proposed a European-wide initiative process: the signatures of 10 % of the electorate of at least three EU Member states would make a valid proposal for EC legislation forwarded to the European Parliament (Agence Europe N° 6823, 02/10/1996).

Such far-reaching proposals may still sound surprising to a wider public. But, as this paper will argue, a closer look at the EC institutions' work since the adoption of the Maastricht Treaty already reveals a trend towards an increased focus on citizens' involvement. However, as will be shown here, only indirect and non-binding, largely informal channels for the participation of citizens have been implemented so far. In order to prepare the ground for a meaningful debate on these developments, and further reaching proposals for the inclusion of direct-democracy devices in the EU constitution, I first outline an analytical framework for assessing citizens' involvement in democratic systems. In a second step, I take a closer look at the current position on citizens' participation in the European

Union. Based on these results, some innovations are suggested in the last section.

II. Opportunity Structures for Citizens' Participation

The notion and theory of 'political opportunity structure' (POS) was developed in the late 1960s and early 1970s by scholars studying the causes of collective action and social movements. This concept aimed to describe and explain the conditions in which people engage in collective action (Tarrow 1989: 32 ff.; and 1995: fn. 29; Kriesi et al., 1992, all with further references). Kitschelt defines POS as 'specific configurations of resources, institutional arrangements and historical precedents for social mobilisation, which facilitate the development of protest movements in some instances and constrain them in others' (Kitschelt 1986: 58). He distinguishes between three different aspects of POS (1986: 61-2). First, POS provides for 'coercive, normative, remunerative and informational resources'. Secondly, the 'institutional rules, such as those reinforcing patterns of interaction between government and interest groups, and electoral laws', i.e. the 'institutional opportunity structure' or the 'political regimes' are part of this structure. The notion of 'institutional rules' draws attention to the fact that POS not only encompasses the (formal) institutional set up (the 'state structure') but also the concept of 'dominant policy style' (see Richardson 1982) or of 'informal procedures and dominant strategies' (Kriesi et al. 1992: 221). Thirdly, the 'resources' and the 'institutional opportunity structure' are relatively inert over time (as opposed to the 'temporal opportunity structure', or the (dis)appearance of other social movements over time). Among the different variables that have been singled out by these scholars, we find in particular the degree of *openness to participation* (see Tarrow 1989: 35); in other words, the responsiveness of the government (Eisinger 1973: 12) – not only on the input (agenda-setting and decision) but also on the output side, or the implementation processes (Kitschelt 1986: 62-3) – and the predominance of relatively exclusive or integrative dominant strategies (Kriesi et al. 1992: 222-3).

Recently the concept of 'political opportunity structure' as developed in the framework of social movement and protest behaviour research has been used and changed in the wider area of participation research. So far, the notion of 'political opportunity structure' has been used mainly in the singular, relating to the whole political system. The plural has been applied only in analyses comparing several states. But it has been recognised that there may be considerable variations among policy arenas within the same political regime (Kitschelt 1986: 63), making it possible therefore to speak about 'opportunity structures' which differ in different policy areas. In order to highlight that there may be several possible 'channels' of participation, some authors use the term 'structure of political opportunities' (Eisinger 1973: 12; Tarrow 1995: 231). In general, the use of the singular 'structure' indicates that there is a structure common to all channels, however diverse they may be, and that one has to consider the important links and relationships between the different opportunities. More recently, 'opportunity structures (for citizen participation)' has been used while stressing that the number and range of these structures has increased considerably in modern democracies (Mazey and Richardson 1994: 13)(5). The use of the plural of 'structures' means that every opportunity to participate, every channel into the core of the decision-making (and implementation) system is associated with specific (structural) properties which differ from channel to channel. This terminological shift is related to the broadening of the concept in the sense that the main focus on protest movements has been replaced by more general research into all forms of political participation. Mazey and Richardson, for instance, developed a market analogy for political participation reminiscent of Kaase and Marsh's concept (1979: 137) of a 'political action repertory' consisting of both unconventional and conventional political involvement (Mazey and Richardson 1994: 14).

Here I shall use both the singular and plural versions of the concept: when describing the many different channels of citizens' involvement, I analyse their different structures but I also look at the more aggregated level of the quality of the opportunity structure of the EU political system as a whole. The single structures of participation will be called 'opportunity structures for citizens participation' (OSCPs), the aggregated level will be called 'political opportunity structure' (POS). This last part allows for an analysis of the strengths and weaknesses of the system with a view to assessing its contribution to the legitimacy of the EU polity. In order to capture the many ways of getting involved in a political system, I use the term 'OSCPs' in a rather broad sense, comprising conventional and unconventional, direct and indirect, formal and informal, active and passive, policy- and polity-related, implemented and not yet implemented (i.e. innovative) involvement or participation of (groups of) citizens. I therefore define '*opportunity structures for citizens participation (OSCPs)*' as *the various sorts of channels of access to the public sphere and to the policy-making and implementation processes which are available to the citizens*; and '*political opportunity structure (POS)*' as *the aggregated structure of OSCP in a given political system* (cf. Kitschelt 1986: 58 and 61).

A. Towards a Taxonomy of OSCP

National experience with involving citizens in politics suggests that there are obvious differences between the OSCP. A closer look reveals that there are at least seven different ways to categorise them. In identifying these categories (most of them are visualised in [Table 1](#)) I simultaneously exemplify some of them by pointing at specific OSCP as implemented in Western democracies.

1. Polity/Policy Orientation

First, one should draw a line between the participatory devices directed towards the polity – that is the composition of the institutions – and those aiming at influencing the *policy* process.

Table 1

'Polity-related' OSCP are, first of all, the elections at different levels, both of representatives (general elections for the legislature [13] – the numbers in [square brackets] in the text relate to the numbers in Tables 1 and 2) and of individual officials (e.g. heads of state, but also mayors, sheriffs, etc. as in some U.S. states [14]). In this category we may also count the 'recall' device used in the U.S. where voters may recall a previously elected official because of their discontent with the way the office was run [15]. The 'plebiscitary referendum', although sometimes in the form of a 'voluntary referendum' (which can be held on a specific policy if the legislature decides so), is about confirming a government or leading representative in office, and, therefore, is a 'polity-related' OSCP [16, 8]. Finally, the participation of lay citizens in committees or courts is a 'polity-related' OSCP [10]. All democracies have some OSCP in this category, at least general elections. When it comes to 'policy-related' channels of influence, however, the differences between the political systems become more evident.

