The Would-be Democratic European Polity:
Competing Discursive Representations in National Public Spheres

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ABSTRACT

Are domestic discourses about democracy in the EU just “cheap talk” or do they matter in the practices of EU constitutional politics, such as treaty reform and European elections? Which kind of democracy for Europe will be represented in different national public spheres? To address these questions, the paper adopts the framework of "discursive representation" that does not focus on the representation of persons or group interests but rather on the representation of discourses. Asking what kind of discourses on democracy will be represented as appropriate and viable for the EU, discursive representations are selected in relation to two instances of EU politics: EU constitutional and reform treaty politics and European elections. The aim is to establish what impact the EU’s different “representative modes” have on discursive EU democracy representation as well as whether and to what extent these processes collide or cohere within and across diverse national contexts. For the purpose of this evaluation, a distinction is made between conventional arenas of representation – national parliaments and electoral campaigns – and alternative forms of discursive representation between and beyond elections, namely the mass media, interest groups and civil society, and courts.

1 Research for this article has been conducted as part of the ConstEPS Project, sponsored by the VolkswagenFoundation and the RECON Integrated Project sponsored by the European Commission under the 6th FP, contract no. FP6-028699. The article is a revised version of my chapter “Civil Society, Public Sphere and Democracy in the EU”, in E.O.Eriksen and J.E.Fossum (eds.): Rethinking Democracy and the European Union (Routledge, forthcoming).

2 Jean Monnet Centre for European Studies, Universität Bremen.
INTRODUCTION

A decade after the 2001 Laeken Declaration’s roadmap for a more democratic and efficient European Union (EU), the issue of “which democracy for Europe?” continues to be a salient one for the reform agenda of the EU. Responses to this question vary, depending on the discourse about EU politics one looks at. In the EU’s official pronouncements issued after 2005, ideas about injecting stronger doses of public deliberation and political participation in the EU decision-making have lost out to scepticism about the viability of a democratic constitution for the EU. In the legal and judicial realm, efforts to strengthen the EU’s supranational democratic legitimacy by empowering the European Parliament have been frustrated by the 2009 German Constitutional Court’s Lisbon Ruling. European elections and referendums present discursive arenas where the politicisation of European integration plays itself out, albeit with paradoxical effects: Arguably, by mobilising collective identities, politicisation enhances a ‘constraining dissensus’ about the reconfiguration of the EU’s jurisdictional architecture (Hooghe and Marks 2008). Yet, looking more closely at the impact the EU has on political communication within Member States, one notes as well the emergence of Europeanized public spheres and collective identities with far reaching effects for the deepening and widening of the EU and, notably, for developing democracy (Risse 2010: 177ff). These observations call into question the conventional wisdom about ordinary citizens allegedly being wedded to the nation-state while perceiving the EU as a distant entity (Moravcsik 2006; Shapiro and Hacker-Cordón 1999). Against the background of these quite contrasting accounts, we need a more nuanced systematic assessment of how the different discourses on democracy in the EU play themselves out in the ongoing practices of EU institutional reform.

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3 Building on Jürgen Habermas (1991, 2008), the idea of European integration by deliberation has been developed by Bohman 2007; Eriksen and Fossum 2000; and with a focus on a three-fold typology of public spheres - “general publics”, “segmented publics” and “strong publics” - by Eriksen 2007.


5 See Liebert 2010.

6 For instance, despite considerable public debates and referendum turnout the majority of the French and Dutch rejected the EU’s Constitutional Treaty. The Lisbon Treaty is another case in point where EU leaders only succeeded with ratifying by forestalling referenda and thus the manifestations of popular opposition against it.
The present analysis adopts the framework of “discursive representation”\(^7\) to contribute towards that goal. It does not focus on the representation of persons or groups but rather on the representation of discourses about democracy in Europe in different types of public spheres.\(^8\) The poly-centric and multi-level nature of the EU polity and, moreover, the trans-governmental set-up of EU treaty reforms make it interesting to evaluate the nature of representation of discourses in EU decision-making. In particular, I assume here that a variety of domestic public arenas will be involved in selecting, representing and shaping European political discourses in response to the key question ‘What democracy for what type of Union?’\(^9\) Asking what kind of discourses on democracy will be represented as appropriate and viable for the EU, we distinguish three models: a ‘European confederation of sovereign democratic states’, a ‘European multinational federal state’, and a “regional democratic union” with cosmopolitan imprints (cf. Eriksen & Fossum forthcoming). In the present context, discursive representations are selected from two instances of EU politics: EU constitutional and reform treaty politics\(^10\) and European elections. The aim is to establish what impact the EU’s different “representative modes” have on discursive EU democracy representation as well as whether and to what extent these processes collide or cohere within and across national contexts (cf. Lord/Pollak 2010). For the purpose of this evaluation, we distinguish between conventional arenas of representation – national parliaments and electoral campaigns – and alternative forms of discursive representation between and beyond elections. In principle, these include the mass media, interest groups and civil society, and courts (cf. Rosanvallon 2008). Because of the limited scope of the present paper, it will deal most extensively with parliamentary, electoral and mass media modes of discursive representation and only refer tangentially to the “new politics of European

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7 For the concept and methodology of researching “discursive representation”, see Dryzek and Niemeyer 2008.
8 Erik O. Eriksen has distinguished three types of public spheres – the general open public sphere specialised on opinion formation; the segmented, restricted public specialised on problem-solving, and the strong, specialised public sphere specialised on will formation (Eriksen 2007: 32). I suggest introducing a fourth one, the “issue public”, which is highly specialised but open, and the legitimacy basis of which consists in universal norms or public interests.
9 See introduction to forthcoming volume by Eriksen and Fossum (footnote 1).
10 EU treaty reform processes comprise the drafting and signing of treaty reforms, typically by “Intergovernmental Conferences” - except in the case of the “Treaty establishing a Constitution for Europe” drafted by the “Convention on the Future of Europe” (2002-3) and signed by the 2004 Intergovernmental Conference in Brussels in December 2004 – and their ratification processes in each of the Member States, either by parliamentary procedures alone or complemented by popular referendums.
civil society” and the role that national constitutional courts play in EU treaty ratification, as both have been explored more in depth elsewhere.\textsuperscript{11}

