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WŁADZA POLITYCZNA I ODPOWIEDZIALNOŚĆ POLITYCZNA W UNII EUROPEJSKIEJ

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Adnotacja. W artykule podkreślono problem funkcjonowania władzy politycznej w Unii Europejskiej z punktu widzenia paradygmatu odpowiedzialności. Ustalono, że władza polityczna w obrębie związków między państwowych sprawowana jest na poziomie stosunków między państwowych i bezpośrednio w systemie politycznym takich związków. Taka problematyka warunkuje potrzebę szczegółowego badania źródeł, rodzajów i cech władzy politycznej w UE jako podstawowej zasady odpowiedzialności politycznej. Na podstawie analizy prac współczesnych badaczy politycznych i traktatów założycielskich UE określono główne źródła władzy politycznej w UE, do których należą racjonalna legitymacja, kontrola wiedzy technicznej i informacji oraz bezpośrednio obywatele UE. Zarysowane są rodzaje władzy w UE: władza poprzez przymus, władza instytucjonalna i władza idei. Określono główne cechy władzy politycznej w UE: zasadę praworządności UE, pewność kompetencji, legalność, charakter publiczny, policentryczność.

Słowa kluczowe: władza, władza polityczna, odpowiedzialność polityczna, Unia Europejska, legitymacja, związki między państwowe.

POLITICAL POWER AND POLITICAL RESPONSIBILITY IN EUROPEAN UNION

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Abstract. The article highlights the problem of the functioning of political power in the European Union in terms of the paradigm of responsibility. It is determined that political power within intergovernmental organizations is exercised both at the level of interstate relations and directly within the political system of such organizations. Such issues predetermine a detailed study of the sources, types and features of political power in the EU as a fundamental principle of political responsibility. Based on the analysis of the modern political researchers' studies and the treaties of the EU, the main sources of political power in the EU are identified. They are: rational-legal legitimacy, control over technical expertise and information and the EU citizens directly. The types of power in the EU are outlined: power through coercion, institutional power and ideational power. The leading features of political power in the EU are identified: the principle of the primacy of EU law, certainty of competencies, legality, public nature, polycentrism.

Key words: power, political power, political responsibility, European Union, legitimacy, intergovernmental organizations.

ПОЛІТИЧНА ВЛАДА І ПОЛІТИЧНА ВІДПОВІДАЛЬНІСТЬ У ЄВРОПЕЙСЬКОМУ СОЮЗІ

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Анотація. У статті висвітлено проблему функціонування політичної влади в Європейському Союзі з погляду парадигми відповідальності. Визначено, що політична влада в межах міждержавних об'єднань здійснюється на рівні міждержавних відносин і безпосередньо всередині політичної системи таких об'єднань. Така проблематика зумовлює необхідність детального дослідження джерел, видів та особливостей політичної влади в ЄС як засадничого принципу політичної відповідальності. На основі аналізу праць сучасних політичних дослідників та установах договорів ЄС визначено основні джерела політичної влади в ЄС, до яких належать раціонально-легальна легітимність, контроль над технічною експертизою та інформацією та безпосередньо громадяни ЄС. Окреслено

види влади в ЄС: влада через примус, інституціональна влада та влада ідей. Визначено провідні особливості політичної влади в ЄС: принцип верховенства права ЄС, визначеність компетенцій, легальність, публічний характер, поліцентричність.

Ключові слова: влада, політична влада, політична відповідальність, Європейський Союз, легітимність, між-державні об'єднання.

Introduction. Political responsibility in modern democratic societies is inextricably linked with the exercise of political power, because its very essence lies in the compliance of the behavior of political actors with certain requirements that exist in society regarding the exercise of political authority. The proper functioning of institutions of political responsibility can serve as a criterion for the effectiveness of political power, as well as provide the necessary level of legitimacy. The study of power in terms of the responsibility of its subjects at the interstate level requires clarification of the basic characteristics of such power, which may differ to some extent from the political and legal practice of nation states. Thus, the study of the powers and forms of responsibility of states in the interstate relations, or international organizations in the context of their relations with nation states, is quite common in the political science literature. The specificity of the European Union is determined by the significant degree of integration of its subjects and requires a more detailed analysis of the power relations in politics that have developed within such an organization.

