How to Overcome the Legitimacy Crisis of European Democracy?

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Abstract Sustainable development of democracy in Europe cannot be
taken for granted. We witness tendencies, both external and internal, that
are detrimental to democratic political life. The main issue of the chapter
thematises the possibilities for strengthening democratic legitimacy and
enhancing problem-solving capacity in the EU. It analyses key deficiencies
in the functioning of European democracy that need to be tackled. The first
deficiency is a lack of leadership, where political decision-makers often
lack the vision, wisdom, and courage to face the challenges of the current
historical moment. This is coupled with insufficient problem-solving
capacity, characterised by poor coordination and low efficiency (despite
sufficient material and intellectual resources). This is related to the rise in
political distrust of the citizenry toward political and other elites at both the
national and EU levels, which is associated with the rise of Euroscepticism.
One should also add a relatively weak awareness of a common European
identity, not only among ordinary citizens but also among elites. The author
claims that political and other elites bear the bulk of responsibility for the
legitimacy crisis in Europe.

Keywords: • democracy • European Union • legitimacy • leadership

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1 Introduction

Sustainable development of democracy in Europe cannot be taken for granted. For a long time, we Europeans lived under the belief – or rather, the illusion – that the democratic order established after the Second World War was eternal. Likewise, peace and security on the 'old continent' were supposed to be infinite. In recent years, however, all of this has been seriously called into question. The key turning point was Russia's military aggression against Ukraine in February 2022. It has become clear that the autocratic regime of Vladimir Putin, obsessed with the desire to restore the Russian empire, represents a serious threat to the European democratic order. An additional problem is that Europe lacks the appropriate defence and security instruments to counter this and similar threats effectively, so it is heavily dependent on the United States of America in this regard.

Nowadays, there are tendencies, influenced by both external and internal factors, that are detrimental to democratic political life. Among external threats, the role of global and regional anti-democratic centres of power shall be stressed. Besides Russian aggressive expansionism, one can state Islamic terrorism as also increasing the power and international influence of authoritarian China. Among internal forces, we can count the rise of populism, anti-European sentiments, and political extremism. There is a widespread perception of the inefficiency of democratic institutions and of the detachment of political elites from the needs and interests of ordinary citizens, leading to declining political trust in several EU countries.

The main issue addressed in the chapter concerns ways to strengthen democratic legitimacy and enhance the European Union's problem-solving capacity. According to Lipset (1959, p. 29), legitimacy can be perceived as the "capacity to produce and maintain the belief that existing political institutions, or norms, are the most appropriate for society".[1] Legitimacy results in the consent of the citizenry with the fundamental norms and principles of a particular political setting as well as their conduct in accordance with them. The legitimacy of the democratic system thus presupposes a consensus regarding the citizen body's commitment to key democratic norms and principles, as well as the recognition of this type of institutional setting as the only acceptable political alternative (Tomšič, 2002). It is essential to emphasise that the term primarily refers to transnational governance, that is, political processes within the framework of the European Union's institutions. It analyses key deficiencies in the functioning of European democracy that need to be tackled. The first deficiency is a lack of leadership, where political decision-makers often lack the vision, wisdom, and courage to face the challenges of the current historical moment. This is coupled with insufficient problem-solving capacity, characterised by poor coordination and low efficiency (despite sufficient material and intellectual resources). This is related to the rise in political distrust of the citizenry toward political and other elites at both the national and EU levels, which is associated with the rise of Euroscepticism. One should also add a relatively weak awareness of a common

European identity, not only among ordinary citizens but also among elites. It can be stated that political and other elites bear the bulk of responsibility for the legitimacy crisis in Europe.

To overcome the legitimacy crisis of European democracy, it is necessary to strike a balance between national sovereignty and the implementation of common political solutions at the Union's level. This is a delicate task, since it cannot be achieved once and for all, but must be established again and again. However, this must not occur through the majorisation and centralisation of decision-making. This would only mean further erosion of legitimacy. It is necessary to increase capacity to resolve key EU problems efficiently and successfully, protecting the European way of life without additional bureaucratisation. On the contrary, it is essential to reduce the scope of regulation, limiting it to matters where the intervention of European institutions is vital. The legitimacy of European democracy and the strengthening of a common European identity, without which it cannot exist, must not be at the expense of national and other existing forms of identification.