The argument in this paper is developed in three steps: The first section spells out three ideal typical discourses on democracy in Europe and specifies their implications for the configuration of democratic representation. In the second part, I present selected evidence from comparative political discourse analyses about EU treaty ratification in three old and three new member states to support three claims: First, cross-national divergences in discourses about democracy in the EU are pronounced, but these divergences are found on both sides of the former iron curtain. Second, within each domestic sphere, the patterns of discursive representations of EU democracy are generally speaking quite coherent, when comparing national parliamentary and mass media, but they collide to some extent with European election discourses. Notably, in half of the national contexts explored here, national and supranational democracy discourses collide within the “strong” parliamentary public sphere and the “general”, that is mass media based public sphere. Finally, and most conspicuously, thus far neither national parliamentary nor mass media nor European electoral discourses foreground the discourse of a non-state regional Union that is committed to cosmopolitan values; in that respect, there is still much room for improvement.

I. FRAMEWORK OF ANALYSIS: THREE DISCOURSES ON DEMOCRACY

Each of the three discourses on democracy in the EU that frame the present evaluation moulds a different kind of understanding of the institutional configuration of the EU and the nature of its democratic legitimacy (see Eriksen 2007; Eriksen and Fossum 2009; 2011; Liebert 2010b). Accordingly, each has different implications for how the issue of democracy in Europe is framed – and enacted in institutional and political practice.\textsuperscript{12}

\textsuperscript{11} Liebert 2010; Evas/Liebert 2010.

\textsuperscript{12} A discursive frame is defined as a mode of contextualising issues of European politics in a broader frame of reference.
I. The ‘Confederation of sovereign democratic States’ discourse on the EU: This discourse, “celebrating diversity”, represents liberal thinking about the diversity of democracies in Europe (Liebert 2010b: 59ff.). Accordingly, the member states are depicted as the masters of the treaties as well as the sovereign principals who eventually choose to delegate powers to EU-level agents. According to this nation state view of democracy, the EU depends on indirect forms of democratic legitimacy that rely on national electoral procedures. Looked at through the lens of the nation state, the citizens’ representation in international or intergovernmental arenas is ensured through national parliamentary elections, delegation of authority to and accountability by the government, and, exceptionally, direct participation of citizens in national referendums on international treaties (Closa 2005; Peters 2005; Scharpf 1999). For tracing this type of discourse in communicative practices, the following four features can serve as guideposts: First, since elections to national parliaments are perceived as first order elections while European elections will be treated as second order national elections (Schmitt 2004), the extent and intensiveness of political communication devoted to each of these will strongly differ. Second, generally speaking the national democratic constitution will serve as the prominent democratic standard for judging the legitimacy of the EU, whose “sui generis” nature and independent sources of legitimation are denied. Third, more or less competitive national mass media will typically provide access to selected voices and, thus, facilitate the mobilisation or resistance of negatively affected interest organisations. To the degree they perform as watchdogs they enhance transparency, information and evaluation in relation to EU decision-making, and denounce its lack of congruence with national preferences, public or private (cf. Norris 2000). Finally, the reach of this type of discourse on the EU will typically not transcend national political institutions and mass media systems (Habermas 2008; Hallin and Mancini 2004). In sum, contentious issues of EU politics will be typically framed within the patterns of “segmented Europeanisation” (Sifft et al. 2007), that is contained by national communication communities.

II. The ‘multinational federal democratic state’ discourse on the EU: This second discourse cherishes unity, by positing “monistic ideas of Europe as democracy” upfront (Liebert 2010b: 53ff). It claims direct democratic legitimacy through combining the
different representative modes of European elections and participatory governance. Following this supranational discourse, the democratic legitimacy of decision-making derives from four features. First, within the multilevel parliamentary federal configuration, national parliamentary and European parliamentary proceedings will be framed as the central sites ensuring democratic representation. They will constitute the polycentric nature of the democratic process and trigger similar amounts of public attention, thus countering the executive bias of the first, nation statist discourse. According to the ordinary legislative procedure of the EU, the EP shares co-decision making competences with the federal Council. Moreover, it exercises the powers of confirming, controlling and holding accountable the other EU institutions, namely the Commission, the Council Presidencies and the Agencies, including the European Central Bank. Second, throughout the polycentric conventional and alternative sites of democratic representation in federal multinational politics, supranational frames of unity – collective identity; value community; constitutional patriotism, etc. - will prevail. Third, the supranational modes of representation in the federal EU provide a range of devices for inclusion for those who are affected by decision-making, the outcome of which, however, will be shaped by the majority rule. Finally, fourth, whether unfolding in parliamentary, mass media or issue specific arenas, federal EU discourses will transcend national boundaries for promoting pan-European multinational discourses on common issues and concerns.

### III. The ‘regional cosmopolitan democratic Union’ discourse on the EU

This third discourse seeks to reconcile diversity with unity, by framing the EU as a “contestatory European demoicracy” (Liebert 2010b: 66ff.). This discourse depicts the EU as a regional association, with cosmopolitan imprints, that is different from both an international organisation and a supranational state. Therefore, and given its far reaching impacts on citizens’ lives, it requires a form of non-state democratic legitimacy, derived from cosmopolitan principles. The cosmopolitan discourse on the

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13 See Hix 2008; Liebert 2007b; Pinder 1999; Stie 2009.

