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# THE EU ACCESSION AND ECE PARLIAMENTS: A HUNGARIAN APPROACH

Attila Ágh  
Department of Political Science  
Budapest University of Economic Sciences and Public Administration

## Abstract

*The paper first outlines the conceptual framework of the early consolidation as the recent stage of development in the East Central European (ECE) countries. In analysing the process of accession to the EU, the paper focuses on the role of the ECE parliaments that has been an "underresearched" field. The role of parliament has been discussed in three major aspects. First, in its legislative function as legal and political harmonization with the EU, i.e. passing the acts for the Europeanization. Second, the ECE parliaments have the function of aggregating the particular interests into a national interest by providing a public and transparent forum for discussion and interest reconciliation. Third, they have a communicative function given their high visibility, therefore they have to inform the public at large about the latest events of the EU accession and to prepare the populations for the participation in the EU referendum as well as for the support of the EU membership.*

Democratization and EU integration of the East Central European (ECE) countries have often been treated separately. In the EU integration literature the economic aspects have been discussed almost exclusively and the political aspects ("political harmonization") have been largely neglected. Instead of reducing EU integration to its economic dimension, this paper deals with the political criteria of the accession capacity in the ECE countries, first of all in and by parliament. There is a shift in the democratization process in ECE countries in general from the minimalist-procedural to the maximalist-substantial understanding of democracy. No doubt that there has been a democratic order in ECE states as far as the formal criteria of democracy are concerned but there are many new problems concerning the low performance of the new democratic system,

including the parliaments, also in the europeanization process. In this regard, the paper analyses three issues: 1) internal capacity - how the ECE parliaments manage EU affairs; 2) aggregation capacity - how it creates a national interest from the conflicting interests concerning EU accession; 3) external capacity - how it can mobilize the population for a successful referendum. The conclusion of the paper highlights some tasks for the ECE parliaments in the coming years. This paper has been pre-published in the series of Budapest Papers on Democratic Transition (2000 No. 272) edited by the Hungarian Centre for Democracy Studies.

### **Introduction: Pre-Accession and Early Consolidation**

Despite some disillusionment, the first decade of democratization has been very successful in the ECE countries, first of all for their parliaments. The parliaments have been the mother and model institutions, that is the other institutions in fact have been generated by the parliaments and have been modelled according to the principles of the parliaments. As in Southern Europe, the ECE parliaments have also been central sites of politics, while the parties have been its major actors. The ECE parliaments have actually done the best job in connecting the average citizens to the "high" politics through its representative, communicative, socialization and legitimization functions.

I have tried to point out in a series of recent books and papers that 1) the East Central European (ECE) countries have recently entered the stage of democratic consolidation, but only through its sub-stage of early consolidation; 2) the pre-accession period in europeanization has necessarily coincided with early consolidation and these parallel processes have produced common tasks and new difficulties for democratization and EU integration (e.g. Ágh, 1998a and 1998b). The new situation can be described as a shift of focus from democratization to political modernization, or as a new period of "completing" democratization into a coherent structure of consensual democracy (Rose et al, 1998: 154). My thesis is that the ECE parliaments could have managed both democratization and integration easier at an earlier point, in the period of democratic transition and association but in this completely new situation of consolidation and accession both its institutional and cultural capacity is largely missing and has to be newly created. The external and internal

preconditions of europeanization have changed beyond recognition and the ECE parliaments have to make their new structural adjustments accordingly.

First, their main partner, the European Parliament has also become an important power centre inside the EU (see recently Dowding, 2000: 133). This has led to the "parliamentarization" of the European integration. Whereas the European Parliament was not active in the enlargement issue in the early nineties because of its concentration on the Maastricht process, it became much more involved in the enlargement discussions in its legislative period of 1994-99, and even more in the current parliamentary cycle. This greater involvement is due partly to the new competencies resulting from the Amsterdam Treaty, and partly to the "participatory revolution" in the member countries mobilizing citizens and organized interests. With the increasing significance of the European Parliament as a power centre, the contacts with the national parliaments of the ECE candidate countries will become more intensive and more important for the whole enlargement process.

The parliamentarization of the EU and the ensuing need for the Europeanization of the ECE parliaments have also basically changed the task of the parliaments of the ECE candidate countries. Reinforcing this external challenge, there are three internal reasons as well pushing the ECE parliaments to change. First, although the basic democratization and marketization legislation, or the legal systemic change, is more or less over, the ECE parliaments are still faced with the huge legislative task of detailed legal and political harmonization bills or "Euro-legislation". This legislative task is much bigger now than it was in the case of the latest entrants (Austria, Finland and Sweden). Second, the ECE parliaments have a decisive role in formulating the national interests for the EU negotiations by aggregating the interests of social groups. This task has also turned out to be more difficult because the ECE governments have almost completely monopolized the representation of national interests and its aggregation has to resolve the problems of increasing conflicts among social groups and the growing mass of "victims" of the integration. Third, they have to communicate the process and the results of accession negotiations to the population at large. The ECE parliaments are in a unique position to perform this communicative function because of their high visibility as

political fora, at the same time their public trust is low because of their poor performance.