2   How strong is European democracy?

We often hear that European democracy is in crisis (Armingeon & Guthmann, 2014; Kriesi, 2020; Moises, 2019). One of the most common criticisms is its alleged elitism, claiming it is not representative enough and that ordinary citizens are largely excluded from decision-making on public matters. This is particularly applicable to political decision-making at the European Union level. Its leading representatives are said to be alienated from the lives and needs of ordinary people and therefore not acting in their interests.

However, it is essential to remember that the European Union is a *specific political entity* (Tomšič, 2012). It differs from other supranational organisations in that it is not simply about intergovernmental agreement on joint decisions. Since it has become more than just a common economic space of the countries of the so-called 'old continent', that is, it has become a supranational institutional entity with its own original powers, which is superior to its member states in certain vital areas, the question of the European political order has come to the fore. And with it, the question of European democracy. In the Western world, which is rooted in European spiritual heritage, democracy is one of its fundamental characteristics. Thus, the existence of democratic principles of political action, with the entire set of human rights and freedoms, is *a conditio sine qua non* for a country to become a member of the European Union. Therefore, if we consider that democracy must be established at the level of individual member states, it is almost self-evident that the Union as a whole must also take into account the fundamental democratic postulates in its operations.

However, when we discuss the essence of democracy, the situation becomes more complicated than it initially appears. Democracy as a political system is a complex phenomenon, significantly more so than any of its alternatives. According to O'Donnell (1998), polyarchy as a real democracy consists of three components based on three intellectual currents or traditions: democratism, which brings the concept of equality between people; liberalism, which brings the idea of rights that no authority may violate; and republicanism, which brings the concept of civic virtues and commitment to the public good. In this regard, the successful functioning of polyarchy requires a balance and complementarity among all three components, as the absence of any one of them would lead to significant deformations. Upon examining institutional solutions across various European countries, we can observe that, despite common democratic principles, distinct political systems exist. Some use a majority system, while others use a proportional system; some use a parliamentary system to exercise power, and some (though much less frequently) use a system in which the president has relatively large executive powers. So, how can we create a unified democratic model that could function successfully at the European Union level?

When it comes to the functioning of the European Union, its critics often highlight the alleged so-called 'democratic deficit' (Haller, 2008; Norton 1996; Follesdal & Hix, 2006)). This means that the most important decisions at the Union level are made in narrow and closed circles by the elite. Therefore, ordinary citizens have no special influence on them. In doing so, they advocate introducing mechanisms that would enable more direct citizen participation. Despite the justification of certain accusations of the 'elitist' nature of the decision-making process at the European level (Dahl 1999; Wood, 2002), it is necessary to recognise that the Union cannot operate in the same manner as its member states, as its legitimising basis differs. In order for European democracy to operate in a more participatory way, what Weiler (1996; 2002) calls a 'European demos' is needed, that is, a European citizen body that would share a sense of common belonging, which would be the basis for the formation of a common civil sphere and public space at the level of this supranational association. However, at present, we can hardly speak of such a unified European citizen body. Most citizens of the EU Member States still feel themselves to be members of their own nation and state first and foremost, and Europeans only much later (although these two are by no means contradictory). In such circumstances, the introduction of more direct decision-making at the European level and the introduction of the majority principle in the sense of 'one citizen, one vote' would lead to the dominance of the most numerous countries/nations, also to the detriment of the smaller ones.

In the light of the above, we may ask, is European democracy actually in crisis? It is undoubtedly challenging to speak of its crisis in the sense of its existence being threatened, for example, that some anti-democratic alternatives could, in the short or even medium term, replace the democratic order. Most Europeans still support representative democracy as the most appropriate form of government (at least for citizens of the

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European Union). This is what most research conducted over the last two decades has shown.[2] There are, however, certain ambiguities, discrepancies and contradictions. According to some surveys, a significant portion of the population also supports alternative variants, such as the rule of a strong leader or the rule of experts, which are inconsistent with the principles of liberal democracy (Adam & Tomšič, 2019). However, in general, we cannot speak of the growing anti-democratic political climate in Europe.