14 See Eriksen and Fossum 2000, 2007; Habermas 2008; cf. Bohman 2007. Bohman’s conception of a ‘transnational democracy’ differs from the present third model in so far as he proposes a system of governance and not government; however, both conceptions converge in granting a pivotal role to civil society and public spheres for transnational processes of democratic legitimation.
EU can be characterised accordingly by four features: First, given the non-state, non-conventional framing of the EU, indirect modes of representation between and beyond national or supranational elections will be discursively fore grounded. This means that civil society associations and interest organisations, the mass media and the new media as well as courts are depicted as primary sites for staging representation, at any subnational, national or supranational level (Liebert and Trenz 2010). Second, for justifying the EU’s internal and external policies, “un-national” cosmopolitan norms (Manners 2011) will function as the foundations of “other-regarding” legitimation: Translating cosmopolitan principles and universal values into the European regional policy-making, they mark a democratic regional union with decidedly cosmopolitan voice. Third, electoral and non-electoral, alternative modes of representation will be evaluated through the lenses of “chambers of discourses” that ensure “discursive representation” on specific issues, namely “that each relevant discourse gets articulate representation” (Dryzek and Niemeyer 2008). Inclusive discursive representation can enhance politicisation, contentious movements and the mobilisation of resistance to specific EU policies (Imig and Tarrow 2001; Della Porta and Tarrow 2005; Balme and Chabanet 2008). It will also facilitate “surveillance”, “prevention” and “judgement”, or help to hold EU decision-makers accountable to citizens and social groups who are affected by their decisions (Rosanvallon 2008). Finally, the cosmopolitan regional discourse about the EU transcends national and European boundaries without ignoring differences within and among national entities. Aspiring at unity amidst diversity, it forestalls harmonisation frames at both levels, the pan-European as well as exclusive types of national ones.

Table 1: Democracy discourses in domestic EU politics

<table>
<thead>
<tr>
<th>Public arenas in domestic EU politics</th>
<th>Measures</th>
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</thead>
<tbody>
<tr>
<td>“Strong publics”:</td>
<td>a) COVERAGE: Extension of public debates on EU issues, by national parliaments (no. of plenary sessions), or print media</td>
</tr>
</tbody>
</table>

15 The concept of ‘civil society’ as it is used here includes three distinct sectors, namely the ‘civic sector’ (also ‘third sector’, ‘voluntary’, ‘community’ or ‘non-profit’ sector) that is conceived as the sphere of social activity undertaken by organisations that are for non-profit, non-governmental and represent general interests, the “economic” or capital sphere denoting the for profit ‘private sector’, constituted by organised economic and professional interest groups, including employers’ and business associations, and the political sphere, constituted by partisan organisations. See Galtung 1999; Liebert and Trenz 2010; Liebert and Trenz 2009a.
In sum, by comparing the norms and practices of the three European democracy discourses, we have characterised each of them in terms of different configurations of four elements: a) the primary sites of the democratic process; b) the most salient democratic frames; c) the typical mode of representation or inclusion, d) the scope or reach of discursive democratic practices. For empirically assessing the democracy discourses in European political communication practices within and across different public arenas, four measures will be used (see Table 1, above): 16 a) a quantitative measure for the extent of political communication on EU issues (in terms of number of parliamentary plenary debates, or the news media coverage in number of news items or articles devoted to that coverage); b) a measure for the degree of salience of different democracy frames for arguing about EU issues in public debate (democratic institutions, procedures, principles of justification); c) a measure to establish the diversity of voices which are represented in public debates; and d) a measure to establish the transnational scope of public debates in domestic EU politics.

The evaluation of European democracy discourses in domestic political communicative practices draws on three comparative data sets that were compiled by two cooperative

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16 The empirical indicators proposed there for assessing mass media coverage of EU constitutional ratification debates have been extended here to compare different fields of European political communication, including parliamentary debates, European election campaigns and mass media coverage of EU issues. Cf. Liebert and Trenz 2008; Liebert and Trenz 2009b.
research teams, made up mostly of comparative political scientists or sociologists. To collect systematic comparative data from institutionalised as well as open arenas of European political communication in old and new EU member states, we have developed a method of Atlas.ti based comparative political discourse analysis that combines quantitative methods of content analysis with qualitative features of discourse analysis. Complementing the analytical framework and normative criteria outlined above, we have called this method accordingly ‘Comparative Political Discourse Analysis’ (ComPDA). We have found ComPDA specifically useful for assessing the patterns of European political discourses in parliamentary arenas, the mass media and party campaign analysis.

To examine whether and how public debates in domestic EU politics represent any of the above discourses on democracy in Europe in practice, the next section will present and discuss selected findings from political discourse analyses of EU politics, including treaty reform.

II. HOW PUBLIC DEBATES IN DOMESTIC EU POLITICS FRAME DEMOCRACY IN EUROPE: SELECTED FINDINGS

In the following, our major research findings are summarised under three headings: (1) National parliamentary discourses on EU treaty ratification; (2) Print media coverage of EU treaty reform, and (3) European election campaigns.

1. National parliamentary discourses on EU treaty ratification

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17 For the description of the quantitative and qualitative samples compiled from three arenas of European political communication, see Appendix, Table 1 “RECON (ConstEPS) I, II, III Data Sets”.
18 For a full description of ComPDA, see Liebert, Maatsch and Packham 2011.
19 I want to thank the members of the ConstEPS and RECON WP5 research teams at the Jean Monnet Centre for European Studies, University of Bremen, for collaboration on compiling and analysing the cross-national comparative data sets, namely Aleksandra Maatsch (Poland), Kathrin Packham (Germany, UK), Petra Rakušanová Guasti (Czech Republic) and Tatjana Evas (Estonia, Latvia); Ewelina Pawlak and Alexander Gattig for quantitative data analysis and for research project management, including the summer school for international PhD students in ‘Advanced methods of media analysis’ (July/August 2007, University of Bremen). The empirical data sets on which the following summaries are based have been generated in collaborative coding sessions by teams of junior researchers with expertise from different member states, under the supervision of Aleksandra Maatsch and Kathrin Packham, and led by WP5 coordinators Ulrike Liebert (UniHB) and Hans-Jörg Trenz (ARENA).
Following the deliberative democratic approach to representation (Dryzek/Niemeyer 2008; Liebert 2007b; Mansbridge 2003), parliamentary representation is conceived here in terms of ongoing processes of communication between representatives and constituents that can take on different forms. The present purpose is not to assess the democratic quality of parliamentary EU proceedings or identify those procedures and practices that facilitate high quality discursive processes of will formation and decision making (cf. Lord and Tamvaki 2011). Rather, parliamentary debates will be evaluated with a focus on their representation of European democracy discourses, along the four dimensions outlined above: coverage, salience, inclusion and scope (see table 1, above).