Thus, when the ECE parliaments are faced with these demands, a major paradox appears. As long as internal democratization was the main focus for the ECE parliaments, until the mid-nineties, the parliaments were the major sites and vehicles of democratization and institutionalization. Despite their relatively low productivity in legislation and many other problems discussed above, by and large, the parliaments kept their very positive role until the late nineties. Paradoxically, however, the ECE parliaments are nowadays not only the promoters and vehicles but also have become to some extent the bottlenecks of europeanization in terms of political harmonization. In a word, they are much less able to perform their current role in the "external" political harmonization than they were in their previous role in promoting "internal" democratization. The usual political-legal analyses of the ECE accession capacity focus on the performance of governments and state administration but this is an elitist approach or vision of EU integration. The major political problems in ECE countries are connected with "the integration of people into European integration" as 1) the Euro-legislation, 2) the national interest aggregation and 3) the communication with the population. The case of the latest entrants has proven that the only way to solve these problems is the parliamentarization of the EU accession.

### **I. Legislating the EU "Policy Universe": A New Beginning**

It is obvious that systemic change necessitates a general overhaul of the previous legislation. Analysts thought in the early nineties that just a few years would be enough for such legislation "with urgency". But we now realize, in the recent parliamentary cycle that a hectic legislative pace, of necessity, despite its counterproductive effects would characterize this cycle again. The breakthrough from the law factory to producing quality legislation has come to the fore everywhere in ECE. At the same time, it has been formulated as a means of overcoming the institutional and cultural deficit. This may be, again, expressing a general trend in the ECE parliaments.

Consequently, in order to fulfill their roles in europeanization, the ECE parliaments have to "Europeanize" themselves, too. They are the

classical case of "institutional" europeanization on the one hand, and a "functional" lack of Euro-capacity on the other. Paradoxically, at the moment when parliaments could have taken a leading role in the European integration process from the governments, the parliaments were not only weak in their performance in general, but they were especially weak concerning the handling of the European policy universe in particular. All ECE parliaments have established some kind of European Affairs Committee that is the partner institution with a committee of the European Parliament, forming together a Joint Parliamentary Committee (JPC). These JPCs and the European Affairs Committees have made great efforts to support European integration. Yet, these EU committees have been the weakest parts of the ECE national parliaments and they have usually been among the least important and powerful committees. They show a shocking contrast to the strong "grand committees" of the latest entrants. Nowadays, the ECE parliaments are obviously not yet able to meet the challenge of europeanization, but this challenge provides institutional pressure for them to perform their own internal europeanization and political modernization (Longley and Ágh, 1997).

Association with and accession to the EU can also be considered as two subsequent periods of "general" and "particular" europeanization. That is, in the association period there was a challenge of democratization in general; in the accession period the copying and domesticating of the concrete rules of the "EU polity", and the treaties as its "constitutions" in particular, have become the major task. This shift from general to particular europeanization or westernization has caused serious problems for the ECE parliaments and so far they have not been able to cope with the difficulties of the new situation. The issue of the institutional and cultural deficit has re-emerged in this new context of the europeanization of the ECE parliaments. I have discussed the tasks of overcoming the institutional deficit as the need for establishing 1) a powerful Grand Committee for the management of accession, 2) EU sub-committees in parliamentary committees to provide adequate policy-making expertise, 3) a wide expert-base or "epistemic community" to include professionals in the process; and finally 4) strengthening the present EU affairs committee in its co-ordinating function inside the parliaments as well as the JPC between the European and the ECE parliaments (see e.g. Ágh, 1999). In this spirit, the president of the Hungarian Socialist Party, the largest opposition party, has demanded that the Hungarian parliament has to control and co-ordinate the

accession process through an all party Grand Committee but the government has not even answered this challenge (Magyar Hírlap, 18 January 2000).