However, different assessments indicate that democratic backsliding is occurring in some European countries (Greskovits, 2015). We are allegedly witnessing the rise of so-called illiberal democracy, which sometimes has elements of authoritarianism. This is said to lead to a marked concentration of power in the hands of the executive branch of government, which is systematically weakening those institutions that serve to control powerholders. Here, the primary concern is the curtailing of judicial independence. Other strategically critical social subsystems, such as education and the media, are also 'under attack'. The authorities are attempting to bring the latter under their control through direct personnel interventions in public media and by supporting the creation of media conglomerates in the hands of businessmen connected to the authorities. These phenomena are primarily associated with 'new democracies' from Central and Eastern Europe. Among the members of the European Union, where the principles of liberal democracy are being undermined, Hungary is most often singled out during the rule of the Fidesz party and its leader, Viktor Orbán.[3] Similar accusations were also levelled at Poland during the previous government led by the Law and Justice party. The situation in Southeast Europe is even more problematic, especially in Serbia under President Aleksandar Vučić.

However, it is worth noting that assessments of a country's democracy, which often appear in political and media discourse, can be politically motivated. We can observe that stricter criteria are used to judge the former communist countries of Central and Eastern Europe.[4] We can even speak of double standards. Sometimes, more important than the problematic nature of the actions of those in power is the political 'colour' of the officials who carry them out.[5] Bias in assessing the state of democracy does not contribute to its improvement; rather, it creates tensions and reduces political trust in the European space.

3   Internal and external threats to political stability in Europe

The importance of Europe in international relations has declined significantly over the past few decades. Here, we refer to the European Union as the central institutional entity of the 'old continent' and the countries closely associated with it (which still includes the recently departed United Kingdom). The individual European powers that once ruled large colonial empires have long since ceased to play a leading role in the world. However, the international 'weight' of the Union is significantly less than one might assume based on its economic, scientific and intellectual potential. Therefore, not only is

it unable to play a relevant role in solving key global problems and conflicts, even if they are on its doorstep, as in the case of the war in Ukraine.

Moreover, Europe is itself exposed to threats from authoritarian centres of power. This is clearly evident in Russia's relationship with Putin. It is thus downright absurd that, in terms of security, it is held in check by a country that is in no way a match for it economically compared to the Union, regardless of its territorial extent (since its economy is on a par with Italy in terms of size). However, the economic power of the Union in no way corresponds to its military power. With authoritarian leaders like Putin, the latter is what counts above all. Therefore, in countering the imperial ambitions of Putin's Russia, it must still rely on the USA's help.

However, Russia does not pose the main long-term threat to Europe. It poses a security threat, as it conducts military operations on its eastern borders, but is not competitive with it in economic and technological terms (with the partial exception of the military industry). The main long-term threat is China, which is experiencing a tremendous economic upswing and, in certain areas, has significantly overtaken Europe in terms of technology (for example, Artificial Intelligence). In accordance with this, in recent years, its geopolitical influence has also expanded significantly, especially in the so-called Global South. However, China's economic and technological breakthrough came largely thanks to Europeans (and to a lesser extent, Americans). Its power is growing because they have been enabled to do so. Western economic and political elites, short-sightedly, abandoned certain important industrial sectors and shifted production to the Third World (primarily to China). Then they sold many high-tech companies to the Chinese (who then copied their technological solutions). Then there is also the ecological obsession of the European political elite, which, encouraged by a multitude of climate and similar activists, is literally destroying entire economic sectors with numerous restrictions and tax burdens. This is most evident in the automotive industry, where Europe was once a leader but has now lost that advantage due to numerous obstacles.[6] Due to multiple burdens, even agriculture, on which the population depends for its food, is under attack.

Undemocratic global centres of power realise their ambitions both using military force (mainly Russia) and indirectly, through the propagation of their own narratives. They often resort to disinformation, primarily distributed through social networks and web media (Splidsboel Hansen, 2017). They also spread their political visions by creating allies in European countries. The targets are mainly politically and socially unstable countries from the Eastern and South-eastern outskirts of the European Union. They most often find allies on the far right and far left, as both oppose the system of liberal democracy, and they are united with the undemocratic superpowers by collectivism and support for authoritarian rule.

This brings us to the internal factors destabilising the democratic order in Europe. It is about the rise of populism and various forms of radicalism. The two cannot be equated.