First, according to the EU’s constitutional settlement, national parliaments play a key role in the democratic legitimation of EU constitutional reform. In the most recent Constitutional and Lisbon Treaty reforms, ratification was subjected to referendums in six member states. Yet, in all 27 member states but one – Ireland – parliaments have remained firmly in control of ratification. Nationally elected representatives have kept the decisive say, however, with considerable variation regarding their views of the EU’s democratic legitimacy. In other words, for the period 2004 – 9, the centrality of parliamentary proceedings can be confirmed for domestic ratification practices. Measured by the numbers of plenary sessions they devoted to debating the ratification of the Constitutional and the Lisbon Reform Treaties, the assemblies of France (11 sessions), Poland (9 sessions), Germany (8 sessions) and the UK (8 sessions) have basically performed their task of communicating the EU’s treaty reforms to the national public (see table 2, below).

Secondly, our assessment of alternative democracy frames in national parliamentary discourses demonstrates the salience of national models over supranational or cosmopolitan models of democracy in the EU. Only in the French and, to a minor degree, in the Hungarian debates, did parliamentary discourses privilege a supranational democratic EU. The conception of a cosmopolitan regional Union gained considerable

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20 This research cluster has been supervised by Aleksandra Maatsch (Jean Monnet Centre, University of Bremen), the comparative data set has been elaborated and analysed by Ewelina Pawlak. For a more elaborate presentation of the results, see Maatsch 2010.
21 See Appendix, Table 11.
less visibility. However, at a closer look, references to the three different models in parliamentary discourses vary, depending on which national and EU institutions or policy areas are under debate. Also, right-wing parties share a more uniform position with respect to the ‘EU of the nation-states’ and opposing a ‘Federal Europe’. Many governmental and some of the large opposition parties favour more diversity, advocating pragmatically variable models of democracy, depending on policy issue or institutional domains under consideration (Maatsch 2010).

Third, the inclusiveness of parliamentary debates in terms of their discursive diversity is also limited, in particular due to the predominance of the governmental voice. In the German ratification debate, speakers from the Government took the largest share of the floor, while in the Polish Sejm and the British House of Commons their role was more constrained, leaving the debate of the contentious treaty to other parliamentary groups. Finally, in most cases, parliamentary discourses show less consensus orientation and more polarisation. While less than a quarter of all statements made by MP’s in plenary debates are neutral in tone, we find two articulate camps of political party groups with opposed positions on treaty ratification. Although the No-votes are in the clear minority – even in the British case the 348 Yes-votes outnumber the 204 No’s in the Lisbon ratification – the opponents are over proportionately vocal and account for a quarter to a third of all statements that express negative positions (id.). Yet, as Maatsch has demonstrated in a cross-national comparison, the intraparliamentary political divisions between Social Democrats and Christian Democrats are stronger than divisions between old and new EU member states: ‘Political parties belonging to the same ideological group do not only share the same positions on EU institutional and policy reform but also share very similar discourses for justifying these positions’ (Maatsch 2011a).

Fourth, regarding their transnational scope, our research suggests that parliamentary practices in domestic EU politics exhibit quite a mixed picture. On the one hand, we find the salience of democratic norms and procedures as topics of parliamentary treaty ratification debates to be quite noteworthy. Among the top ten topics debated most

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22 See Appendix, Table 6
intensively, the mode of treaty ratification ranked highest on the agendas of the British, Polish, French and Hungarian parliamentarians. The Council decision-making procedure was another topic that received much attention, namely the use of qualified majority voting, as well as issues of the EU’s decision-making procedures and institutional architecture. A third prominent issue was citizens’ rights, the Charter of Fundamental rights and, in the Hungarian case, minority rights. Finally, although the discursive quality of parliamentary ratification proceedings in three old and three new EU member states varies considerably, the parliamentary discourses share a number of common features. Parliamentary debates represent, in particular, concerns about direct democratic procedures of EU treaty ratification, on the one hand coupled with attachments to national democratic frames, on the other. France and Germany present two deviations from this pattern: While in German parliamentary debate the referendum option has not made it into the top topics of debate, French representatives have put this topic centre stage.

Table 2: Patterns of Discursive Representation in National Parliaments Ratifying EU Treaty Reform (2004-9)

<table>
<thead>
<tr>
<th></th>
<th>a) coverage</th>
<th>b) salience</th>
<th>c) inclusiveness</th>
<th>d) scope</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M I</td>
<td>M II</td>
<td>M III</td>
<td></td>
</tr>
<tr>
<td>CzR</td>
<td>6</td>
<td>95</td>
<td>23</td>
<td>5</td>
</tr>
<tr>
<td>France</td>
<td>11</td>
<td>101</td>
<td>207</td>
<td>4</td>
</tr>
<tr>
<td>Germany</td>
<td>8</td>
<td>165</td>
<td>170</td>
<td>35</td>
</tr>
<tr>
<td>HUN</td>
<td>5</td>
<td>22</td>
<td>47</td>
<td>41</td>
</tr>
<tr>
<td>PL</td>
<td>9</td>
<td>355</td>
<td>210</td>
<td>40</td>
</tr>
<tr>
<td>UK</td>
<td>8</td>
<td>458</td>
<td>299</td>
<td>44</td>
</tr>
</tbody>
</table>

Notes: a) number of plenary debates; b) three discursive models of democracy, in number of codes resulting from Atlas.ti contents analysis of references to three respective sets of values, institutions and processes in plenary debates; c) proportion of government vs. MP speakers, in %; d) proportion of national (N) vs. European (EU) topics and types of justifications in debates. Source: RECON I data set.

