

E-democracy and the European Union: input and output legitimacy through information and communication technology

The European Union (EU) is at present one of the political entities in the world that has fully recognised the vital role of information and communication technology (ICT) for politics, the public space, economy and welfare. At the same time, the EU is repeatedly accused of carrying a major democratic deficit *vis-à-vis* its citizens. To address this issue, the EU has in the past often made choices that concentrate on output legitimacy, i.e. policy results, rather than substantially fostering input legitimacy, in the form of citizens' participation and public debate. The Lisbon Treaty introduces ways of addressing these issues, yet, much more needs to be done to pre-empt the criticisms. In reckoning the importance of the digital age and, thus, fostering policies for adapting to it and adopting it, the EU and its member-states may be again playing on the side of policy outputs. At the same time, however, substantial opportunities on the policy inputs exist too.

The bid to democratise the EU is also a multilevel challenge as it includes both the EU institutions directly as well as the EU member-states and the initiatives they undertake as members of the EU. In other words, democracy in the EU is "made" at several levels, including the EU institutions, the member-states, regions, cities and villages. The inroads of ICT suggest that new ways of "making" democracy in the EU might be possible. As a multilevel polity the EU is an ambitious construction and an experiment in politics that can gain from using new and sophisticated methods of information and communication. Our core question is, therefore, on the mechanisms and the outcomes of democracy in this intricate multilevel layout. At the EU level, democracy can be hampered by many factors such as distance and linguistic diversity. Because of these and other factors, EU-level democracy is doomed to work in different ways, if compared with the national level. However, it has often been claimed that there is a "democratic" deficit at the EU level. If there is, can ICT redress the deficit?

Normatively, the EU strongly stands for democratic values, the rule of law, electoral and other processes involving the participation of the citizens. However, the EU itself is often criticised on the grounds of lack of democracy. The criticism is normally based on low levels of citizens' participation in the EU political processes (bottom up processes) but also on lack of accountability (top down communication; horizontal accountability) and eventually lack of responsiveness of the European institutions (see among others [Crombez, 2003](#); [Follesdal and Hix, 2006](#); [Kohler-Koch and Rittberger, 2007](#); [Lord, 2004](#); [Moravcsik, 2002](#); and [Scharpf, 1999](#)).

Seen from the angle of representative democracy ([Blockmans and Russack, 2019](#)), EU legitimacy encompasses two possibilities (TEU, article 10). The first is indirect legitimacy resulting from national elections ([Kohler-Koch and Rittberger, 2007](#)). This is the underpinning of the European Council and the Council of Ministers and, therefore, of their entire participation in the institutional processes. It is the type of legitimacy that IOs normally have ([Zweifel, 2006](#)) but it is a much segmented legitimacy, in the sense that representatives (i.e. Presidents of the Republic, or Prime Ministers, or Ministers) are accountable to their national electorate only, a characteristic that falls short of an integrated European political community. However, this makes national elections all the more important, not only for the Member States but also for the EU level. The second is direct legitimacy ([Kohler-Koch and Rittberger, 2007](#)). From this point of view, the introduction of



direct elections for the European Parliament has meant a major reinforcement of EU legitimacy, by introducing a mechanism of direct legitimacy. Hence, processes and institutional connections stemming from the Parliament carry this major support and make it the core institution of democratic representation at the supranational level (Ramos *et al.*, 2020).

Where the EU has certainly been at odds with democracy is on what concerns referenda. There is not a legal framework allowing for truly European referenda, but several have been held at the national level, concerning European issues, notably: on treaty amendments (as for the Treaty on the EU or for the Constitutional treaty); on EU accession (as in Austria and the Nordic countries in 1994); and now also on leaving the Union (the Brexit) (Smith, 2021). Some favoured integration while other did not. The problem nevertheless is that whenever one such adverse result occurs, the issue of the disentanglement between the represented (the citizens) and their representatives (be them the national executives and parliaments or the EU institutions) becomes evident. A major mismatch emerges between the electors and the elected, which is paving the way for populism and anti-European discourse. It, therefore, comes as no surprise that strongly Eurosceptic and anti-integration parties fiercely stand for direct democracy and popular decision-making (De Vries, 2018).

In this scenario, e-democracy provides a set of new and powerful information and communication tools in between the citizens and between the citizens and the political institutions, both upwards and downwards (Rosacker and Rosacker, 2020; Visvizi and Lytras, 2019). Although ever more debated for its rapid spread and the capacity of innovation, e-democracy does neither substitute other participation procedures nor stands, *per se*, as a detached type of democracy. However, “if properly designed and implemented, e-participation has the potential to contribute to accountability and transparency, the transnationalisation and politicisation of public debates, and the improvement of exchanges and interactions between EU decision-making and European citizens” (Hennen *et al.*, 2020, p. 325). In practical terms, many of the quandaries based on the large human and geographical dimension and thus on the distance between the EU institutions and the citizens may this way be at least partially overcome, provided that those tools are properly and systematically used.

The editors of this issue thus think that the debate on EU democracy deserves to be revisited, especially at times of revolutionary innovation in information and communication technologies, which may substantially contribute to foster the input and output sides of democratic legitimacy.

The collection of articles gathered in this special issue addresses good cases in democratic legitimacy, not only at the EU level but also at the underlying national level.

In the first article in this issue, Isabel Costa Leite debates ICT’s crucial role for the realisation of the EU’s long-term and crucial goal of bridging the gap between the Union and its citizens. New data from the Committee on Petitions and the EU Ombudsman testify of the increasing use of these online communication channels. Still, intentions face difficulties owing to the uneven access to ICT tools across the EU.

The second contribution addresses the use of social media in the construction of CSDP legitimacy. By means of an investigation into the EU’s Twitter communication of four CSDP missions, Anna Mólmar, Lili Takács and Anna Urbanovics are able to present new insight into the nature – and shortcomings – of the EU’s attempt to communicate a vital element of the CSDP toolbox.

The topic of the third article is the role of referenda as an input legitimacy tool in the EU. On basis of research about the Brexit campaign in social media, Dina Sebastião and Susana

Borges argue that social media enhances misinformation in ways that weaken the democratic effectiveness of referenda.

Madalena Musial-Karg and Izabela Kapsa address the issue of national legislative elections in the difficult framework of the pandemic and the way alternative methods of voting were considered in Poland. The study offers fresh evidence about voting preferences in Poland. On a more general note, it leads to the recommendation that governments, for the sake of generalisation, should extend the list of available voting methods. Electoral procedures should, however, not be changed in an emergency situation.

Also the fifth contribution to this issue addresses Poland's 2020 presidential elections. The application of postal ballots is known to increase electoral turnout. On the basis of recent evidence from Poland, Marcin Zaborowski nevertheless stresses the need to distinguish between consolidated and unconsolidated democracies in this matter. According to the author, the Polish case suggests that in unconsolidated democracies, the introduction of postal ballots could be used to consolidate illiberalism, not democracy.

As a whole, the articles gathered here provide evidence on how ICT are fostering innovation in citizens' participation but also on the dangers for democracy that some of their uses may bring with, be it at the national or the supranational level. The core point is, therefore, that technology *per se* does not foster or hinder democracy: it is up to political choice to guide the best options and promote good practices, while it is also for politics, both at the level of the institutions and of the citizenry, to be aware of biased uses and to actively trace and reject them. Good practices will most certainly foster EU legitimacy by reinforcing sound political participation.

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