The inclusion of professionals and the extension of their own independent expert-base for the ECE parliaments already indicate the main direction for overcoming the cultural deficit. It is certainly more difficult than overcoming that on the institutional side. The "opportunity-capacity" paradox appears here as a contradiction between the "Euro-mindedness" and "Euro-capacity" of the MPs. In the Hungarian case, EU accession has overwhelming support among the MPs, e.g. in 1998, 97 percent of them approved a Hungarian membership in the EU. The vast majority of the MPs, 82 percent, supported the membership, first of all, for economic reasons. Altogether, the European identity of the MPs is quite high - 6.12 on a seven point scale (Simon, 1999: 14-17). The Euro-mindedness of the Hungarian MPs has already formed but the emergence of their Euro-capacity, that is their understanding and managing of Euro-affairs, has lagged behind. The first limitation is rather obvious, this is the language barrier, followed by the lack of a proper knowledge about the workings of the EU institutions. The real problem, of course, comes to the surface as a lack of orientation in current Euro-affairs and as a contrast between Euro-mindedness in general and its distortion on concrete issues in particular. For the self-identity of the leftist MPs, the support for Hungarian EU membership is in first place, while for the rightist MPs, it is only in the fourth place, preceded by support for the Hungarians living in the neighboring countries (Simon, 1999: 13). This survey indicates that in the second parliament (1994-1998) there was not sufficient Euro-capacity among Hungarian MPs but in the third parliament (1998-2002) there has only been a small improvement.

Instead of the narrow political perspective, the ECE parliaments have to employ a wider and deeper policy perspective as some kind of "policy revolution" this is the central issue in their political modernization (Patzelt, 1995: 381-382). The policy revolution offers a good point of departure for the efficient policy-making by parliaments, and above all by their committees. The workings of the parliaments, in policy-making terms, have to be discussed first of all as effectiveness, that is the capacity of concentrating on and solving the vital issues that have usually been called the constitutional laws of systemic change. The inside working mechanism

of the parliaments has its efficiency as a proper use of resources and the time available for discussion in order to produce proper legislation, so this aspect usually appears also as a reform of the standing orders. The new democratic structures, the newly (re-) organized or established institutions have still only a rather low capacity to transfer home and to implement Euro-policies. In general terms, the actual political performance of the new democratic parliaments is still insufficient, that is, despite their significant improvements in the last years, their effectiveness and efficiency do not yet meet the requirements of the EU. Even bigger problems can be seen in their political efficacy that is in the involvement of social actors and the population at large into the integration process by the ECE parliaments.

## **II. Aggregating National Interests: the Parliament and Society Relationship**

The europeanization of the ECE parliaments as developing a capacity to aggregate national interests is still high on the agenda for the next decade. It is no any longer simply a learning process for the MPs but a question of opening the parliament towards social actors and civil society as a whole. In this respect, the ECE parliaments are only at an initial stage in the EU-type of policy-making process. For an advanced system of policy-making, a new feedback loop is needed not only between the EU and the ECE parliaments but it is even more important domestically between "parliament and society" (see Herzog et al, 1993), namely

(i) There has been a "functional change" in parliaments from the classical function to new functions. It has been connected with the new, complex meaning of representation (e.g. social and policy representation) that has also transformed the former workings of interest representation as well. This change is much more important and difficult for the ECE parliaments.

(ii) In the interest representation, mediation, co-ordination and conversion processes parliaments act as "clearing houses", their function in terms of social responsiveness becomes even more decisive. This function is for the ECE parliaments an urgent task of aggregating the conflicting interests into a national interest for the EU negotiations.

(iii) The classical "teaching function" of the parliaments has been transformed into a capacity, and also a duty to develop strategic perspectives and alternatives, while the governments are much more engaged in the management of the short-term issues. Development of strategic perspectives for europeanization is the greatest task now facing the ECE parliaments.

The ECE parliaments still have a narrow understanding of representation and they are between corporative-consensual arrangements and majoritarian-governmental decision-making. Through widening the meaning of representation to its full complexity and by completing the consensual arrangements, the ECE parliaments can take over the job of coordination of the EU accession from the governments. First of all, the parliamentary committees can act as honest brokers between the parliaments as representatives of the long-term national interests and organized interests, with the particular groups of populations behind them, summarizing the interest aggregation process in the last instance. This process of consolidation can be seen as reconciliation between the institutional and the cultural approaches, at the same time, as overcoming both the institutional and the cultural deficit of the ECE parliaments. Democratic political culture has been institutionalized in civil associations as civic communities and vice versa, the organizations of civil society have been based on the commitments of citizens to democratic values. Thus, the increasing institution density in politics and organization density in civil society are running parallel with the professionalization of the MPs and the routinization of democratic patterns of behavior among the population.