In sum, the polarised nature of the debates – in part due to the schedule for parliamentary ratification debates – appears an unfortunate handicap for non-partisan actors, experts or civil society organisations. All cases of parliamentary treaty ratification debates considered here, except the Polish one, suffer from the same caveat;

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23 See Appendix, Table 6.
they are scheduled after the fact, after national governments and EU elites have typically concluded treaty negotiations ‘behind closed doors’, and without involving the opposition and minority parties. Lack of parliamentary debates in the early stages of EU treaty reforms not only inhibit cross-party consensus orientation but also prohibit sufficient media coverage to educate the general public. Both would be required to enable interested citizens to inform themselves and to allow for participation in public opinion formation at a relatively early stage of binding intergovernmental decision-making. The ex-post intervention of parliaments forecloses the coupling of parliamentary debates with media based public opinion formation early enough to give citizens and civil society a chance to meaningfully and constructively engage with important issues of EU treaty reform.

(2). Public discourses on EU treaty reform in the print media (2005-7)

The print media coverage of the EU’s constitutional reform process has been studied by a number of researchers and research groups who have produced single case studies and paired comparisons. The following assessment draws on two comparative data sets that have been compiled within two research projects. It is designed as cross-national comparisons in three old and three ‘new’ member states. Summarising the insights gained from this analysis, several important findings stand out. Generally speaking, we find the print media to have benefited democratic legitimation in EU constitutional reform politics in three respects (see Table 3, below):

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24 However, the 2009 Lisbon Treaty has upgraded the rights for participation of national parliaments in an early phase of the EU’s legislative process.

25 A similar argument has been made by Fossum and Trenz (2007: 211), however, referring to the French and Dutch ratification referendums in 2005 and not to national parliamentary ratification procedures as catalysts for politicisation and domestic sources of democratic legitimation of the EU.


27 See Seidendorf 2010), as well as a growing amount of comparative analyses (Liebert 2007a; Mokre et al. 2009; Krzyzanowski and Oberhuber 2007.

28 The first print media survey covers six member states during 2004-2005 and has been compiled in the framework of ConstEPS, at the University of Bremen. The second one has complemented this data base by an additional ‘print media data set’ covering 2005-2007, and elaborated in the framework of RECON WP5, co-coordinated by the University of Bremen and ARENA, Oslo.
First, the quantitative record is noteworthy regarding the extent of space which the media devoted to covering EU treaty reform.\(^\text{29}\) In this respect they can be said to have contributed to educating their audience by translating the highly specific and complex contents into frames that are interesting for the readers and thus, arguably, enabling them to make informed choices between political opinions.

Secondly, regarding their discursive performance, media coverage of EU treaty reform politics makes a difference as regards the salience of the democratic frames chosen to interpret these issues.\(^\text{30}\) The media more often than not do frame EU issues in a democratic language that transcends traditional nation state conceptions and reflects, for instance, a supranational federal polity, but that points much less to a cosmopolitan-regional rights based community.

Table 3: Patterns of Discursive Representation in National Print Media Coverage of EU Treaty Reform (2005-7)

<table>
<thead>
<tr>
<th></th>
<th>a) coverage</th>
<th>b) salience</th>
<th>c) inclusiveness (% N – EU)</th>
<th>d) scope (% N – EU – U)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CzR</td>
<td>1049 (6)</td>
<td>M I</td>
<td>67 – 29</td>
<td>60 – 22 – 18</td>
</tr>
<tr>
<td>Germany</td>
<td>2624 (6)</td>
<td>M II</td>
<td>26 – 74</td>
<td>30 – 52 – 18</td>
</tr>
<tr>
<td>HUN</td>
<td>583 (6)</td>
<td>M II</td>
<td>28 – 72</td>
<td>26 – 58 – 16</td>
</tr>
<tr>
<td>PL</td>
<td>979 (5)</td>
<td>M II</td>
<td>70 – 29</td>
<td>32 – 56 – 12</td>
</tr>
<tr>
<td>UK</td>
<td>659 (5)</td>
<td>M I</td>
<td>38 – 61</td>
<td>34 – 56 – 10</td>
</tr>
</tbody>
</table>

Notes: a) print media coverage measured by total number of articles on topic area, in parentheses, no. of outlets included in media sample; b) three discursive models of democracy, coded with Atlas.ti contents analysis of salience of “Reform Treaty” vs. “Constitutional Treaty” as “topics” in qualitative print media sample; c) proportion of national vs. non-national voices, in %; d) proportion of national (N) vs. European (EU) vs. universal (U) topics and types of justifications coded in selected print media sample. Source: RECON II data set.

\(^{29}\) Regarding the extensiveness to which the media have covered EU treaty reforms and have put it on the public agenda, a total of 8500 articles have been retrieved over the 25 months period from more than 30 news media outlets in the six countries under research (see Appendix, Table 3).

\(^{30}\) The mass media cover the EU’s treaty reforms typically linking this issue to diverse topics of domestic public interest, among them Enlargement and Turkey, Common Foreign and Security Policy (CFSP), Union Budget, Social Policy, Energy and Transport, but also the Charter of Fundamental Rights (UK) and Majority Voting (Poland) (see Appendix, Table 7). But the news media coverage of the Constitutional Treaty and Lisbon Treaty also featured democratic frames, most of them reflecting institutional features and policies that indicate the supranational model of a European democracy (Appendix, Table 11), followed suit by national democratic frames.
Also, third, the news media do not restrict their coverage to national actors but include a higher proportion of European and non-national voices as well. Last, but not least, regarding their transnational communication performance, the media practices can be said to improve the preconditions for democratic legitimation in EU politics by developing transnational political communication about publicly shared concerns in EU politics across national boundaries.\textsuperscript{31} In sum, the comparative analysis provides evidence of overlapping transnational public spheres, in terms of cross-border exchanges about issues of EU treaty ratification and reform, thus focusing cross-nationally shared concerns with collective European problems, judged by multinational federal normative lenses, albeit linked to different topics of domestic relevance.\textsuperscript{32}

Turning now to more critical notes on print media performance, the following can be observed. First of all, although the media pay considerable attention to European and non-national political and institutional actors – sometimes even more than to national actors – the overall discursive diversity is quite limited. A minority of news outlets devotes coverage to non-political actors, such as economic or civil society organisations.\textsuperscript{33} The discursive patterns of media based EU communication are defined by European institutional and national state actors and political parties, with restricted space for voices from those social constituencies that the media have deemed worthy of coverage. Moreover, news media that employ an argumentative mode are also in a critical minority. The media typically report on EU treaty negotiations, ratification failure and crisis. But as the evaluation of the discursive quality of EU coverage by 20 news media demonstrates, only a minority devote space to the substantive arguments

\textsuperscript{31} Regarding media based transnational communication patterns, 15 out of 20 media outlets scrutinised here have most vigorously developed cross-border dimensions of European political communication during the initial phase of constitutional treaty ratification and crisis (Appendix, Table 10).