Populism is a multifaceted phenomenon that can be associated with different aspects of political life (Tomšič, 2024). It can be understood as an ideology, albeit a diverse, incoherent and fluid one (Riedel, 2017). Nevertheless, some principles are common to its different variants. Mudde (2004, p. 534) defines populism as "an ideology that ultimately divides society into two homogeneous and antagonistic groups, the 'pure people' versus the 'corrupt elite', and which argues that politics should be an expression of the general will of the people (volonté générale)." It can be seen as a form of political conduct. This refers primarily to the type of leadership within a particular political entity (party, movement), especially the relationship between the leader and his followers (Soare, 2017). Political behaviour is related to political strategy (Weyland, 2017), the essence of which is to mobilise citizen support to achieve populist goals. In addition, populism can be understood as a political style, specifically its communication style (Jagers & Walgrave 2007; Moffit & Torney 2014; Krämer, 2017). Populist messaging is characterised by unambiguous, straightforward sentences, a black-and-white portrayal of society, and the offer of palatable policy solutions. It gives a distinct advantage to playing on people's emotions rather than offering a rational explanation of complex social problems.

Populism is often seen as problematic from the perspective of democratic development. Many authors believe that it rejects some aspects of its institutional arrangement. The most common examples of this are the rejection of pluralism, the undermining of the rule of law, and negative attitudes towards various social (ethnic, religious, etc.) minorities (Albertazzi & McDonnell, 2008; Mudde & Kaltwasser, 2017; Mueller, 2016; Mounkm 2018; Urbinati, 2019). This is especially true for the 'new democracies' from Eastern and Central Europe, as populism there is said to be particularly exclusivist, and is therefore more likely than that in Western Europe to favour the introduction of 'illiberal democracy' or even outright authoritarianism (Bugarič, 2019; Halmai, 2019; 2024). Given that most European populist parties and movements are Eurosceptic, many see the rise of populism as a serious threat to the European Union's continued existence. It is also problematic that many populist leaders show more or less open sympathies for autocratic regimes, such as Putin's in Russia.

However, while populism can be problematic in specific contexts, particularly in relation to authoritarian leaders, it is not inherently anti-democratic. Similarly, the vast majority of European populists, while critical of the European Union's functioning, do not advocate leaving it. Ideological radicalism, whether in the form of either right-wing or left-wing extremism, is not necessarily populist. However, both are very present and, at specific points in the situation, are in the same positions, for example, regarding support for Russia and its expansionism. Both oppose the fundamental postulates of the liberal democratic order. Nevertheless, the popularity of both is not only an expression of anti-democratic sentiments among Europeans, but also, to a greater extent, a reflection of dissatisfaction with the functioning of democratic institutions.

4 Reasons for the legitimacy crisis

A profound change in the constitution of political space that has been taking place in contemporary democracies in the last couple of decades, which particularly applies to the developments in terms of organisational structure of political parties and their mode of functioning as well as the change in mechanisms of mobilisation of political support and establishing a link between parties and their constituencies (Tomšič, 2024). The typical party structure, whose core was one strong left-of-centre and one strong right-of-centre party, no longer exists in many places. We are faced with the rise of new parties, many of which have a distinctly personalised character (the leader is the key, if not the only element of their politics). This has destabilised the political space in many European countries.

There is a widespread perception of the ineffectiveness of democratic political institutions and of the *lack of leadership* — i.e., the incompetence and irresponsibility of established political elites — at both the national and European levels (Adam & Tomšič, 2020). This was especially evident in crises. First, we witnessed the poor handling of the 2008 financial crisis, when European institutions were unable to respond promptly to the high levels of indebtedness and economic weakness in some member states, particularly Greece. These members had obvious problems with financial discipline and with ensuring financial control. However, the deception of some of the Union's leading countries was revealed, and they knowingly allowed it, as their private banks (which lent money to these countries) also benefited from it (Mahnkopf, 2012). The irresponsibility of the business and political elites, who were primarily responsible for the crisis through their speculative activities, came to light.

The performance worsened even further later, particularly with the great migrant crisis of 2015. At that time, it became apparent that the European Union had no plans to effectively address the influx of people from its near and far surroundings who wanted to settle within its borders. The migration management system, as envisaged by the so-called Dublin Regulation,[7] *de facto* collapsed, as it proved unworkable under the given conditions, with some member states (Poland, Hungary, Czechia) explicitly refusing to implement it. Each country at whose borders the migrants appeared had to find their way. This has led to tensions and frustration among both migrants and the local population. The approaches of the member states were opposed: one (Germany) invited migrants (especially those from Syria, where a civil war was raging at the time). In contrast, the others (Hungary) erected fences on their borders. To this, we can add that the integration of migrants, especially those from Muslim countries, has failed chiefly, which is reflected in many social problems, such as the low level of education and the high level of unemployment in these communities. The migrant crisis brought security problems like an increase in crime and the rise of terrorism (particularly in 2015 and 2016),[8] which created not only resistance to migrants but also feelings of threat among people. Many saw the reason for this in the incompetence of the ruling elites.