Civil society is an elusive concept in many analyses, but it has to be made concrete for an operative theory of consolidation in ECE. Parliamentarization means in this respect not only creating these institutions according to the parliamentary model but also connecting them to the parliament through various intermediaries or "modules" like the national top organizations (e. g. Social and Economic Council, Federal Chamber and National Organs of the NGOs). Parliamentarization can, and has to be, extended to civil society property, since as we move to micro-politics, the contrast between institution and culture disappears more and more, giving space for their interaction and synthesis. On one side, there are many "institutions" in civil society such as voluntary associations or organizations, with decision-making structures and procedures



("constitutions") similar to parliaments, therefore we can talk about the parliamentarization of the civil society associations. At the same time, the full realization of a civic culture and a vibrant civil society entails the full adoption of parliamentary norms and a parliamentary ethos. That is, there is also a need to adopt patterns of behavior similar to the parliamentary model.

The shift from democratic transition to consolidation has also been connected with that from "vertical democracy" to "horizontal democracy". Namely, macro-politics regulates only the vertical relationships between electors and elected, governed and governors, but meso- and micro-politics are about the horizontal relationships of citizens, or about the "horizontal accountability" of delegates and organizations (Merkel, 1999: 4). This contrast is very important to embrace the full meaning of consolidation where horizontal relationships emerge and the building of democracy is completed. The consolidation process in general and in its two stages in particular can be described within this conceptual framework. First, one can observe that the top national organizations of meso-politics come into being in the early consolidation period, in a mostly top-down type of development but also with great pressure from below; and the full network of civic associations in society as a whole comes into being only in mature consolidation. Second, the two stages also differ in the respect that there is an asymmetrical development in civil society in early consolidation, since above all the winners of systemic change, the new middle classes, are active in forming civil society associations and the top organizations. The losers still are usually politically "silent" and "disempowered", that is organizationally disadvantaged. Thus, most of the NGOs represent the interests of the new middle classes in a social space left open by the state, such as organizing functions for themselves in education and health care, etc., while the disadvantaged social classes are still unable to get organized, so their interests appear only in the NGOs supported by middle class activists in social policy. Basically, however, mature consolidation will usher in a period of more balanced civil society associations and NGOs, that is more enhanced political participation will be accompanied by more intensive social participation also on the part of relative losers.

The meso-political or social actors have organized their Euro-contacts both the trade unions and the employer organizations (Hungarian Employers Confederation for International Co-operation, HECIC) as memberships in ETUC and UNICE. The Hungarian government also

established an European Integration Council in June 1999 as a consultative body for the social partners. The HECIC has been invited to participate in the meetings of the official expert committees as well. But all these social actors have only a consultative role, so far their views have not been listened to and aggregated by neither the Hungarian government nor the Hungarian parliament in an official framework. Although they have expressed their wish to participate in the accession negotiations several times, the government has not been ready to involve them. Consequently, the government still has maintained its quasi monopoly of aggregating and representing national interests and it can prove to be a bottleneck in both negotiations with the EU and in mobilization of the Hungarian population for the referendum.

However, if not the concertation of organized interests but the concertation of various policy fields has become high on the agenda in the EU (Ebbinghaus and Hassel, 2000: 45). It has been put even more on the agenda of the candidate countries in the process of the structural accommodation to the EU. This urgent demand has raised the task of aggregating and mediating interests, and providing the concertation of various policy fields in the accession process for the ECE parliaments much more than ever before.

### **III. Communicating EU Integration: Preparation for the Referendum**

There has been a paradox between the high visibility of and the low trust in the ECE parliaments. However, the high visibility is not only a burden that makes obvious all the vices and contradictions of the new democratic systems in their parliaments. It may also become a great potential for parliamentarization that is it makes possible the elaboration of a communicative model in the case of EU accession. High visibility is very helpful in the creation of a common language for a public discourse about the next stage of europeanization. Parliaments are in a better position than governments are for "political marketing" of EU accession as a preparation for a national referendum. The representative function of the parliament, including interest representation and aggregation, has to be conceived as a communicative model. The communication function is central to modern parliaments between the legislators and the population at large as well as among elite groups (Wessels, 1993). It creates a common language for the political discourse and solves the problems of the "cultural lag" between

those governing and those being governed. The communicative model ushers in a new period in the understanding of the ECE parliaments in general and in "political marketing" of EU accession in particular.

Parliamentary work begins in a pre-parliamentary stage of the everyday discussions of citizens. Responsiveness to social demands may be one of the most important criteria for the evaluation of parliaments, since it is the major factor the parliaments are judged upon by the public. The public support is basic for a good performance, it has usually been discussed under the heading of political participation and efficacy. In the post-parliamentary stage efficacy comes to the fore in the process of implementation as a contrast between the outputs and final social outcomes. Here, the participation of organized interests and the involvement of the population at large comes into the picture in the stages of the preparation, discussion and implementation of legislative acts, above all in Euro-legislation and national interest aggregation.