\textsuperscript{32} A look at the top three topics that the media linked to EU treaty reform (see Appendix, Table 7) shows that issues regarding the ‘deepening’ of European integration took precedence, but that ‘widening’ was high on the agenda as well. Namely in the Czech Republic and in France the potential accession of Turkey into the Union was on top of heated domestic debates, and also in Germany and Hungary enlargement-related issues received high attention. The Polish ‘red line’ on the terms of majority voting in the Council was not only important in the parliamentary debates but made it prominently into the news, too (see Maatsch 2010).

\textsuperscript{33} We have analysed the EU treaty reform coverage by 20 news media outlets from six member states qualitatively in depth, finding that only 8 of them devoted a limited space to public intellectuals, experts, civil society organisations or representatives from interest organisations.
and discussions between different political and social actors or even develop their own critical evaluations.34

The scrutiny of mass media based European political communication about the EU brings strengths and weaknesses of national media performance to the fore. The lack of discursive pluralism and especially the limited access of voices from civil society is certainly a restriction if the media are to play a role in the arenas for European political communication. On the other side, regarding the extent of media coverage of EU Constitutional and Lisbon Treaty reform and the modes of democratic framing, the cross-border coverage clearly transcends the national realm. Transnational observation and discursive interaction with non-national actors increase the leverage of the mass media in building an agenda for transnational democratic discourses in EU politics.

(3) Representing EU democracy in European election campaigns (2009)

The third data sets consulted here has been compiled from print media coverage of the 2009 European election campaigns in six EU member states.35 Again, the most important findings shall be summarised in four points (see Table 4, below):

First, judging by the “second order” elections hypothesis, it comes as a surprise that European elections are quite extensively covered by the mass media, namely in France, the Czech Republic, Germany and Hungary and, to a minor degree, in the UK and Poland.

Even more surprising, secondly, is the scrutiny of the discursive representation of the three democracy models. Here, national statist discourses of democracy are clearly of a second order, while in all cases but the Czech Republic and the UK the multinational federal frame counts by far as the most salient one.

34 see Appendix, Table 10.

35 See Maatsch 2011b. For more information on both data sets, see Appendix, Table 1.
Yet paradoxically, third, regarding the diversity of voices that are included, the conspicuous bulk of media attention is devoted to populist, right-wing fringe parties who take a decidedly Eurosceptic stance, namely, for example, the Front National (FN) in France, Jobbik in Hungary, Libertas in Poland, and the United Kingdom Independent Party (UKIP) as well as the British National Party (BNP) in Great Britain. While such voices were largely absent in the domestic German discourse, their electoral success drew attention to the phenomenon also there. The Dutch Freedom Party as well as the British Eurosceptic parties were duly covered in German media. European level actors such as influential (former) Member of European Parliament (MEPs), domestic EU Commissioners or Commission President Baroso were given space in most of the media.

Table 4: Patterns of Discursive Representation in EP Election Campaigns (2009)

<table>
<thead>
<tr>
<th></th>
<th>a) coverage</th>
<th>b) salience</th>
<th>c) inclusiveness</th>
<th>d) scope</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M I</td>
<td>M II</td>
<td>M III</td>
<td>% National – EU</td>
</tr>
<tr>
<td>CzR</td>
<td>665 (5)</td>
<td>36</td>
<td>34</td>
<td>0</td>
</tr>
<tr>
<td>France</td>
<td>826 (4)</td>
<td>43</td>
<td>73</td>
<td>4</td>
</tr>
<tr>
<td>Germany</td>
<td>8558 (5)</td>
<td>66</td>
<td>83</td>
<td>5</td>
</tr>
<tr>
<td>HUN</td>
<td>5414 (6)</td>
<td>48</td>
<td>59</td>
<td>6</td>
</tr>
<tr>
<td>PL</td>
<td>111 (5)</td>
<td>83</td>
<td>177</td>
<td>17</td>
</tr>
<tr>
<td>UK</td>
<td>8267 (5)</td>
<td>65</td>
<td>56</td>
<td>10</td>
</tr>
</tbody>
</table>

Notes: a) print media coverage measured by total number of articles on topic area, in parentheses, no. of outlets included in media sample; b) salience of three discursive models of democracy, in number of references to three respective sets of values, institutions and processes in qualitative print media sample; c) proportion of national vs. EU voices, in % (id.); d) proportion of national (N) vs. European (EU) vs. universal (U) types of justifications in selected print media sample coding (id.). Source: RECON III data set.

Finally, fourth, as our established wisdom holds that European elections typically deal with domestic political issues – therefore constituting ‘second order elections’ – it is surprising as well that as a matter of fact, the EU’s Lisbon Treaty, the European Parliament and institutional questions of the Council and the Commission were on top of the 2009 election campaign agenda.\(^{36}\) Moreover, in our analysis of discursive

\(^{36}\) At the time of the European elections in June 2009, the ratification of the Lisbon Treaty was still pending as the second Irish Referendum was scheduled to be held in early October of the same year. This does not mean, though, that in the 2009 debates, domestic topics did not play any role. For instance, in the
patterns of media based election campaigns we find a strong incidence of argumentative modes referring to European level problems, ideas and interests.\textsuperscript{37}

III. REPRESENTING THE WOULD-BE DEMOCRATIC EUROPEAN POLITY: SUMMARY AND INTERPRETATIONS

The instances of European communication examined here – starting before the 2005 constitutional ratification failures and reaching to the 2009 Lisbon treaty ratification issues in EP election campaigns – provide us with selected insights into the patterns and dynamics of discursive representations of the issue of democracy in Europe. The research findings presented above shall now be confronted with the conventional wisdom on the subject\textsuperscript{38} with an aim towards developing a threefold argument.

