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## **Depoliticization at the European Level : Delegitimization and Circumvention of Representative Democracy in Europe's Governance**

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**Abstract:** This article defends the hypothesis that depoliticization practices in the European Union stem from the EU's institutions and actors's relationship, both singular and long-standing, with "the political" and representative democracy. We thus propose to take a perspective opposite to a dominant reading that regards depoliticization as a recent response to a critical juncture in EU integration, and in particular to the growing objections to which the EU is subjected. To do so, this article starts by highlighting the omnipresence of the logics of depoliticization and listing its main methods – expertise, informal negotiation, permanent consultation of interest groups – in making European policies. Trying then to identify what feeds these depoliticization initiatives, it underlines a relationship of distrust regarding the mechanisms of representative democracy, which, far from being the exclusive prerogative of "euro-officials", is widely shared among Europe's professionals and closely linked to the genesis and institutionalization of the European field of power (Georgakakis, Rowel, 2013).

Over the last decade, debates on the politicization and depoliticization of the European Union have become increasingly important in academic literature. Based on the assessment of EU politicization, this literature highlights the establishment of the latter an intersecting issue in partisan national and European spaces and the growing polarization of public opinion on this matter (Hooghe and Marks, 2009; Hutter et al., 2016; Statham and Trenz, 2013; De Wilde et al., 2016; De Wilde and Zürn, 2012). As Kauppi et al. (2016) note, this politicization is often presented as a threat to the EU: it is interpreted as putting an end to "permissive consensus", that is to say a silent and passive form of support of political and administrative elites by European populations, giving way to more critical, even hostile, positions (see also Anders, Kauppi and Trenz, and Wiesner in this volume as well as the discussion by Kauppi and Wiesner, 2018).

In this context and in contrast, depoliticization has been used to designate the technocratic modes of operation which would be emblematic of institutional responses to the politicization. Describing these strategies deployed to continue to govern Europe, despite the increasingly noisy opposition that they elicit, authors emphasize the lessening use of popular consultations and especially referendums, in favor of intergovernmental political agreements evading usual validation procedures, and even the growing power of non-majority agencies and institutions (first and foremost, the European Central Bank, the Court of Justice and the European

Commission] Fossum, 2016; Rittberger, 2014; Schimmelfennig, 2014). Kriesi evoked for example the “vast repertory of the pro-Europeans’ depoliticization strategies” including “techniques such as de-emphasizing the issue of European integration in national elections (as in the 2013 German elections), sidestepping treaty changes in order to avoid referendums (as in the case of the Fiscal Compact), delegation to so-called ‘ non-majoritarian’, technocratic supranational institutions.” (2016, p.32)

Such an approach to depoliticization raises several conceptual and empirical questions, mainly due to the confusion it maintains between its processes and supposed results, be it the very nature of the depoliticized issue or its perception by citizens and in the public sphere. In other words, depoliticization as a way of conducting public policy is, more or less explicitly, likened to a substantial transformation of the issues or activities that it affects, leading them to automatically “lose” their political and conflictual dimension. This reading is particularly based on the hypothesis according to which the use of science (Neyer, 2006), law, or even weak publicization (De Wilde, Zürn, 2012), significantly reduces conflict and transforms political debates into technical discussions. This interpretation also derives from the predominant meaning given, in these works, to depoliticization’s antonym: politicization. The assimilation of the latter, without further detailing its objects<sup>1</sup>, into forms of citizen expression rather critical of directions decided upon in Brussels<sup>2</sup>, results in depoliticization being implicitly presented as characterizing a subject provoking neither mobilization nor controversy.

This conception of depoliticization is then empirically questionable. Firstly, its nominalist reasoning seems ill-suited to an institutional space in which a same case/object is frequently subjected to competing labelling, presented by some as technical, and by others as political (Robert, 2001; Baisnée and Smith, 2006). Secondly, this understanding of depoliticization phenomena relies also on a singular vision of the history of the EU of which many works, dating politicization from the 1990s, overinflate the technical and irenic character of the first decades (Hooghe and Marks, 2009), and only refer to depoliticization dynamics from the early 2000s, as a response to, and component of, “crises”, especially of the eurozone (Majone, 2011, see also Anders, Kauppi and Trenz, and Wiesner in this volume).