2. Aim of the Activity

In this group, we may ask about the *aim* of the participatory activity, which can be either to set the agenda, to actually decide on policies, or to control the process of policy-making. However, some OSCP can relate to two of these aims.

Filing petitions to the parliament aims at setting the agenda or at controlling the process, e.g. the implementation of policies [17]. Accordingly, proceedings before constitutional courts or addressing an ombudsperson are typical control mechanisms where citizens may play a role in the political system [12, 32]. Most democracies also have some experience of direct democracy in the narrow

sense, such as popular initiative processes or referendums, aimed at setting the formal agenda or actually deciding on a specific issue.(6)

As regards initiatives, several forms may be distinguished. First, the public petition or 'agenda-setting initiative', as in the case of the Austrian 'Volksbegehren' or the German 'Bürgerbegehren' [1]. If it is successful, the content of the petition (that is a proposal for a policy) has to be considered at the decision-making level, but parliament remains completely free to amend the proposal and to decide upon it. The second type, if successful, leads automatically to a so-called facultative referendum, thus by-passing the legislature. This might be called the 'direct initiative' and is exemplified in the Swiss 'Gesetzesinitiative' [9]. It is, therefore, not only an agenda-setting instrument but also relates directly to the decision-making sphere. In fact, as the widespread U.S. experience shows, there are also 'indirect' forms of this second type of initiative, whereby the legislature has to be consulted either before or after the referendum. In the first case, parliament has a specified period of time during which to enact the proposal (what we call an 'indirect initiative I' [2]); if parliament enacts, the 'indirect initiative I' is a pure agenda-setting OSCP; if it does not, this type of initiative is also a decision-making device since it is the first step in a procedure which ends with a referendum. In the second variant, the initiative must be resubmitted, after approval by the voters, to the legislature for final approval (what we identify in [Table 1](#) as the 'indirect initiative II'). The difference between this and the public petition is that parliament has no right to amend the popularly approved act [3]. However, since the final say is with parliament, I suggest listing this OSCP among the agenda-setting OSCPS.

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Another two-pronged OSCP is self-government in various forms [4]: it may either only relate to agenda-setting (if the decision is taken elsewhere) or be autonomous self-government. In the latter case, groups of citizens are entitled to make decisions on specific aspects of their lives, such as in universities or local communes.(7) Another very powerful OSCP is the 'petition referendum'. In many U.S. states, and in Italy, citizens can petition to force a referral of a previously enacted – but not yet effective – legislative measure [7]. Thus, a petition referendum should be listed among the control mechanisms.

3. Direct/Indirect OSCPS

Obviously, there are still considerable qualitative differences between the OSCPS identified above. Therefore, a third way of distinguishing the channels of influence is to ask the question: Is there a direct link between the citizen's input and the policy outcome? We may say that *indirect* OSCPS need some form of mediator within the political system – generally a (group of) politician(s) – before the input can be translated into political action. By contrast, *direct* OSCPS have a non-mediated effect on the political system.

In this sense, a hearing with the participation of citizens organised by the legislature during the decision-shaping phase of a policy is indirect [28]. The same can be said of attempts to get a specific ruling by a constitutional court, since the judges have a great deal of discretion – thus there is no direct and automatic link from the citizen to the political system, but the citizen's influence is mediated by the court [12]. Accordingly, petitions to parliament, although directly addressed to the decisive body, influence the processes in the core political system only indirectly because parliaments have a discretion about considering the content of the petition [17]. By contrast, a so-called 'public petition' has to be dealt with in the same manner as any government or MP's initiative and is therefore a direct link between the people and the political system [1].

The present distinction between direct and indirect OSCPs can be clarified with respect to referendums: On the one hand, in many states, the outcome of a referendum is decisive and therefore is considered a 'direct' OSCP. When the referendum is mandatory, it is called a 'controlling referendum'. Such referendums 'control' mostly constitutional changes (thus the 'constitutional referendum' [5]), but sometimes also legal developments 'below' the constitutional level (then it is called a 'statutory referendum' [6]). Another type is the 'voluntary referendum' whereby the legislature is given the option to refer measures to the voters [8]. Since the popular verdict is decisive we list the 'voluntary referendum' among the 'direct' OSCPs. On the other hand, there are so-called 'consultative or advisory referendums' such as the German 'Bürgerbefragung' [25] which, obviously, do not have any automatic consequences for the decision to be taken. However, the advisory verdict of the citizens may gain considerable political influence (cf. Cronin 1989: 178-9).

Various models of non-traditional OSCPs have been developed which all fall within the 'decision-making' group. 'Direct' forms, for example, are the participation of laymen in committees and in local and regional planning [11]. Also the 'planning cell' (Dienel 1992) and 'advocacy-planning' (Davidoff 1965) organise popular influence in formerly purely administrative processes [31]. By contrast, the Danish model of 'consensus conferences' [29](8) and the 'deliberative opinion poll' (Fishkin 1991 [30]) only aim at indirectly influencing the decision-making by providing specific input to that process. Particularly in the U.S. context(9), there is widespread experience with all sorts of 'teledemocracy' which are mostly 'indirect' [24]. In its simplest form, MPs and other politicians, as well as the administration establish interactive links with the citizens via the internet (e-mail). But the variety of projects is enormous and includes, among others, phone-ins, tele-voting, and tele-hearings (see, e.g., Arterton 1987; Bronchek 1995).

The distinction between 'direct' and 'indirect' OSCPs makes also sense with regard to 'polity-related' channels. While elections influence directly the composition of the political system, primaries within parties do so only in an indirect manner [13, 33]. In many federal systems, voting at sub-national (state) level has an indirect influence on the composition of the 'state chamber' at the federal level [34].

4. Active/Passive Channels

There are many 'indirect' OSCPs. In order to highlight another qualitative difference, we can distinguish between *active* and *passive* channels. An OSCP is 'active' if the main initiative comes from the citizens, and 'passive' if citizens are used as a source of information, or of support or rejection rather than being agents themselves.