In accordance with the above, one can speak of an *insufficient problem-solving capacity* of European institutions. This is not a result of a shortage of material, financial or intellectual resources. The European Union has enough of these at its disposal. It is often a lack of coordination between different stakeholders (which was clearly seen in resolving the migrant crisis). However, this is not just a matter of weak organisation. It is often linked to a lack of political will to tackle the most pressing societal issue.[9]

However, it is not only the actions of established elites that contribute to growing dissatisfaction among citizens. Their (alleged) *value orientations* are also the target of criticism and increasingly rejected by them. We are talking about certain ideologies that are advocated by at least part of the elite (Tomšič, 2024). This refers to neoliberalism, which represents the ideological basis of globalisation – especially in the economic field (Cayla, 2021). The latter rejects the need to maintain social equality in its distinct individualism. It advocates the deregulation of financial and other relations, thereby reducing the role and importance of the (national) state in ensuring social well-being. As a result, this also means neglecting the importance of collective forms of belonging as a framework for maintaining social cohesiveness.

However, the most common target of populists is multiculturalism. It can be understood in two ways: as a political strategy (how to regulate relations between culturally distinct entities, such as ethnic and religious communities) and as an ideology (promoting the positive aspects of intercultural differences). Here we focus on the second aspect, since most criticism is directed at it. As an ideology, multiculturalism holds that cultural diversity is inherently positive. Its fundamental proposition is that individual culturally specific communities should have the right and opportunity to cultivate their own values, customs and lifestyles (Heywood, 2012). It advocates equality between these communities, with an emphasis on the rights of minority communities compared to the cultural majority (for example, immigrant communities in European societies). Multiculturalism is associated with the rise of post-materialist values (Inglehart, 1979; 1990). It is strongly supported by members of the academic community and other public opinion leaders, as well as the left-liberal part of the political elite. Some take it for granted. However, this ideology downplays the significance of (excessive) cultural differences and their potentially problematic impact on society's functioning (Tomšič, 2017). With the migrant crisis and the problems it brought, these ideas have encountered widespread opposition across Europe. Many have blamed (part of) the elite's multiculturalism for the poor resolution of migration-related problems.

Lack of leadership, low problem-solving capacity, and other forms of misbehaviour by established political parties, such as ideologisation, clientelism, nepotism, and corruption, lead to increasing *political distrust* (Cabada & Tomšič, 2016). The trend of declining confidence in political institutions is evident in many Western democracies and is even more pronounced in the new democracies in Central and Eastern Europe. Among them,

political parties are among the most distrusted (Makarovič & Tomšič, 2015). There is also an increasing gap in representation between parties and electorates in many democracies (Keman, 2017). In such an atmosphere, the legitimacy of the existing institutional order can be quickly threatened.[10] Moreover, opponents of democracy, both external and internal (often acting in concert), will try to exploit this legitimacy crisis, associated with low political confidence, to advance their own political agenda.

The legitimacy problems with the European political order are also linked to the relatively weak European identity (Tomšič, 2017). As mentioned, most citizens still place their national affiliation first, well ahead of their European one. Many also consider politics at the European level to be something quite distant, having little to do with their interests. This is also reflected in the turnout in the elections to the European Parliament, which is (in many countries, particularly from the Eastern flank of the European Union) significantly lower than in domestic parliamentary elections (although it has increased since 2014). Since there is no strong sense of common belonging, there would also be some 'pre-emptive consent' regarding the legitimacy of the existing European political architecture.

5   Improving European governance

The European Union represents a special case among supranational associations, since it aims to transcend mere economic integration or any other specified integration. It thus seeks to establish a joint institutional/political system regulating the most critical functional areas by setting the basic rules and standards for their operations. We generally speak about a political entity that is more integrated than a confederation but less than a federation (Siedentop, 2000).   However, the Union's political trajectory remains uncertain.