It is thus necessary to build on an alternative definition of depoliticization that allows to distinguish between depoliticization as a way of making and presenting public policies/EU issues and its possible (and diverse) consequences on their perception by the citizens. We propose here to conceive depoliticization strategies as ways of (re)describing and (re)assigning (Lagroye, 2003, p.361) objects of public policy and, in doing so, designates their “owners” and their legitimate management methods. In other words, in the formulation of European public policy it is not the disappearance of depoliticization’s political issues that plays out, but rather the obscuring of these issues, for the purpose of circumventing their debate. Such an approach to depoliticization also requires a definition of the political (see Palonen and Wiesner in this volume), allowing it to be identified even when it is denied or obscured: activities are political because they involve value choices, arbitration between

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<sup>1</sup> As Kauppi et al. (2016) also underline, the question of the objects and/or subjects of these processes is often overlooked in recent works on the EU: is it a case of (de)politicization of individuals or issues? And, in the latter case, do these issues relate to the EU, its current system of governance, or some of its policies?

<sup>2</sup> Or to cite most commonly used de Wilde’s definition (2011, 520): “an increase in polarisation of opinions, interests or values and the extent to which they are publicly advanced towards the process of policy formulation within the EU”.

different interests, and thus arbitrariness, whether or not they are due to elected officials, and more generally claimed as such by social actors (Robert, 2005). This definition is close to the one suggested by Wood and Flinders (2014, p. 135) considering that depoliticization occurs anytime there is “denial of political contingency and the transfer of functions away from elected politicians”. From this perspective, indeed, it is ultimately depoliticization itself that should be recognized as political and as a way of doing politics, by addressing the way in which its processes contribute to circumventing and redefining forms of legitimate authority, to “restricting the prerogative of politics to establish common forms” (Linhardt and Muniesa, 2011, p.15).

Considered in this way, depoliticization appears to be a characteristic shared by many ways of formulating and making public policy at the European level. A series of works have shown its long-standing success in Brussels, whether it involves expertise (Robert, 2013; Roger, 2010; Wiesner, 2019), law (Bailleux, 2013; Vauchez 2014), technocracy (Georgakakis, 1999), or independence (Vauchez, 2014). Depoliticization also highlights what constitutes their common denominator, in other words, the circumvention of forms of deliberation, and modes of legitimization, specific to representative democracy. From this point of view, this article explores the hypothesis according to which depoliticization is not a recent response to a critical context, but the result of the both singular and long-standing relationship of EU institutions and actors with “politics” and representative democracy, leading them to try to bypass its constraints (see Järke in this volume).

To this end, based on several surveys conducted over the last fifteen or so years on European decision-making processes<sup>3</sup>, this article endeavors, in the first part, to highlight the omnipresence of logics of depoliticization and to list its main methods – expertise, informal negotiation, permanent consultation of interest groups – in making European policies. The second part is devoted to identifying what feeds these depoliticization initiatives: it illustrates a relationship of distrust regarding the mechanisms of representative democracy, which, far from being the exclusive prerogative of “euro-officials”, is widely shared by “Europe’s permanent professionals” (Georgakakis and Rowell, 2013) and closely linked to the genesis and institutionalization of the European field of power.

## **I. Making Depoliticized Public Policy at the European Level: From Obscuring to Delegitimizing Politics**

In the last chapter of his final work, dedicated to the hollowing of Western democracies, P. Mair suggests considering the European political system as one of the most successful results of these processes, encouraging researchers to analyze how “European policy making [evades] the control and constraint of majority democracy and accountability” (Mair, 2013, p.9). Extending this question, we identify three main methods for developing public policy in which depoliticization mechanisms are at work and contribute to making the representative task both more complex and less profitable.