A typical example for the 'active' channel would be the initiative taken by a citizen when contacting his/her MP or a government official by writing a letter, phoning, or meeting them [18, 19]. Being a member of a large interest group, such as a professional federation or Greenpeace [36] does not necessarily involve any active engagement apart from signing up for membership and paying fees ('credit card members'), so it is rather 'passive'. Membership in small interest groups, on the other hand, tends to be much more 'active' [21]. Further examples for 'passive' forms of involvement are provided by opinion polls by which politicians can – if they want to – learn about people's views on specific issues [35]. Equally, market research and simulation techniques applied to the political sphere require no action by citizens; rather, as the actual degree of 'involvement' is very limited, they serve as a source of information for the policy-makers [37, 38]. A special case are the mass-media: gaining access to newspapers, by writing a letter to the editor, for example, can influence the public political debate, and, hence, can be listed among the OSCPs – however with quite limited chances for influence. As this requires action on the part of the citizen-writer, and may be directed to influence all phases of policy-making and the composition of the polity itself, access to mass-media falls in several categories (see Table 1 [23]).

5. Conventional/Unconventional OSCPs

A subgroup of (only) the 'indirect' but extremely 'active' (10) OSCPs are '*unconventional*' forms of participation, such as marches, politically motivated strikes, boycotts, and actionism [22]. In contrast to all other ('*conventional*') OSCPs, the former voice protest against either specific policies or the polity as a whole. Although traditionally accepted in most political systems, '*unconventional*' OSCPs are explicitly outside the core forms of action in the political system.

6. Formal/Informal OSCPs

Another distinction is again applicable across the whole range of OSCPs: we may speak of *formal* and *informal* opportunity structures. The first are procedural rules and, thus, are rooted in the legal sphere (they are 'verfaßt'). As a result, they could be invoked in the courts if the citizens have not been consulted properly or if a specific rule has not been applied lawfully. The '*informal*' OSCPs are only being practised without a legal basis and therefore are not litigable. I suggest to call the latter '*secondary*' opportunities in order to stress that fundamental difference.

If a group of Italian citizens was successful in gathering the necessary number of signatures for a popular initiative [1, 2, 3, 4], it would have to be processed in the system. If the same group wrote thousands of letters to the administration they could be discarded if the administration so decides [19]. In the decision-shaping phase, hearings may be either '*informal*' or '*formal*': in some cases the law provides for compulsory involvement of the wider public (e.g. in environmental impact assessment procedures [27, 28]), but a public hearing in parliament is generally not mandatory. The same distinction might be drawn with respect to notification and consultation procedures [26].

7. Binding/Not Binding OSCPs

The distinction '*formal*'/'*informal*' does *not* correlate with the legal value of an input channelled by an OSCP: although '*informal*' OSCPs cannot be '*binding*' in legal terms (because of the lack of a legal basis providing for this consequence), '*formal*' ones might be either '*binding*' or not. For example, all types of referendums root in the legal sphere and are therefore '*formal*'; however, the result of an advisory plebiscite has no '*binding*' force [25].

B. Political Opportunity Structures

When mapping the specific OSCPs of individual political systems by filling in the cells in the grid as presented in [Table 1](#), we may have done a first and important step in assessing the POS of that system. However, when it comes to analysing a specific political system, a second step is needed before drawing any general conclusions: we have to evaluate the respective importance and the empirical practice of the single OSCPs and their relationships.

Obviously, [Table 1](#) is not an adequate picture of any existing national setting nor even an ideal picture. It is simply an inventory of all possible OSCPs. Some of the presented OSCPs are innovative in the sense that there is not much experience in most countries, regarding political market research, consensus conferences, or teledemocracy. By contrast, many of the OSCPs presented in [Table 1](#) are known in most political systems. However, the practice is quite diverse in intensity. In particular, the use of direct democracy devices varies considerably from one country to the other. Also, the levels of actual participation are not equally high in the different systems. Furthermore, the mere existence of a particular OSCP does not mean that it is actually used by the citizens. This is not the place to draw an

accurate picture of the situation in the Member states of the EU, let alone to present and analyse participation data (but see e.g. Topf 1995). By contrast, we shall concentrate on the situation at the EU level.

III. OSCP's of the European Union

Applying the analytical framework of OSCP's to the political system of the EU, we shall now map the Euro-OSCP's (see [Table 2](#)) asking: Which possibilities do the European citizens have to influence European politics?(11)

Voting at the European level [13](12): The European citizens are entitled to elect their MEPs (Article 8b.2 ECT). This is the only 'direct' form of all Euro-OSCP's. As with all 'polity-related' OSCP's, however, its significance depends very much on the political importance of the elected body (and here, considerable deficits in comparison to all national parliaments are evident).

Table 2

Voting at the national level [34] of the Member states might be considered as an act of participation in the European polity as well. First, the composition of the national legislature influences considerably the transposition and implementation of legislative acts of the Union. Therefore, voting at national level might eventually be listed among the 'policy-related' Euro-OSCP's. With respect to the implementation of EC directives, national voting falls within the 'decision-making' category (see [Table 2](#)). Secondly, national elections influence the composition of two central Union institutions, namely the Council of Ministers and the European Council. Consequently, national voting is a 'polity-related' OSCP. 'Perhaps the most important channel by which public opinion impacts on EC policy is via Member state governments. Because voters have the power to affect the composition of governments, public opinion can influence their policies.' (Young 1995: 9) Thirdly, national voting is also a 'control mechanism' in the sense that a strong political mandate at the national level may induce a government to hold a particular view on a European issue with the consequence of vetoing decisions in the Council of Ministers or of filing complaints to the European Court of Justice. However, voting at national level counts always among the 'indirect' OSCP only.

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Petitions to the European Parliament [17]: Although accepted and encouraged even before, the basic 'active agenda-setting' OSCP in all democratic systems, the right to petition the legislature, has been formally granted to the European citizens only by the Maastricht Treaty (Article 8d ECT). The number of petitions has been constantly growing since; until recently, it seemed not difficult to address an admissible petition (Marias 1994: 178). However, what might prove as a major obstacle to use the petition device as a channel for *political* participation are the new *locus standi* rules: Up to 1993, the rules of procedure of the Parliament accepted 'requests' (which call on the EP to adopt a position on a general problem) and 'complaints' (in which action is requested on behalf of the petitioner). The new Article 138d ECT restricts the right to petition to matters 'which affect him, her or it directly'. This means that 'requests' and, hence, petitions as an opportunity structure for *political* participation (as opposed to defending one's rights) might no longer be within the scope of the right to petition since they do *not* affect the petitioner directly (in the legal sense). Petitions are, however, an 'indirect' OSCP, particularly in the European context. As long as the role of the EP is not that of a genuine first legislative chamber, any citizen's influence via this body remains handicapped. Nonetheless, Parliament frequently forwards petitions to the Commission: in 1993, 23 suspected infringements cases (out of 1340) were brought to light by petitions and led directly to changes in national legislation or, in some cases, to infringement procedures before the Court (Commission

1993; Newman 1995; Nentwich 1995). Only less than ten per cent of the petitions address general political affairs, mainly environmental issues or animal protection. Yet, as many as three million European citizens supported some of these petitions.