Main part. The relevance of the outlined issues determines **the purpose** of this study, which is to reveal the features of political power and determine its impact on the formation of political responsibility in the EU. Thus, the peculiarities of power relations at the interstate level were considered in the works of D. Baldwin, M. Barnett, M. Finnemore, L. Miller, R. Keohane, etc. The essence of the functioning of political power within the EU was addressed by U. Beck, W. Schmidt, M. Carstensen, J. Mathews, J. Olsen and others.

The following **methods** were used to achieve this goal: institutional, which allows us to consider the EU as a system of political institutions endowed with certain functionals and responsibilities; comparative, which makes it possible to compare the political events and actions previously studied within nation states with similar events and actions in the political field that are currently taking place in the EU.

Results. The study of power relations in politics at the supranational level is usually considered in the context of relations between states, their joint participation in decision-making within the activities of international organizations. The starting point of interstate cooperation since the Peace of Westphalia in 1648 was the principle of sovereignty, or non-interference in the internal affairs of states. L. Miller notes that in order to achieve any results in the international political arena, all participants must agree on "rules of the game" that embody common values, including the understanding that maintaining such rules is important for the functioning of the system as a whole. From his point of view, force is the last resort, the exercise of which is usually possible by the states with significant influence, only to divert a possible threat for the system (Miller, 2018). In turn, such rules should be based on the relationship of responsibility and accountability, which are crucial in the implementation of democratic governance on the basis of legality and legitimacy. The will of the people here must be the starting point, because it is the people who are the constituent power, and such rules of the game are intended to reflect the social order that is desirable from the point of view of citizens. According to J. Olsen, the distribution, exercise and change of power must be explained and substantiated by appropriate arguments and be the subject to public discussion; the voluntary consent of all participants of the political process to the fundamental rules is an essential principle. Thus, the subjects of the political process are responsible for what they do and what they could do (Olsen, 2018: 78).

In order to determine the specifics of the political power exercise in the EU, it is necessary to analyze not only the level of interstate interaction (both between EU member states and other nation states), but also the specifics of the exercise of power by the EU political institutions. Modern intergovernmental organizations are created or sanctioned by nation states, their functioning is aimed at solving common global or regional problems. Although states voluntarily strengthen and confer certain powers on such supranational or interstate entities, they also protect themselves from potential threats and refer to the guiding principle of state sovereignty: the unacceptability of interfering in internal affairs. Thus, nation states endow international organizations with significant responsibilities, but gradually narrow their powers or limit the real capacity to exercise such powers (Mathews, 1997: 58). The EU is no exception, although in essence it cannot be classified as a classic international organization, so, according to J. Mathews, the EU respects the principle of non-interference in domestic policy on a range of issues and ignores it in terms of the others (Mathews, 1997: 61). However, in the context of the relationship of responsibility, it is necessary to consider not only the role of nation states in the formation of international organizations and their empowerment, but also to identify other sources of political power within such organizations.

According to the political theory and practice of modern states, built on the principles of representative democracy, the only source of any power in the state should be the people. In turn, the definition of who is the bearer of power in intergovernmental organizations is complicated by the mediatory nature of the latter. M. Barnett and M. Finnemore distinguish the following sources of power in intergovernmental organizations: firstly, the legitimacy of rational-legal power, which creates them, and secondly, control over technical expertise and information (Barnett & Finnemore, 1999: 707). Researchers widely use M. Weber's approach to explaining the nature of power within international organizations. Thus, M. Weber singled out the ideal types of domination – traditional, charismatic, rational-legal, choosing as a criterion the leading motives that serve to subjugate society to government institutions. The key type in modern societies is the rational-legal type of domination, which is based on the belief in the legitimacy of the existing social order and is manifested in the formation and functioning of institutions of state