(1) As to the widespread belief that it was wrong to expect the Europeanisation of national mass public spheres to happen in the near future (Grimm 1995, Graf Kielmansegg 1997, Peters 2005), our empirical evidence from two crucial episodes of the recent development of the EU – 2004-2007 Constitutional Treaty Ratification and the 2009 European Elections – is testimony to the contrary. We have demonstrated that both events have triggered extensive as well as intense debates in domestic public spheres. For explaining these dynamics, politicisation appears a crucial part of the story. In the context of EU treaty reform, the contentious nature of these protracted struggles has certainly provoked deep controversy among state actors, so that controversial EU debates have spilled over from institutional arenas – namely intergovernmental bodies,

\textsuperscript{37} Czech Republic, the fall of the Topolanek government and the scandal involving paparazzi pictures taken in Silvio Berlusconi’s villa made the news. German public debates revolved around the ‘Super Election Year’ with national parliament elections coming up in September. In Hungary, Fidesz’ call for new elections as well as the emergence of the far-right were widely discussed. The British discourse focused on the expenses scandal involving a number of national MPs, and the success of the BNP which was anticipated to take advantage from the voters’ dissatisfaction over the performance of the main political parties.

\textsuperscript{38} Cf. the discussion of the state of European public sphere research by Thomas Risse (2010) who engages the most comprehensive range of empirical findings from European public sphere research to date, however indicating two conspicuous lacunae: first, regarding the new East/East Central European member states, and, second, the developments following the EU’s constitutional treaty failure.
national governments, parliaments and parties, as well as courts – into media based political communication and civil society, and has reached even mass publics. Thus, politicisation has proven at least beneficial, if not necessary, to the expansion of European public communication practices. The mass media increasingly tell readers to think about Europe, thereby advancing the Europeanisation of public agenda setting and, at the same time, setting the initial stage in the formation of public opinion. The selection and coverage of EU issues – among them the contentious norms and presuppositions for the EU’s democratic legitimacy - and their exposing to national audiences, makes them potentially part of the public agenda and, eventually, increases their salience in the eyes of the public. In this respect, the mass media’s role in European communication increasingly consists ‘in telling readers what to think about’ (Cohen 1963).

Of course, politicisation of EU issues is by no means sufficient for explaining the Europeanisation of national public spheres. The patterns and dynamics of the European public debates in different national contexts do not depend alone or primarily on politicisation, but are shaped, in the first place, by the institutional settings, media systems and communication cultures. Variations in the quantity and quality of news media coverage of EU politics is no surprise, given the uneven quality of the democratic systems of the member states, with weakly consolidated democratic institutions and media systems that have not reached full independence from the state or have fallen into new external and internal dependencies. Among other new but also old member states, Hungary is a telling case in point.

(2) Another question is what politicisation and contentious Europeanisation of national public agendas have got to do with discursive representation in general and the representation of democracy discourses of the EU, in particular. The established wisdom on this matter is that both are at odds if not outright antagonists. Pointing out the shortcomings of such an approach, Stefano Bartolini has warned us not to delude ourselves into thinking that the ‘politicisation’ of the EU is ‘the right sort of medicine to

39 For comparative analyses of the national media systems of Europe see, among others, Bajomi-Lazar and Hegedűs 2001; Hallin and Mancini 2004; Sparks and Reading 1997; Splichal 1994; Sükösd and Bajomi-Lázár 2003.
cure the EU’s ills’ (Bartolini 2006). Yet, for understanding the role of civil and public spheres for the EU’s democratic legitimacy, it must be kept in mind that they can neither be reduced to forces for eroding the longstanding ‘permissive consensus’ in support of a European integration, nor to drivers of a ‘constraining dissensus’ vis-à-vis EU politics and policy-making who are motivated by collective identities (Hooghe and Marks 2008). The politicisation of public opinion and the mobilisation of European civil society need not necessarily lead to problems rather than solutions, as authors adopting a sceptical view generally maintain (Liebert 2010b).

Adopting the lenses of the federal and regional European democracy discourses outlined above, citizenship is frontloaded vis-à-vis national statehood. Moreover, civil society and the public sphere will be preconditions for inclusive discursive representation in EU politics, that is to say they provide for citizens and mass publics the preconditions for becoming knowledgeable about and engage in ‘considered’ public opinion formation on issues “beyond the nation state”, and specifically questions of EU internal and external policy making by which they feel affected. For reconstituting the EU as a democratic regional union with or without a state, civil society associations and the mass media are indispensable agencies for meaningful political participation and representation. This is even more the case if we adopt the framework of discursive representation for evaluating the fit between public policy-making and the citizens’ needs and wishes.

Our research findings support these claims in three ways. First, the issues of democracy in the EU constitute important topics in the public sphere, whether related to EU constitutional ratification debates or to European elections. Second, when framing the EU as a matter of democracy in public debate, the national media provide a pluralist arena. Contrary to methodological nationalist assumptions, national democracy does not serve as the default option. Instead, multinational federal discourses are represented as well. Third, not only in media contents and framing but also in their communication practices can we identify trends towards patterns of European political communication that transcend national communication communities by addressing the same topics, giving voice to the same discourses, using the same language for framing justifications.
In sum, the national media promote the Europeanisation of agenda building at two levels (Fortunato 2005: 56): Choosing how to present an EU issue, by framing the issue content, they construct the media messages that shape people’s perceptions. They tell readers not only about what to think but how to think about impacts of European integration (ibid.). However, to cohere with a realistic image of the media society, the notion of European deliberative politics and policy-making should not be normatively overloaded. The argument developed here is that an emerging European public sphere can favour inclusive representation practices only to the degree that the dominant democratic frames from the European “official” discourses resonate with the ones selected by the domestic arenas that are involved in EU decision-making. In the case of EU treaty ratification examined here, and comparing national media and parliamentary discourses, the democratic frames that are dominant in parliamentary arenas will also resonate in the mass media and vice versa. Arguably, this finding could be read as an indication that neither parliamentary plenary debates nor media communication are ‘cheap talk’: the public sphere matters in the domestic politics of EU treaty reform.