Hearings and conferences organised by the EP [28]: Only occasionally committees of the EP organise hearings or conferences with experts. Recently, the EP organised a large public hearing with respect to the subjects of the Intergovernmental Conference 1996. Representatives of a hundred non-governmental organisations were invited by the EP in October 1995 and in February 1996 in order to make their views known to the MEPs (see EP 1996). 'Ordinary' citizens have not been involved on a larger scale so far. However, there is a recent example, with respect to the preparation of the IGC '96, too: the Socialist Group of MEPs recently set up two telephone lines, a fax number and a computer mail-box. The general public is invited to express their views on the forthcoming IGC. The initiators assured to duly take into account what comes up during this informal citizen consultation (Agence Europe 16/2/95: 4).

Direct contacts with MEPs [18]: Many citizens contact their MEP when they think a problem needs European-wide attention. Previous research suggests that a sharp distinction has to be made between those MEPs who are elected on a local and personal basis, such as the British, and those who are elected on the basis of a Member state-wide party list (Bowler and Farrell 1991 and 1993). While the British MEPs have a much closer relationship with their local electorate – the 'constituency' – most continental citizens do not even know the name of their MEP. In a list-based electoral system it is very unlikely that citizens get in direct contact with a MEP. They rather address the national parties or the EP directly (via a petition). When addressed personally, MEPs have two possibilities to react: either trying to amend the EP agenda correspondingly or formulating a written or oral question to the Commission or the Council. To this extent Union citizens may influence the agenda of not only the Parliament but of the other institutions as well. However, it has to be stressed that this OSCP is rather weak since, so far, the EP as a whole and single MEPs in particular have in many cases no decisive impact on EU politics. This is even more true for contacting other representatives at the European level, such as members of the Economic and Social Committee or the Committee of the Regions, since their position in the EC policy-making structure is even weaker than the EP's.

Addressing the Ombudsperson [32]: Based on the new Articles 8d.2 and 138e ECT any physical or legal person (not only the EU citizens!) has the right to apply to a European Ombudsperson (for details and further references see e.g. Fobe 1994, Pliakos 1994). His task is to deal with specific instances of maladministration of institutions or bodies. Thus, his role as an opportunity structure for *political* participation is rather limited. In his 1995 report, the Ombudsperson lists the 29 (out of 298 registered complaints by end of 1995) admissible cases. Among those, some concern transparency issues (access to the Council's minutes) and one the lack of action of the Commission regarding French nuclear testing, and, thus, have a political content. However, although not much can be said at that early stage of existence (the first European Ombudsperson took up office only in September 1995), it seems that this OSCP will not develop a high political profile.

Letter writing to the Commission [19]: There are roughly three categories of letters received by the Commission: Complaints about non-implementation of EC law; requests for information and documents; general statements. According to the Commission (1993), the number of complaints from European citizens is more or less constant (slightly over 1000 per year). With respect to more general inputs from citizens, one of Delors' advisors had the exclusive task of examining and answering around 1,000 letters a year received by the Commission's President (Bourgés-Manoury 1995; see also Ross 1994). Although the Commission favours the mass-media as the principal means of communication between the Union and its citizens, it stated recently that it '(...) has to be in a position to answer quickly and efficiently to individual inquiries of any sort. The improvement of personal contacts, both at the telephone and in writing, between citizens and the Commission, including especially contacts with the services of the Commission and its offices in the Member

states, is a priority' (1993: Annex III). With a view to increasing transparency, a special Citizen's Desk has been set up in DG X which is responsible for answering general citizens' enquiries. It receives some 40-50 letters or calls per month (Malivoir 1995). Furthermore a decision on public access to Commission documents and a code of conduct concerning public access to Commission and Council documents have been adopted in 1994 (Commission 1994; see also Fobe 1994a). Though, the relationship between the Commission and citizens seeking information has to be seen as a precondition rather than an OSCP in itself. By contrast, contacting the Commission in order to influence its policies is an indirect OSCP which, in some areas, can possibly be quite effective: In his study on EU water policy, Richardson reports on 'whistle blowing by ordinary citizens' and suggests that '[w]hatever policy networks and policy communities might now be in existence or might develop, they all have to operate in the context of rather wide and unregulated participation by individuals. In that sense, policy making discussions are always conducted with an additional but empty seat at the table – representing the threat of individual citizens who regard [something] as of high salience' (Richardson 1994: 146). This idea of an 'empty chair' seems to be helpful in understanding not only the indirect influence of citizens on the Commission, but on policy-making in the EU as a whole.

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Green and white papers [26]: In order to come to 'a more open participation' (Commission 1992), the Commission wishes to involve all *interested parties* by giving them the opportunity to present their opinions. To this aim the Commission announced that it will pre-select provisionally those initiatives from its annual working programme which have wide implications. These initiatives will be marked in the programme in order to pre-inform those who might be interested to participate in the decision-shaping. The Commission recently increased the number of comprehensive discussion papers (six in 1993, nine in 1994, 25 foreseen in 1995; see Commission 1995: pt. 82). They outline the background of a problem, the main arguments as perceived by the Commission, and the suggested solution(s). Everybody is entitled to react on such a white/green paper by written statement to the Commission. The Commission also announced its intention to introduce a system of notification and consultation similar to the general legislative consultation procedures known at the national level. The Commission will publish brief summaries of the proposed initiatives in the C-series of the Official Journal. This information would also indicate the way to obtain copies of the proposal, the deadline for any reply, and the Commission's official in charge to whom it should be sent (Commission 1992).

Hearings and conferences organised by the Commission [27]: The Commission (1992) also announced to organise more conferences, hearings, or information seminars which might be another tool to initiate a discussion on policy projects. Although not on a regular basis, the Commission has already before frequently organised such events. They did involve interest group representatives, experts, and national/regional/local delegates, whereas the ordinary citizen has so far not been the addressee of such activities. This is not surprising since (traditional) hearings etc. are genuinely inappropriate for mass participation and are targeting experts (but see the innovative concept of deliberative opinion polls, below [30]). However, the Commission assigned the task to provide feed-back and to stimulate the debate on Europe to its representations in the Member states. This should also be done by organising hearings, seminars and conferences. The Commission stresses that the aim of these activities is not only to present the point of view of the Commission but to stimulate transborder debates (Pinheiro 1993).