To address the crisis of European democracy, it is essential to enhance the existing system of democratic governance. While increasing the efficiency of European institutions is necessary, this must not come at the cost of diminishing the sovereignty of the member states. Maintaining a balance between the competencies of both entities is particularly challenging. Decision-making on the Union's common matters should be conducted swiftly, yet it is crucial to ensure that the interests of individual member states are not marginalised or overlooked. Majoritarianism and centralisation of decision-making must be avoided. The institutions of the European Union must cooperate with the Member States but avoid interference in their internal affairs.[11]

It will be necessary to clearly identify which areas are so vital for the effective functioning of the Union that they require unified regulation. Conversely, those areas that do not fall into this category should remain under the jurisdiction of individual countries. This approach can be characterised as a form of 'selective interventionism'. Institutions of the Union need to improve their capacities to tackle the key problems of this supranational

political entity effectively. We have in mind issues such as illegal migration, terrorism, threats posed by global authoritarian centres of power, as well as technological development and the enhancement of European economies' competitiveness. They need to be able to protect the European way of life and defend European interests in the international environment in an effective way.

However, in strengthening the capacities of European institutions, excessive regulation must be avoided. On the contrary, de-bureaucratisation is needed, that is, a reduction in the volume of administrative procedures that often stifle creativity in economic and other areas. A thoughtful and pragmatic approach is required when designing measures, while avoiding ideologisation.

Contemporary democracy has developed within the nation-state context, where national identity serves as a common integrative framework for citizens. Similarly, democracy at the European Union level also needs some European identity as the basis of a political community and a unified democratic entity. However, there is a relevant question about the essence of European identity. Pluralism, as one of the central features of European culture, is the main reason for the lack of consensus about the features that European peoples share. This was clearly demonstrated in the dilemma over whether to mention the role of Christianity in the preamble of the European Constitution. The positions of the Union Member States on this issue were very divided (at that time, they adopted a compromise formulation that emphasised the importance of religious heritage). The European space comprises different ethnic or religious communities with identities which cannot be united into a single cultural category (for example, by means of a 'melting pot' mechanism, as established in the United States of America). The creation of some 'European nation' is – at least in the medium term – a utopia. Therefore, European unity and solidarity can be based solely on respect for individual and collective differences.

For the European institutional order to achieve 'unity in diversity', a permanent dialogue between the European national communities, as they have formed over the centuries, each with its own tradition and historical memory, would be necessary. This dialogue must take place on an equal basis. In the meantime, it is essential to strengthen awareness of common belonging as the basis of the creation of 'European demos'. There should be self-reflection and even critical distance toward the darker sides of European history, without sacrificing self-confidence and pride in the cultural (and other) achievements of European/Western civilisation.

6   Conclusion

Events in today's world prove that we are far from the 'end of history', that is, the global dominance of the Western type of social order, as Fukuyama (1992) optimistically, not to say naively, imagined in the early 1990s. Parliamentary democracy is by no means a generally accepted ideal. Those global powers that openly undermine it are gaining

strength. Moreover, the power of the West as the bearer of this order is decreasing. This is especially true for Europe, which is becoming increasingly dominant in international relations of power.

The primary reasons for Europe's decline in global power and influence are predominantly ideological and political. They do not originate in the external environment or in global undemocratic centres of power but are the product of internal developments in Western societies. Misguided strategic orientations, neglect of key areas such as defence, and the decline in economic competitiveness due to ill-considered measures stemming from ideological illusions have weakened the position of the 'old continent.' This has been significantly contributed to by the inefficiency of established elites and their alienation from the real problems that burden ordinary people.

It would be difficult to say that European democracy is under threat or that its system lacks legitimacy. However, its future is still undetermined. There is also no consensus on further political development in Europe. Currently, the most prominent are two mutually contradictory and exclusive visions. The first is the integralist vision, which assumes the centralisation of decision-making and the strengthening of the powers of European institutions. The second is the sovereigntist vision, which assumes that the European Union is already too integrated and therefore advocates loosening ties and transferring key powers to the member states. Both visions are problematic. Sovereigntists do not take into account that certain problems are so complex that they require joint solutions, since no European state has the capacity to address them. Integralists, however, do not understand that excessive centralisation would lead to the dominance of some member states over others, thereby causing conflicts that could lead to the collapse of the Union. The power of the latter as a whole and the power of its members are not mutually exclusive. However, it is necessary to allocate responsibilities between the European and national (and also local) levels of governance thoughtfully. The European Union is not doomed, as Zielonka (2014) wondered in his provocatively titled book. However, it will have to face the challenges of modern times more effectively, while considering the interests of its various stakeholders to the greatest extent possible.