(3) The last question to be addressed here is whether the expansion of media coverage and politicisation of EU issues will also contribute to EU legitimacy through representing civil society voices in the public sphere. Conceiving political communication as a configuration of social practices, media engage in relationships with different types of constituency groups. Presupposing Johan Galtung’s triangular model of relations between state, economic and civil society actors, the media ‘take a challenging place in a field of conflicts’; floating somewhere between these pillars, they are ‘vital channels not only for the Civil society in relation to the State and Capital, but also in communication between the State and Capital in order to ensure a common public sphere and dialogue in society’ (Galtung 1999; 3f). Analytically, all three pillars can provide contents to the media. To what extent do they do so in the domestic EU practices? The answer to this question is straight-forward. Our available evidence

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40 Conceiving European political communication in terms of social practices is defined here as a configuration of action and practical knowledge – that is actors’ ‘know how’ – by which collective models of reality are generated and eventually changed through practical action; in this framework, discourses and texts acquire meaning only in the context of contingent historical social practices (See Raabe 2008: 370ff).

41 See Johan Galtung’s proposal of a three-sided model of society with three pillars: the State, Capital and Civil Society (Galtung 1999, Nordenstreng 2000).
on news media coverage of EU treaty ratification and European elections demonstrates that primarily national and EU institutions, government and political parties, to a lesser degree economic interest organisations and only very marginally civil society actors have actually generated inputs into the mass media, or have been able to raise their critical voices against the EU politics examined here. Domestic public spheres are freely accessible for lay people as readers; they extensively represent Eurosceptic voices, but only in exceptional cases nongovernmental organisations in the role of speakers. Illuminating these deficiencies in terms of representation does not mean to deny national mass media and civil society associations the cognitive and practical potential to engage with EU issues in forms that contribute to the democratic legitimacy of EU governance. As a matter of fact, empirical evidence suggests the potential and willingness of European civil society to constructively engage with contentious issues of European constitutional treaty reform (Liebert 2010a; Liebert and Trenz 2010; Trenz et al. 2010). In sum, the critical evaluation of the news media sheds light on sizable deficits in regard to more inclusive discursive representation practices.

The intention pursued in this section was to review and assess empirical practices in light of theoretical standards as regards the role of different kinds of public spheres for democracy in the EU. I argue that, on the one hand, their role will be enhanced depending on the type of democratic frames and expansion of inclusive practices that the mass media will develop in covering EU news. On the other hand, I claim that it is constrained by incoherence between the discursive representation of a federal Europe in the mass media covering European elections and nation state discourses in national parliaments. Moreover, the role of the domestic “strong publics” – or parliamentary plenary debates – and the “general publics” – or the mass media - is conspicuously marginal regarding cosmopolitan democratic discourses on a regional European Union; arguably, this is a consequence of privileging government and opposition parties while by and large excluding civil society voices from domestic public spheres. What empirical evidence tells us about the salience of democratic frames in the domestic politics of reconstituting Europe can be summarised as a mixed message: National and supranational discourses of democracy in the EU weigh differently, depending on the kind of public sphere. Media messages, on the one hand, help construct an image of a
supranational EU that shapes public opinion but does not necessarily translate into “strong public spheres”, such as national parliaments or constitutional courts. National parliamentary discourses, on the other hand, reproduce an image of a Union, the legitimacy of which depends on the democratic member state alone. As cosmopolitan regional discourses have proved to be conspicuously underrepresented at all sites of the public sphere and in all member states explored here, there is still much room for improvement.

CONCLUSIONS

In light of the evidence presented here the questions ‘What democracy for what type of Union?’ and, more specifically, whether ‘politicisation’ is the wrong sort of medicine for curing the EU’s democratic legitimacy deficits can both be answered. This answer is informed by our selective findings that illustrate that the allegedly missing social and communicative prerequisites for a democratic EU are emerging, paradoxically, as effects of politicisation through contentious EU policy issues. If politicisation of EU level issues is a necessary mechanism for promoting the Europeanisation of public spheres, the articulation of voices from civil society voices is not yet sufficient to progressively engage Europeans with European decision-making. Whether by direct forms of participation via referendums or European elections, or by alternative modes of representation, including parliaments, civil society and the public sphere, Europeanisation through politicisation requires three more conditions: First, at the EU level, ongoing processes of institutional and constitutional reform that are designed as catalysts for mass public politicisation of European integration. Second, at the transnational level, mechanisms and arenas – including the European Citizen Initiative and others – for framing issues of EU reform not exclusively within but across different national contexts. Third, it requires the predisposition of national and European political and media elites to discursively represent critical voices and respond to them in a constructive manner. Provided these preconditions, politicisation of European

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42 In this regard the Lisbon Ruling by the German Constitutional Court is a case in point; see Liebert 2010c; Evas and Liebert 2010.
integration should link in closely with further rounds of effective as well as democratically legitimate EU reforms.
APPENDIX: DATA DESCRIPTION

Table 1: RECON I, II, III. Data Sets

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Scope of quantitative / qualitative data set</strong></td>
<td>Qualitative dataset: plenary debates in six EU member states: 1 In total 47 parliamentary debates.</td>
<td>Quantitative dataset of 8583 articles, for 6 EU member states 1; 240 articles selected for qualitative dataset (40 articles per country)</td>
<td>Quantitative dataset of 2841 articles for 6 EU member states 1, 181 articles selected for qualitative dataset (30 articles per country)</td>
</tr>
<tr>
<td><strong>Search strings for sampling</strong></td>
<td>“Constitutional or Lisbon Treaty ratification”</td>
<td>Articles dealing with “EU Constitutional Treaty”</td>
<td>“European election / campaign”</td>
</tr>
</tbody>
</table>

Explanations: The three data sets have been constructed from different arenas of European political communication in six EU member states - Czech Republic, France, Germany, Hungary, Poland, United Kingdom:


REFERENCES