Participation in EC committees [10]: Committees are a typical feature of the European policy-process. So far, there are no examples of participation by lay citizens; as a general rule members of EC committees are experts or officials. The Consultative Council of Users (CCU) within

DG X, the Consumer Consultative Council (CCC), and the Consultative Forum on Environmental Matters provide some examples for committees which deal with typical citizens' issues. Although it is not the ordinary citizen who may sit in these consultation committees set up by the Commission, they seem to be one of the more important opportunity structures for participation -- but they illustrate the overall tendency that the Union seeks to channel its contacts with the 'citizens' by involving organised interests, e.g. consumer or environmental groups. Therefore, I classify the existing opportunities to participate via EC committees as 'indirect', since the citizens are mediated by associations. However, even though it has been admitted that these committees are more about associations than single citizens, they fall even short of the needs of *indirect* involvement of citizens in the EU policy-making processes because the committees 'are failing to keep pace with the speed of the decision-making process and (...) do not provide any real place for single issue groups' (Venables 1990: 23).

Being active in small interest groups [21]: The Commission has a reputation of being extremely accessible to interest groups(13). Basically, there are two forms of dialogue with them: through advisory committees and expert groups (see above), and through contact on an unstructured, *ad hoc* basis. Especially concerning the latter, the Commission is 'committed to the equal treatment of all special interest groups, to ensure that every interested party, irrespective of size or financial backing, should not be denied the opportunity of being heard by the Commission' (Commission 1993b). In practice, however, size and financial backing matters a lot. The strength and influence also depend on the type of interest which should be represented. Less than 2 % of all Brussels lobbyists work for non-commercial interests (Venables 1990: 22). The Commission's organisational help for the non-profit making sector may be understood as an attempt to counterbalance this tendency. In this respect the *Symbiosis* network, which comprised 300 associations and 1200 local institutions but is under review at the moment, is worthwhile mentioning (Capone 1995). If re-launched, *Symbiosis* might evolve into something like an interactive network of citizens' organisations in the broad sense, where a institutionalised flow of information in all directions could be at the heart of a new OSCP. Since nothing like this exists by now, a project outside and not financed by the Community framework was launched in 1990: the European Citizen Actions Service (ECAS), an independent international non-profit association whose members are over 300 NGOs, which promote civil liberties, culture, health and social welfare. ECAS is an information and advocacy service – the lobby for those associations which cannot afford having their own representative in Brussels. The existence of ECAS illustrates a deficit of the EU political system: citizens along with their voluntary and community sector associations have only limited access to the policy-making processes. Only highly professional institutions such as ECAS are able to offset this deficit at least partly.

Membership in large interest groups, parties, or federations [36]: As in any democratic system, this OSCP is also present at EU level. However, most of the lobbies active in Brussels are head federations of national organisations and, hence, without individual membership. Therefore and because of the specific features of the EU system (centralisation, geographical remoteness), this opportunity structure is dominated by professionals and it is an even more mediated (indirect) OSCP for the 'credit card member' as in the national context. In particular, there is no European party system, that is, the political groups active at the European level do not act independently from the national levels and there is no individual membership of citizens either (see Gaffney 1996).

Proceedings before the ECJ [12]: Proceedings before the ECJ can be interpreted as a Euro-OSCP because the Court's function is that of a constitutional court of the Union: It ensures lawful interpretation and application of the Treaty provisions. Forcing the Union institutions or a Member state to change their policy by means of the Court's declaration that the measure originally adopted is

unlawful under that EU constitution, could be seen as an act of political participation. Indeed, there are many examples where actions raised by ordinary citizens (not only by commercial enterprises) had a direct impact on Member states' and Community policies. There are three different types of proceedings which can be used by ordinary citizens in order to encourage ECJ decisions under the EC Treaty. However, these provisions constitute considerable problems of access. Article 173 ECT on annulment of Community acts, on the one hand, seems to be a powerful tool, but the conditions of active legitimation ('right of standing') are not very workable: there are only a few cases where a legislative act directly affects the individual in a manner sufficient to allow direct access to the ECJ (cf. Everson 1996). On the other hand, Article 175 on failure to act has only a very limited area of application in political terms since, in general, citizens trying to participate in EU politics do not wish to get a specific decision addressed to them but, e.g. a legislative act to be adopted – which falls outside the scope of Article 175. As far as the preliminary ruling procedure (Article 177) is concerned, all depends on the goodwill of the national judge, because a court which does not decide in last instance is not even theoretically obliged to refer a question of Community law to the ECJ. Furthermore, this indirect OSCP is rather expensive and time-consuming.

Protest in the European context [22]: There have been some examples of Euro-level protest actions (Tarrow 1995). However, protest is a rather exceptional form of 'participating' in EU politics. The main reasons seem to be the difficulty to organise it on a European scale, and the fact that protest at the national level has only very limited and indirect influence at the EU level. Furthermore, a policy's origin at the EU level is often simply not known by the wider public. This makes it particularly difficult for political entrepreneurs to mobilise a substantial part of the population for protest against the EC in general and against specific decisions in particular (Opp 1994: 393). Even if the organisers are successful to some extent, protest at the EU level indeed matters only if a series of additional conditions are fulfilled. For example, if a protest movement wants to prevent a specific decision, it may be helpful if there is a unanimity requirement for the Council. However, it is only realistic that a specific government blocks a measure if a significant proportion of protesters come from there, and if no other 'national interests' are at stake. By contrast, in case that citizens want to push through a specific policy at the European level, they have in many cases to convince each and every single Council member. In a nutshell, there are several structural obstacles for a widespread use of this indirect Euro-OSCP. However, Tarrow (1995) predicts a rich and turbulent future for social movements at the national level with regard to European issues.

European mass-media [23]: So far, there are only very limited attempts to launch European-wide or at least transborder media. There is only the newspaper "The European" and the T.V. channel "Euro-News" operating on a larger scale. The obvious reason for this are the difficulties met by such enterprises by the diversity of languages and media traditions in Europe. However, because of the widespread inter-connection of news agencies (and the existence of a specialised European news agency 'Agence Europe' as well as the recently launched server 'Europe' of the European Commission in the WorldWideWeb), there is a shared base of information in Europe. But European fora for public political debate do exist at present only for a slim elite (e.g. The Financial Times), but not on a larger scale. Therefore, this OSCP is virtually not present at the European level.