authority on the basis of clearly established rules and procedures. It can be stated with some caution that the leading type of legitimacy among the 27 EU member states is rational-legal. It should be noted that the list of these states includes not only republics but also constitutional monarchies, where the features of the traditional type of legitimacy can be found in their political practice, for example, supporting the political role of the monarch as a tradition, but such states are essentially democratic and based on relevant generally accepted democratic principles. The rational-legal type of legitimacy as a source of power is particularly characterized by the fact that the decision-making process in the EU requires significant participation of national representatives: for example, the approval of a political course of the EU is practiced by the European Council, which consists of heads of the states or governments of the nation states, and the Council of the EU, represented by ministers of national governments in one area or another, is endowed with significant powers, in particular in the legislative process.

The next source of power for international organizations is control over technical expertise and information, or, in fact, the bureaucracy responsible for implementing the policy. The leading feature of the bureaucracy in this context should be its neutrality in setting political priorities and the distribution of certain values in society. The bureaucracy in the EU is an extensive system within the leading institutions that make up this union and constitute a mechanism that ensures the viability of the EU as a whole. Thus, according to official data, more than 32,000 specialists are employed in the European Commission alone, there about 7,500 people in the European Parliament, and up to 3,500 people in the Council of the EU (EU administration).

Characterizing the sources of power in the EU, it is necessary to analyze the role of EU citizens in the political life of this association. They are directly involved in the elections to European parliament. This institution is formed as a result of the will of EU citizens and is based on the principle of proportional representation of nation states. It is a representative collegial body with significant powers in the legislative sphere and control functions. Thus, it can be argued that the people are not only an indirect source of power in the EU, which is manifested in the expression of confidence in the exercise of political power by the highest state authorities at the interstate level, but also a direct source of power – through the ability to influence the political course of the EU by participating in the European elections to the European Parliament. According to the outlined sources of political power, it can be noted that political responsibility in the EU has three dimensions: certain requirements for the exercise of political power in the EU can be made by nation states, EU citizens, and within the system of institutions of this intergovernmental organization.

The essence of political power in the EU can also be viewed through the prism of its main types, which include: power through coercion, institutional power and ideational power (Carstensen & Schmidt, 2018). Such a classification reflects the main approaches to the consideration of power in modern political science. Power through coercion embodies the relationalist approach of R. Dahl and means the ability of some actors to exert a decisive influence on the behavior of others, in addition, the exercise of power is directly related to the fact of certain behavior of the object, which can be observed empirically (Dahl, 1957). In case the subject failed to achieve the desired behavior from the object, there is no reason to consider such a relationship as a manifestation of power. In the EU, the power of coercion is mostly defined in terms of intergovernmental approach – at the level of functioning of nation states, because coercion as one of the resources of power is the prerogative of nation states in the context of the principle of state sovereignty. Institutional power is based not only on the fact of certain behavior, but also on the activities of subjects endowed with power, under which objects can refrain from certain actions. Power relations here consist of the creation and consolidation of certain institutional practices that can limit the political process and are aimed at maintaining the status quo (Bachrach & Baratz, 1962). Institutional power is manifested in the activities of supranational institutions, which are authorized to set the “agenda”, to determine the list of issues to be considered in the process of joint activities with intergovernmental institutions. For example, it is the right of legislative initiative that is exercised by the European Commission as a supranational institution. The ideational power is based on the theoretical approach of S. Lukes, according to which power can be manifested through the formation of preferences and attitudes (Lukes, 2004). The ideational power, in turn, can be viewed in three dimensions: as power through ideas, power over ideas, power in ideas (Carstensen & Schmidt, 2016). This type of power has a significant connection, firstly, with the notion of legitimacy, that actually means the recognition of established political practice as legitimate by the people and is expressed through adherence to certain ideals and values, and secondly, with the formation of political culture, that plays a part in consolidation of political responsibility.