Notes:

[1] In this context, Beetham (1991) speaks about three dimensions of legitimacy. The first refers to acceptance of the rules in the sense of acknowledging their legal validity; the second represents justification of the rules in the sense of common beliefs (i.e. a value consensus on the basic principles that are in place in society). In contrast, the third refers to legitimation of the rules by abiding by them.

[2] See, for example, European Values Survey rounds in 2008 and 2017,6 the World Values Survey rounds in 2000-2005 and 2010-2014; the Pew Research Center in 2017; or data from the round 6 and round 8 of the European Social Survey.

[3] This is also highlighted by official European Union documents such as the Commission's Rule of Law Report.

[4] As mentioned, Hungary is often singled out as the EU member state with the most violations of democratic standards. However, no one has been imprisoned there for political activity, unlike Spain, where some of the most active supporters of Catalan independence have been sentenced to prison terms. However, this has been met with relatively lukewarm criticism.

[5] A typical example is the situation in Slovenia. The previous government of Janez Janša, which was predominantly right-wing, was frequently accused of political recruitment and interference in the media's independence. Criticism also came from within European institutions. However, when the current government of Robert Golob implemented the same or even more drastic interventions (it even changed the law on the public broadcasting company to allow it to install its loyalists into a new management, which illegally removed certain 'politically inappropriate' editorial staff and news), there were significantly fewer critics.

[6] An example of this is the decision to ban the production of cars with internal combustion engines by 2035. This will most likely prove unfeasible in practice. However, it has caused significant damage to the European automotive industry.

[7] The EU Dublin Regulation is an EU law on the rules about which country should assess your application for international protection. It applies to Dublin countries, which include all the countries in the EU, plus Iceland, Switzerland, Norway and Liechtenstein. Citizens Information, 3.10.2025, https://www.citizensinformation.ie/en/moving-country/asylum-seekers-and-refugees/the-asylum-process-in-ireland/dublin-convention/

[8] See, for example, Riham Alkousaa, "Violent crime rises in Germany and is attributed to refugees," Reuters, 3. 1. 2018
https://www.reuters.com/article/us-europe-migrants-germany-crime-idUSKBN1ES16J

[9] This is clearly evident in the area of defence and security capabilities, where Europe is relatively weak, especially when compared to its economic potential. The extremely low level of investment in this area has mainly been politically determined. Although after the Russian invasion of Ukraine, the share of defence spending in GDP increased in general in European NATO member states, there are still seven of them that spend less than 2% and only four of them spend more than 3%. https://www.bbc.com/news/world-44717074.

[10] This reflects a shift toward the European Union in recent years, which some scholars describe as 'constraining dissensus' (Down & Wilson 2008; Hooghe & Marks 2009). This refers to increasing polarisation over matters in the European Union across several of its member countries, and to the rise of criticism, or even outright rejection, of European integration (Makarovič & Tomšič, 2018). The latter is reflected in the increase in votes for anti-EU parties on both the left and the right of the political spectrum.

[11] An example of a highly likely interference in the internal affairs of a member state was the visit of European Commission Vice-President Vera Jourova to Slovenia in March 2023, during which she also met with the President of the Slovenian Constitutional Court, Matej Accetto. The Constitutional Court had previously suspended the law governing the Slovenian public broadcaster, which would have allowed the replacement of its leadership, a move the government of Robert Golob considered politically disloyal. Shortly after this visit, however, the President of the Court – and another judge – changed their minds, and the court lifted the suspension of the law, allowing the government to appoint its supporters to the top positions. This raised legitimate suspicions that the change was due to pressure from Vice-President Jourova, who is a political ally of Prime Minister Golob. She and Accetto denied that they had discussed the law. However, the third point of the memo, prepared for Jourova's visit (named What we want from Accetto), which was revealed by the Commission only after the intervention of the EU Court of Justice at the request of the

Member of the European Parliament Milan Zver, is Jourova's instruction to "find an opportunity to check the views of the President of the Constitutional Court regarding the new RTV Slovenia law". It is therefore very difficult to believe that the discussion about the law, which was at that time suspended and under constitutional review and thus influencing the court's decision, really did not occur.

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