### **I.1. Expertise as a Way of Doing Politics and Pretending Not To**

Widely mobilized at the European level, expertise is a process of public policymaking of primary importance, contributing to discrediting political resources in several ways.

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<sup>3</sup> Based on observations and interviews with political and administrative actors, lobbyists, consultants and experts in and around European institutions, these surveys focused on the uses of expertise, governance by committees, questions concerning transparency and, more recently still, comitology and its reform.

If expertise is a vector of depoliticization, it is first because it organizes and legitimizes the management, by non-elected actors, of entire sections of the EU's public policies. In the name of their supposed knowledge, and qualities of objectivity and associated independence, a set of institutions and professionals are entrusted with a central role in formulating and/or implementing public policy. One of the most obvious examples of this is the European Commission: as illustrated in many works from the 1990s (Cini 1997; Cram 1999), it is, more than its mere national counterparts, a "political administration". Yet, it owes this role to the technical competencies of its officials and to their supposed capacity to distance themselves from national influences: these justify both the Commission's claim to define the general European interest and its prerogatives regarding initiative and execution (Georgakakis, 1999). It is also in terms of expertise that these officials account for their role – often as discreet as central – in making policies (Roger, 2010; Robert, 2013). Most recently, the strengthening of the Commission's role in the EU's economic governance, since the 2008 crisis was justified by what is presented as the expert implementation of institutional arrangements: a financial stability mechanism, monitoring of economic policies, assistance coordinating national politics and supervising the financial sector (Bauer and Becker, 2014).

Providing a substitute form of legitimacy, expertise makes political resources dispensable in a second way. It is accompanied by modes of making public policy that in turn hinder its (re)politicization: by presenting public policy as entirely guided by constraints and reasons external to the actors that manage them, they actually make it indisputable, while obscuring the creative dimension of the work carried out in the name of expertise. The policy preparing for future enlargements from 2004 to 2007 offers an illustration of this rhetoric. The policy was legitimized, at each stage of its formulation, by resorting to expert knowledge: lessons of transitology governed the definition of the program's annual guidelines, the "*acquis communautaire*<sup>4</sup>" dictated priority areas for aid, and the definition of institutional solutions recommended to governments and Europeans (on aspects as divisive, between and within Member States, as financing retirement systems, reorganizing private practice medicine, or judiciary independence) was treated as a service of expertise and entrusted to consultants. Involving the denial of the policy's political dimension, particularly its influence on defining societal choices in candidate countries, the Commission's legitimization of its "technical assistance" resulted in its construction as a solution without any alternative. By placing the policy under the authority of law and science, it made the issues invisible and turned its object, the enlargement to the East, when it was being prepared, into a "subject of no debate" (Robert, 2005).

"A way of doing politics and pretending not to" (Robert, 2001), expertise is thus a form of legitimization that the European Commission shares with other protagonists, all equally essential to Europe's governance. Following the perspective defended by A. Vauchez (2014), the EU's Court of Justice or the European Central Bank should be mentioned, as their importance in managing economic governance has considerably increased since the 2008 crisis, in the name of the "neutrality of its expertise" (Fontan, 2018). Although their powers are more limited and especially confined to certain specific public policy sectors, a series of agencies (European Medicines Agency, European Food Safety Authority, European Securities and Markets Authority, etc.) fall under similar forms of legitimization. Lastly, expertise is a self-sustaining depoliticization mechanism: referring to expertise leads, even forces, all these institutions, in the name of their competencies, to involve a group of external actors in their daily work. Therefore, the Commission massively resorts to external expertise, via its groups

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<sup>4</sup> Itself presented as the simple reflection of the state of European law to be taken up candidate countries, while its definition is conversely subject to strong controversy within the Commission and among Member States.

of experts (Robert, 2013) and its agencies, and tends to systematically hide behind their advice, should they be contested – like that of the EFSA on GMOs or glyphosate – when no consensual positions can be found among Member States (Pisani and Weimer, 2016).