Eurobarometer [35]: Regular surveys are carried out throughout the Member states in order to find out about the European citizens' attitudes *vis-à-vis* the EU and specific policy areas such as EMU. Since the questions are, as a rule, very general and do not ask for dis/approval of specific policy measures, it is hard to see how Union officials and European politicians could take these surveys into account. However, in a 1993 communication Commissioner Pinheiro acknowledged that current data on public opinion were important for the Commission before it launches new initiatives. It would be important to know the type of action the citizen is expecting from it and how the reactions of the public to the measures might be (Pinheiro 1993). The Commission decided in May 1993 to debate on a monthly basis the political situation in the Member states. At these occasions the Delors Commission debated the state of the public opinion as well. However, the Santer Commission does

not discuss it any more, but only a paper of DG X is distributed among the Commissioners (Erhart 1996). In view of the key role of the Commission as the initiator of the decision-making process of the Union, this earlier practice was a first attempt to take into account the views of the citizens in everyday European politics.

The Political Opportunity Structure of the European Union

Citizens have not been at the centre of the European political system for the greater part of its history (Neunreither 1995). Only with the first election of the Members of the EP in 1979, the European citizenry became directly involved. In the mid 1980s the *Adonnino Committee* submitted proposals on improved citizens' participation in the political process of the Community. Only in 1991, its few (and far from being radical) recommendations could be agreed upon formally. But in many respects, the 'European citizenship' as introduced by the Maastricht Treaty (see Articles B.3 TEU and 8 to 8e ECT) only spelled out *de jure* what had been granted *de facto* before. However, there are also a few new OSCPs (e.g. the ombudsperson). Yet, it has to be added that the TEU also diminished political scrutiny and judicial control on matters directly affecting the rights of individuals by establishing a third, intergovernmental, pillar (Wallace 1993: 102).

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Looking at [Table 2](#), we may describe the European *status quo* as follows: The POS of the EU does not know any element of direct democracy in the narrow sense. Apart from European elections every five years, there are no 'direct' ways to participate in European politics. The citizens have therefore neither an opportunity to play a direct role in agenda-setting nor to directly influence the actual decision-making nor to directly control the whole process. Nevertheless, similar to other rather representative systems, there are some points of access to the political system which, however, are 'indirect', 'informal', and require a lot of activity by the citizens to make them work at all. In addition, we have found that the Commission's underlying strategy favours contacts with highly organised interests, i.e. with special interest groups, especially with trans-national associations. 'Citizens' Europe is very much about citizens' associations, more than the individual citizen' (Venables 1990: 22). Direct contacts with the 'ordinary citizen' are dominated by a hierarchic, unilateral approach. The Commission-citizen relationship lacks elements of interactivity. There are only very few channels for feed-back, which, so far, mainly serve the Commission's interest to attune its information activities in order to make them more efficient (e.g. the idea of Union-wide 'Info-terminals', Malivoir 1995). Furthermore, the strongest indirect OSCP (i.e. the right to petition the EP) as well as other OSCPs targeting at the EP such as contacts with MEPs depend in their actual value on the specific competences of this institution in the relevant policy field.

Thus, the Euro-POS is not very open for citizens, and the direct responsiveness of European governance to citizens' input is rather low. The bias for organised interests and the hierarchic top-down approach when it comes to direct contacts with citizens may be described as a 'predominantly exclusive' strategy (Kriesi et al. 1992, 222-3). In contrast to most political systems of its Member states, the EU's POS totally lacks elements of direct democracy, and is conservative in the sense that only very limited attempts have been made to implement non-traditional OSCPs.

IV. Citizens' Involvement in EU Politics: Status Quo and Innovative Proposals

The OSCP/POS approach as chosen in this paper adds an additional argument⁽¹⁴⁾ to the debate on how to overcome the widely perceived democratic deficit of the EU: a comparison of the POS

between the successful federally organised states (e.g. Switzerland, Canada, Australia, Austria, Germany) as well as most EU Member states, on the one hand, and the EU, on the other, reveals that the political system of the Union not only falls short of standards in terms of a representative democracy, but is also comparatively closed to direct participation of its citizens. A direct comparison of the two tables suggests that the frequently used argument of remoteness of European politics from the citizens is soundly based in reality. Although an increased role of the EP in the future would also strengthen some of the existing Euro-OSCPs and therefore open up the European structure to some extent, it is obvious that only introducing new opportunities in the European context could *counterbalance the loss of participatory opportunities for the citizens of several EU Member states due to the shift of many competences to the supranational level*. Based on the comparison of [Table 1](#) (representing the whole range of possible OSCP as found in Western democracies) and [Table 2](#) (the *status quo* in the EU), the following improvements of the existing Euro-OSCPs and some innovative procedures to be added to the European system are suggested (for a synopsis see [Table 3](#)).

Table 3

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1. One of the major shortcomings of the Euro-POS is the lack of sufficient means to get information on the Union's policy processes and of any institutionalised mechanism to receive citizens' input. Based on the U.S. experience with political participation via the internet, and on preliminary attempts to use these new technologies also in the European context, a promising project would be to establish a *powerful European-wide interactive communication network for political information and participation* [17, 18, 19, 20, 24](15). This network could facilitate access to information on European issues (e.g. legislative proposals, policy documents, voting records, etc.) and be accessible from public points (in every European municipality) as well as from PCs via the internet. To become a real OSCP, an important feature should be its *interactivity*: the network should not only serve as an informational tool, but, equally important, as a means of communication between the citizens and the European political system. Because of the geographical remoteness of the European polity, this telecommunicative device seems specifically apt to overcome the deficits experienced so far by citizens (' groups) in gaining access to Euro-politics. In addition, the establishment of an own *T.V. channel of the European Union* should be discussed.
2. The interactive network focusing on individual and group contacts could be complemented by an opportunity structure securing valuable mass input on a regular basis. In order to enhance public awareness and media coverage of European issues, on the one hand, and to enable substantive popular input into the European policy-making process, on the other, Fishkin's idea of deliberative opinion polls (Fishkin 1991) should be adapted to the European context: several times a year *European Deliberative Opinion Polls* [30] should be organised in every Member state on the same day. The representative sample of citizens should be briefed intensively on specific issues which are on the European agenda, be given the opportunity to discuss them with national and European experts, and be asked for their 'deliberated opinion' at the end. The results of the polls in all Member states should be summarised and published throughout the Union.
3. In order to further stimulate debate on European policies and legislative acts it is suggested that the Commission enhances the frequency and improves the distribution of white and green papers. *Widespread use of European formal notification and consultation* [26] with all interested associations, interested groups etc. as well as interested members of the public in general should be established. With respect to the citizens, the Commission might publish announcements in major mass-media all over Europe as well as in the WWW with a short

summary of the legislative proposal and an (e-mail) address or phone/fax number to contact in order to get detailed information. It should be obliged to provide Parliament and Council and the media with an extensive summary of and statistics on the contributions of the general public.

