

# Representative and participative democracy in the european union



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When a few small countries joint together to work as a single unit in political and economical matters in order to compete with big countries like United States, Canada, Africa, China etc, they created the European Union (EU)[1].

European Communities (EC); Common Foreign and Security; and Cooperation in Justice and Home Affairs are the three categories that the European Union is made of[2]. During 1951, EU was established with only a few countries such as Belgium, Germany, France, Italy, Luxembourg and Netherlands, but now there are 28 EU countries. When these individual countries became a member of the European Union, they were known as a Member State.

In order to guide and make the right decisions between all these member states in the European Union, the most important bodies are the big 5 bodies, these bodies are European Commission; Council of Ministers; European Council; European Parliament; and Courts of Justice of the European Union. The separation of the power is controlled by the big 5 bodies. This separation of powers is classified into 5 sections; these are Legislative; Executive; Judicial; Financial; and Misc. However the European Commission (EC) role play is overlapping between the two- Executive and Judicial[3].

United States has had a long history of being strong and established with all the states being run by one president, which Europe tried to imitate by having one group that makes the decision as the European Union either through intellectual persuasion or through military[4].

The main purpose of this essay is to understand all about the European Union and to look at the definition of representative and participative

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democracy; along with the short analysis of how is representative democracy and participative is working in EU; however its main focus will be on the Composition; roles and power of the European Commission and some of its criticism[5].

Firstly we need to know what participative democracy is. During twentieth century it was an idea of the ancient Greek to have a government by the people which in their language is “ demos”, and Participative democracy means direct democracy, in other words, all the people of the country are involved in decision making for their county. The word participatory means popular sovereignty as self-government. However participatory democracy, the process of decision making is very difficult, slow and complicates the process of decision making but its only strength is to combine individuals in the group through their active involvement in all decisions. By general agreement, participatory democracy can only successfully work in groups with 500 or fewer active members[6].

In every country the democratic system works through their general public inputting towards the constitution consent in the form of an election. When democracy is consensual, it becomes participative democracy. The citizens are active in government process by participatory policy for things such as referenda[7].

In simple word democracy means rule by the people.

Therefore Representative democracy means where we elected representative members of the parliament to make legislative decisions on our behalf. Now according to the Articles of 10 on the Treaty of European Union, the EU is

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meant to be based on the representative democracy but in the last 10 or 20 years or may be since EU was founded the democratic pretension of the European Union as an international organisation was really cold into question.

There are few aspects of democracy, some of which are-

**Accountability:** to what extension is institution or commissioners or representative help to account the decisions they make;

**Legitimacy:** authority or mended people have to actually make those decisions and;

**Transparency:** When they make a decision, how easy is to say that not only the decision that they give and also the reasons for that decision as well.

Treaty of the European Union really introduced to this idea of the democracy. Article 10 of TEU deals with representative democracy and also political parties.

However in Articles 11 of TEU is to deal with the EU and its relationship directly with the people and Article 11 is quite interesting because it gave the idea of the Citizens' Initiative, in other words, ways for groups of citizens to directly engage with the legislative process of the European Union another attempt to be established and a more directed form of democracy within the EU between the people and the institutions.

**Commission-**In Brussels, the commission met every Wednesday, as a group of 28 politicians. These politicians were known as the European

Commission's (EC), who formed a government in Europe, they have the rights to speak and to maintain their own field of responsibilities and each individual EU countries represented each member of the commission. If a member is reduced as a number, then they would have to choose the member on a basis of a system that ' strictly equal rotation between the Member states, reflecting the demographic and geographical range of all the Member states'(Art 17 (5)TEU)[8]'.

When they take an oath for their role regarding the defence for the general public interest and they swear they won't take any order from their own government[9]. The main purpose is to take the Right of initiative and offer the EU legislation. The EC also discipline in a role called Guardian of the Treaties and The EC also manage the EU Policy implementation and budget. Some of the works that the general public is benefited even today from the European Commission's work and these areas are Right of initiative; international dimension; Policy implementation; and Guardian of the Treaties.

The Composition of the European Commission: From November the 1<sup>st</sup> 2014, under the Article 17(5) of the Treaty on European Union mentioned that " Commission is to be made up of a number of members consisting of two-thirds of the number of EU countries. To change the number of members, there is flexibility for the Council[10]"

" The Commission's power of legislative proposal reaffirmed: ' Union legislative acts may only be adopted on the basis of a Commission proposal except where the Treaties provide otherwise'(Art17(2)TEU). Under European

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Commission, there are 53 directorates-General and approx. 33, 000 staff"[11]

The European Commission's role and power: The role of the commission is very important because of the Executive branch of the European Union, it initiates policies and initiates the legislation and which became law. Therefore this is really important.

In Articles 258 of TFEU the enforcement of the European Union as well as for Common Agriculture Policy (CAP), which is the area of law where in relation to farming where most European budgets gets spends.

The commission had given the High Authority, as they works within the legal structure which is under the general EU infringement procedure set in Articles 258 and 260. In Irish Waste case, the Court of Justice decided by seeing whether Ireland had taken all the measures which were required and to make sure directive provisions were followed according to the rules, which are then correctly applied[12]. Meanwhile interim measures, the Commissioners might seek under the Article 279 TFEU, for example is 'should a member state suspend operation of a traffic ban'. On this there are two recent cases- in R Commission v Malta(2008) and in R Commission v Italy(2007), which stated on 'nature protection'[13]. They rarely seek interim measures, but when they do, an application for interim measures prompts a member state to change behavior[14].

Criticisms: One of the most important criticisms of the commission regarding a democratic deficit where it lies is their appointment point. Commissioners are nominated by the member states and its oversight by the European  
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Parliament, this generally doesn't extend beyond questioning the potential commissioners and if they did want to vote them out, then they have to vote out the whole of commission so it's not realistic and finally they are appointed by the Council. The criticism behind this point is because there is no real engagement between the citizens of the European Union in the appointment of this real important body and the European Parliament which is the representative of the citizens does get to say in this matter but it's not a massive part of the decision mainly between the member of states and the EU Council.

The Presidency works in a similar way. The council will vote for a nominee and then this is approved by the European Parliament. So the EP does get a vote that is the president of the Commission and again we are really sort of saying about the council having the biggest say and really calling the shot of who is the commission. The commission is meant to represent the whole of the EU and there are meant to be national interest of play here but the reality is that it doesn't work like that. This idea of presidency is really coming to criticism recently, because lots of people keep asking why the people of Europe can't directly elect their president. For example we see Hillary Clinton and Donald Trump fighting for their presidency of the United States and that will go to the general election during November. Why isn't the European commissioner presidency run along the similar line, where everybody gets their votes rather than it really being done behind the closed doors as it is the moment?

In 1999, the Commission reputation was seriously damaged, as evidence of fraud discovered by an independent report, about mismanagement and nepotism, forcing all the Commissioners to resign[15]

Conclusion: one of the criticisms is that the general citizens are not connected with the EU, for example- during 1999, in Big Brother (Television shown) where general public voted 23 million votes towards this show and on the other hand the European parliamentary election, where they only received 11 million votes from the same general people during 1998. There is a huge difference in the amount of votes which indicates that there is no engagement between the general public and the European Parliament, showing clearly that the general citizens have no interest in it at all.

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