A detailed analysis of the types of political power in the EU makes it possible to determine its main features that include: the principle of the primacy of EU law, the definition of competencies, legality, public nature, polycentrism. The principle of the primacy of EU law is manifested through the supremacy of EU supranational law over the system of law of nation states. The consolidated version of the Treaty on the Functioning of the EU includes a Declaration concerning primacy, which states the following: “the Treaties and the law adopted by the Union on the basis of the Treaties have primacy over the law of Member States” (Consolidated version of the Treaty). At the same time, the principle of supremacy is not absolute and has certain limitations imposed by the founding treaties. Thus, the definition of competencies in power relations in the EU means a clear delineation of the areas of competence of nation states and intergovernmental organization. The sphere of exclusive competence of the EU consists of legislative activity and adoption of international agreements in the field of the customs union, establishment of rules of competition, monetary policy, preservation of marine biological resources, common trade policy. Shared competence is manifested in three dimensions: firstly, member states exercise their competence to the extent that the EU has not used its own; secondly, the EU is endowed with a certain competence, provided that the exercise

of that competence does not prevent the Member States from exercising their own competence; thirdly, the EU determines the conditions under which member states coordinate their policies. The scope of supporting competence involves the implementation of activities aimed at supporting, coordinating or complementing the activities of member states, without substituting their competence in these areas (Consolidated version of the Treaty).

The legality of political power means its legal nature: power relations in the EU politics are enshrined in the founding treaties, and the decision-making process is carried out in accordance with established political and legal norms, sanctioned by both state and supranational EU institutions. Political and legal integration is built on respect for nation states, the Union is a space of freedom, security and justice with respect for the fundamental rights, different legal systems and traditions of the member states (Consolidated version of the Treaty). In the EU, the founding treaties are legally binding for the European and national authorities and their legislative, executive, administrative and judicial activities. In this regard, they perform functions related to the “fundamental law” in constitutional democracies; they are more difficult to change than most national constitutions; and, like national constitutional courts, the European Court of Justice has the final say in their authoritative interpretation (Scharpf, 2016: 4).

The public nature of power means its impersonal nature and follows directly from such a feature as legality. Thus, public power is ensured by legal norms, because it is through the formalization of positive public law in laws that it is possible to distinguish between public and private power (Kjaer, 2017: 420-421). One of the challenges of modern EU political and legal practice is the legal institutionalization of publicity within the organization, characterized by a significant degree of regulatory integrity and functionality, which, in turn, allows it to serve as a central mode of integration of society as such (Kjaer, 2017).

Polycentrism of political power means the existence of several decision-making centers. If the nation states are characterized by functioning of a monocentric political power, where the sole actor is the state and its institutions, in the EU we observe several levels, each of them is endowed with the appropriate powers in the policy implementation process. The first level is intergovernmental, which is based on the interaction of institutions or officials of nation states and is represented by the activities of the European Council and the Council of the EU. This also includes certain powers of national parliaments, their control functions over the activities of EU political institutions and, in particular, control over compliance with the principle of subsidiarity. The second level is supranational, within which separate institutions have been formed for decision-making, endowed with power on behalf of the EU as a coherent integrational organization. As U. Beck points out, “the EU is not a unified state with a single government, a parliament, a people and a constitution. It is based rather on an intentionally opaque set of power relations, in which European institutions exist in parallel and on a plane of equality with the governments, parliaments, etc., of the member states. It follows that the question of who possesses sovereignty can in principle never receive an unambiguous answer and that power has to be shared or renegotiated from one case to the next” (Beck, 2013: 46).

Conclusions. Political responsibility is a necessary attribute of democratic government and one of the determinants of the effectiveness of political power relations. It can be concluded that the EU as an intergovernmental organization is endowed with significant political and governmental powers and plays a leading role in organizing the life of EU member states society. Analysis of the sources, types and features of political power in the EU confirms the democratic nature of this entity, which requires further development and consolidation of institutions of political responsibility at all levels of political power within the EU. Thus, the system of political responsibility must be established by nation states, EU citizens, as well as among the political institutions of this intergovernmental union. The features of political power listed above, namely: the principle of the primacy of EU law, certainty of competences, legality, public nature, polycentric power relations serve as starting points that allow to assess the prospects of political responsibility in the EU and determine their unique nature.

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