4. Stimulating debate and opening the policy-process for citizens should not only be an issue for the Commission, but as well for the Parliament. Therefore, *enhancing the frequency and range of EP hearings on European issues* [28] could be at the heart of another 'soft', i.e. indirect, OSCP. As in the latest experiment of the EP, also the potential of the WorldWideWeb and/or the proposed interactive network should be explored in the future.
5. Taking into account the opinions of the EU citizens may also be promoted via *expanding the range of issues of the Eurobarometer surveys* [35]. At the moment, with a few exceptions, only questions of general and long-term interest are being asked. Enriching these periodical opinion polls by – 'policy-related' – *issues of the current European agenda* and – 'polity-related' – *to the assessment of office holders* might be a valuable additional input to the European political system.
6. The *extension of the rights of standing before the European Courts* could be an appropriate means, compatible with the present system, in order to open up an important controlling OSCP at the EU level. Considering the growing importance of independent agencies and, thus, of delegated administration and even legislation, this seems particularly important.
7. In order to promote the evolution of a genuine European party system instead of the present party federations without any direct relationship to the European citizenry, *trans-European parties should be founded and individual membership allowed*. This might be a necessary pre-condition for establishing this classical OSCP, known from all national levels, at the European level as well. This might be amended by a specific line of the EU budget in order to help these trans-European parties in their attempt to EU-wide mobilization.

The complete lack of 'direct' and 'policy-related' OSCPs in the European context is one of the most striking results of the comparison of the [Tables 1](#) and [2](#). Clearly, the appropriateness of many specific forms of direct democracy in the EU context cannot automatically be taken for granted(16).

However, the current tide of anti-European feelings and the many cries for democratic reform make a thorough debate on improving the Euro-POS definitely worthwhile. The following proposals for new OSCPs could serve as a starting point for discussion:

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8. Considering the lack of direct agenda-setting tools at the EU level, a *European indirect popular initiative of the first type* [2] could best fit: The voters' petition should be submitted to both 'chambers' of the European legislature (i.e. Council and Parliament) before the issue is placed on the ballot. The EP and the Council could have six or nine months to enact the proposal. If they fail to do so a European-wide facultative referendum has to be held. An essential condition for an initiative process is 'a petition requirement high enough to prevent ballot clutter, and low enough to enable grassroots groups to qualify an initiative for the ballot' (Schmidt 1989: 181). A double requirement seems to be most appropriate in the European context, first, 3 or 4 % of the total number of European voters (or of the ballots cast in the previous European election) and, second, the same proportion of voters in at least five states.

9. When we turn to the decision-making phase, a *mandatory constitutional referendum* [5] seems conceivable: It would have to take place whenever the 'constitutional texts' of the Union (the 'primary law') are altered (e.g. to ratify the results of the 1996 IGC). Thus the necessity of popular approval existing in some Member states would be generalised and Europeanised – which might confer additional social legitimacy. It might also be envisaged to establish a list of other important questions

which should be treated the same way as 'constitutional issues' (own resources, major treaties with third countries; see also Schneider 1994). As in the Swiss example, a double majority of *both* votes cast in the whole of the Union *and* of agreeing Member states(17) might best fit the needs of the EU. This could be either supplemented with a turnout criterion, e.g. a minimum turnout of, say, 30 percent in every single Member state and of 50 percent of the total European-wide number of voters (or the number of votes cast in the previous European election).

10. Still concerning decision-making in the narrow sense, a *voluntary referendum* [8] could be launched by a minority, e.g. one third of the MEPs, or the blocking minority in the Council. This could help to overcome deadlocks in the decision-making process.

11. In order to give the citizens also a chance to control the European legislature directly, a *controlling petition referendum* [7] seems appropriate: European-wide referendums could be launched by a European-wide qualifying popular initiative with a view to cancel a legislative act (EC directive or EC regulation) that has already been enacted by the European legislature(18).

12. Finally, the *recall of single Commissioners* might be a valuable tool to enhance the public accountability of the Commission. The recall would be launched by a public petition. If the petition reaches a certain treshold (e.g. 3 or 4 % of the total number of European voters), the EP should be required to have a vote of confidence in that Commissioner.(19)

The IGC 1996 provides a perfect occasion to take the first step of a *gradual implementation* of the proposed improvements of the political opportunity structure of the European Union. But the debate will certainly not end at that point.

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(2) I use the term 'European citizen' as implemented by the Maastricht Treaty: being a 'European citizen' means having a series of rights, among others also political rights, conferred upon the nationals of any Member state of the EU by both the 'constitutional texts' and the decision-making traditions of the Union.

(3) E.g. Allais 1991; Bogdanor and Woodcock 1991; H. Wallace 1993; Murswiek 1993; Rupp 1993; Buchmann 1993; Svensson 1994; Bohnet and Frey 1994; Opp 1994; Schneider 1994; Neunreither 1995; Christiansen 1995; Zampini 1996.

(4) Popular decisions on the Maastricht Treaty reforms were held in three member states (Denmark 1992 and 1993, France and Ireland 1993) (see, e.g., Siune et al. 1994; Franklin et al. 1994a and 1994b; Worre 1995); on the EEA Agreement in Switzerland (1993) and Luxembourg (1995); and on admission to the Union in the four applicant countries (Austria, Finland, Sweden, and Norway 1994). Further referendums have been discussed in some countries, arguing from a constitutional as well as a political perspective: in Germany relating to the ratification of the Maastricht Treaty (see e.g. Rupp 1993); in Austria with a view to the EEA Agreement (e.g. Griller 1992); and a referendum on Europe is again on the British agenda.