In the early nineties, the support for EU membership among the Hungarian population was very high. The Eurobarometer public opinion polls were extended to Central and Eastern Europe in 1991, since then we have had regular and comparative research in this field. The Eurobarometer figures show the same combined tendency of Eurofatigue and "transition fatigue" in Hungary as well as in other ECE states until 1996. The percentages of the positive, neutral and negative views and don't knows shifted in Hungary from 45.2 - 22.5 - 4.3 - 28.0 percents in 1991 to 33.6 - 31.7 - 11.0 - 23.7 percents in 1996 (Kurtán et al., eds., *Political Yearbook of Hungary 1997*: 586, 590).

In 1997, however, a major change came in the Hungarian public opinion on the EU that ended the decline and brought a real breakthrough in the support for EU membership as well as interest in EU matters. In 1997, the answer to the above mentioned question was much more favorable for the EU than before, namely 48.1 - 35.8 - 6.0 - 10.1 percent respectively. This turn can be explained, of course, by the fact that membership became somewhat closer and the well publicized Report of the European Commission on Hungary, *Agenda Hungary*, was so positive that it may be considered the best evaluation among all the applicants (see Grabbe and Hughes, 1998: 54). However, the significant improvement in the domestic economy and political developments might have played a role in this

breakthrough. The new cautious optimism of Hungarian citizens may have reflected the effects of sustainable economic growth after 1996, with an average 5 percent growth that has also appeared in the increasing real incomes.

Yet, public opinion data about EU accession also indicate the need to involve social actors and to reach individual citizens with adequate information about the EU in order to alleviate their particular - regional or local - concerns. The latest public opinion poll in december 2000 conducted by Central European Public Opinion Survey Institute (see Magyar Hírlap, Budapest daily, 4 December 2000) has indicated an improvement in the support for EU membership: 69 percent in Hungary, 55 percent in Poland and 51 percent in the Czech Republic. The social problem of the EU support has still been indicated by a former, more detailed survey. In 1998, survey 68 percent of the Hungarians saw membership as beneficial for the country, 45 percent for the region and only 38 percent for themselves. Consequently, at present, the insufficient or missing activity of policy actors in Euro-affairs, or the relative lack of articulated interests, is more harmful to the accession process than any possible resistance these organized interests might offer to it. No doubt, policy actors have to be involved much more intensively in the europeanization process. Therefore, further institutionalization of meso-politics is unavoidable and the communicative role of the ECE parliaments, including the Hungarian parliament, is vital to prepare the population at large for the referendum on the EU membership.

### **Conclusion: Elite versus Participation Approach**

The ECE candidate countries have had so far an elitist approach to EU integration that has emphasized the economic side of integration versus the socio-political one and it has regarded the government as the only partner in negotiations with the EU institutions. This elitist approach has been one of the major reasons for the Euro-fatigue in ECE, although least so in Hungary. Thus, there is a need for the "parliamentarization" of EU integration as "integration of the population into EU integration". Parliamentarization should start and end up with the "parliament and society" relationship. But there are two pillars of democratic legitimacy, the first is procedural, the second is performance oriented. Whereas the first one can be considered as given in the ECE countries with the consolidation of democratic institutions, the second one still seems to be problematic.

People can accept democratic order only if it is well working and there still is a “performance crisis”. The crucial issue in this performance-legitimacy is that the public at large has to have ways and means to exert pressure on the parliaments and the media has to act as a vehicle. The crux of the matter is that the new democratic parliaments have shown so far a slow or missing responsiveness to popular demands, that is in dealing with issues of popular interest in the EU integration process. The governments have even been slower to respond to popular demands, if at all. As an infantile disease, these macro-institutions have become “ivory towers” to a great extent. In the new democracies, politics has turned out to be a remote world hovering above the population at large. Thus, the reform of parliaments in new democracies has to start and end up with the reform of the responsiveness by making parliaments more sensitive to public demands as a precondition for the parliamentarization of the EU integration.

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### **Bibliographical sketch**

Attila Ágh is Professor and Chair of the department of Political Science at the Budapest University of Economic Science and Public Administration. He has published about 50 articles in international political science periodicals and two books in the United Kingdom in 1998 about the comparative democratization in East Central Europe and the Balkan. Prof. Ágh has been a Visiting Professor at many universities, e.g. in Dar es Salaam, New Delhi, State University of California at Long Beach, Vienna etc. Currently he gives courses on comparative politics at the Aarhus University, Denmark.