(5) However, these authors do not refer to direct-democracy opportunity structures (which, in fact, did not increase in number or in range) but mainly to (indirect and informal) opportunities, especially the involvement of interest groups. For these definitions, see the next section.

(6) See e.g. European Parliament 1990; Butler and Ranney 1994.

(7) As opposed to policy-making by *independent agencies* (cf. Majone 1994), it is here a group of citizens who govern themselves.

(8) For U.K.'s first consensus conference, see Dixon 1994.

(9) It should be mentioned that the trend towards more widespread and enhanced use of the internet is not only a U.S. phenomenon but as well a European development (cf. Rutkowski 1996). In the near future, e-mail will be available to approx. the same number of citizens who so far possess the necessary means to de facto participate in the political life of a constituency. If it is true so far that e-mail is highly selective and therefore de facto only a possible OSCP for an elite, this is quickly changing.

(10) Even so-called 'passive resistance' is, in fact, very 'active', indeed, and falls therefore within the

remit of this group.

(11)For more details, see Nentwich 1995.

(12)The numbers in [square brackets] in the following text relate again to the numbers in Table 2; they are the same as used in Table 1.

(13)Peters 1994: 11; Commission 1993b; for details and sectoral differences see Greenwood et al. 1992, Mazey and Richardson 1993.

(14)Obviously, there are other ways how to tackle the democratic deficit issue. There are as well other arguments in favour of a more participatory EU regime. But I do not discuss them here since the focuss of this paper is on the (formal) comparison of the OSCP structures.

(15)The numbers in [square brackets] in the following text relate again to the numbers in Tables 1 and 2.

(16)It should be understood that, as a general rule, *only those* issues which fall within the field of competencies of the European Union should be potential candidates for direct democratic decisions. The same controlling instruments as with regard to the 'normal' legislative procedures should be applicable (in particular, the ECJ should be given the power to cancel a referendum if the issue was *ultra vires*). Thus, European referendums on, e.g., the questions of abortion or the death penalty are *not* proposed here.

(17)I.e. Member states in which the voters have voted in favour. Therefore, 50+ % of the European-wide electorate is not sufficient, since also the result of the referendum in at least eight states has to be in favour of the proposal. Thus, neither a broad majority of the most populous states nor popular agreement in the smaller states alone is sufficient.

(18)Drawing on the American discussion on a national referendum and initiative as well as on current practise at the U.S. state level and in Switzerland, the question of fairness in media access and of adequate voter information (official ballot leaflets) should be laid down by Union legislation for all proposed direct OSCPS.

(19)In a survey in Autumn 1995 which has been carried out by the author, the Members of the European Parliament were asked for their position on most of the above mentionned proposals. In principle, the MEPs seem favourable to more citizens' participation and consultation, however they are more doubtful with respect to direct democracy at the EU level (for details see: Nentwich 1996).

Table I

Types of OSCPs

		policy-related			polity-related
		agenda-setting	decison-making	control mechanisms	
direct		ø 1 ø 2	ø 5 ø 6	ø 7	ø 13 ø 14
		ø 3 ø 4	ø 8 ø 9		ø 15 ø 16
			ø 2 ø 4		ø 10
			ø/o 10 ø/o 11		
indirect	active	ø 17 o 18	ø 25 o/ø 26	ø 12 ø 17	ø 33 ø 34
		o 19 o 20	o/ø 27 o/ø 28	ø 32 o 19	o 21 o 22
		o 21 o 22	o 21 o 29	o 22 o 23	o 23
		o 23 o 24	o 30 o 31	o 24	
		o 23 o 24			
	passive	o 35 o 36	o 38	o 35	o 35
		o 37			

- o informal (secondary)
- ø formal

- 1 public petition
- 2 indirect initiative I
- 3 indirect initiative II
- 4 self-government in various forms
- 5 constitutional referendum
- 6 statutory referendum
- 7 petition referendum
- 8 voluntary referendum
- 9 direct initiative (with decisive facultative referendum)
- 10 participation in committees and courts
- 11 participation in administration (e.g. local and regional planning)
- 12 proceedings before constitutional courts
- 13 voting in elections
- 14 direct election of officials
- 15 recall of the elected officials
- 16 plebiscitary referendum
- 17 petitions to Parliament

- 18 direct contact with MPs
- 19 letter writing to administration
- 20 direct contact with officials
- 21 being active in small interest groups, parties
- 22 protest, e.g. marches, actionism
- 23 access to mass media
- 24 teledemocracy in various forms
- 25 consultative/advisory referendum
- 26 notification and consultation
- 27 administrative hearings
- 28 legislative hearings
- 29 consensus conference
- 30 deliberative opinion polls
- 31 advocacy planning, planning cell
- 32 contacting ombudsperson
- 33 primaries
- 34 voting at sub-national level
- 35 opinion polls/surveys
- 26 membership in large interest groups, parties or federations
- 37 political market research
- 38 simulations

Table II

OSCPs at EU level (status quo)

		policy-related			polity-related
		agenda-setting	decision-making	control mechanisms	
direct					ø 13
indirect	active	ø 17 o 18	o 26 o/ø 27	ø 12 ø 17	ø 34 (o 10)
		o 19 o 21	o 28 (. 34)	ø 32 o 18	
		o 22 (o 23)		o 19 (o 23)	
		(o 24)		(ø 34)	
	passive	o 35 o 36			

- o informal (secondary) 22 protest, e.g. marches, actionism
- ø formal 23 European mass media
- 24 EP on the WWW
- 10 participation in EC committees 26 Green and White papers
- 12 ECJ proceedings 27 hearings, conferences organized by Commission
- 13 voting in European elections 28 hearings in the EP
- 17 petitions to EP 32 addressing the ombudsperson
- 18 direct contact with MEPs 34 voting in national elections
- 19 letter writing to the Commission 35 Eurobarometer
- 21 being active in small interest groups 36 membership in large interest groups, parties or federations

Table III

Proposed Additional OSCPs at EU level

		policy-related			polity-related
		agenda-setting	decison-making	control mechanisms	
direct		indirect popular initiative (I)	constitutional referendum voluntary referendum	controlling petition referendum	recall of single Commissioners
indirect	active	interactive communication network Euro T.V.	European Deliberative Opinion Polls EP hearings Formal notification and consultation	expanding the rights of standing before ECJ in anullement procedure	allowing individual membership in European parties
	passive	expanding Eurobarometer surveys to issues of the current political agenda and to the assessment of the office holders			

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