## **I.2. Informal Governance as Circumvention and Confinement of the Political Debate**

The multiplication of consultation mechanisms prior to official negotiations is a second way of making public policy participating in discrediting representative resources and practices. It involves the Council's 150 or so working groups (bringing together national and European officials to prepare ministerial meetings), 280 comitology committees (composed of representatives of national administrations overseeing the Commission's exercise of its implementing powers), 700 groups of experts (linking representatives of interest groups and Member State officials to prepare, with the European administration, its future initiatives), or even the informal trilogues (composed of representatives from the three institutions, tasked with defining a common position on legislative acts in order to accelerate their adoption by the Council and the Parliament).

Although they differ in terms of their composition and prerogatives, these bodies participate very directly in the depoliticization of the European decision-making process. Indeed, they consist of identifying, in advance and in small committees, compromise positions to facilitate the adoption of decisions: they therefore circumvent, in the name of efficient and productive negotiation, the formal procedure, bodies and organized debates. For instance, Commission officials establish groups of experts, in particular composed of national officials, to understand the positions and power relations between Member States and galvanize their support, from the writing stage of the legislative proposal. Their challenge is to submit a text to the Council that is already adapted to internal political balances and power relations, and likely to be rapidly adoptable (Robert, 2016). The ability to build consensus is particularly sought after by the European administration insofar as its strategies of legitimization, based on its political “neutrality”, depend on it<sup>5</sup>. Nevertheless, convergent positions operate in different types of committees, like the Council's working groups (Wallace and Naurin, 2008), comitology (Böhling, 2014), or trilogues (Reh, 2014). This is because their members tend to make reaching compromises and their validation, by the bodies in whose name they are established, a priority goal and an indicator of their success. The available statistical elements on their operation seem to confirm the “effectiveness” of these bodies in this regard<sup>6</sup>.

Moreover, public debate is all the more avoided as secrecy is a characteristic of these informal modes of negotiation and considered to be a condition for their success. Meetings rarely have publicized minutes and even less often forms of media coverage. Regarding groups of experts, discussion minutes anonymize the positions defended by members, which in turn means that they cannot be attributed to – or claimed by – relevant members, on the outside. As for the Council bodies, provisions introduced in favor of publicity are systematically circumvented, leading negotiators to conceal their disagreements and “unanimously” adopt decisions, even when they are opposed to them<sup>7</sup>. In this regard, the multiplication of these committees means

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<sup>5</sup> As an administration serving the directions set by its Member States, it cannot explicitly oppose the positions of these members ([unless other “superior” principles – EU law, safeguarding EU public interests – give it the authority to do so] Robert, 2005).

<sup>6</sup> According to an EESC report (2017), 84% of legislative texts were subject to an “early agreement”. As for comitology, figures provided by the Commission (2016) report a very high rate of positive responses delivered by the committees (between 93% and 97% depending on the year).

<sup>7</sup> Since 1993, the date of adoption of the principle of publicity of votes in the Council, more than 80% of decisions falling under qualified majority voting appear to have been adopted by consensus, without explicit opposition (Novak, 2011).

that citizens only become aware of political projects under discussion at the European level at an advanced stage of their development (Curtin, 2014), when oppositions have already been silenced, alternatives excluded, power relations crystallized.

These forms of informal governance ultimately put the representative task to the test. As they operate out of sight, the unfolding political exchanges distance themselves in several ways from the public and contradictory model of debate, in which clearly differentiated projects, and representatives legitimized by the support of their constituents, come into conflict. Although they fall under diverse forms of delegation, the practices of deputies participating in trilogues, and of national officials who are members of the Commission's groups, give rise to similar observations: the control of their positions can only be imperfectly executed. This occurs *a posteriori* and on the final text, the individual contribution of the relevant "representative" often not being identifiable. Citizens have limited opportunities to demand accountability at this potentially crucial stage of policymaking (European Ombudsman, 2016; Robert, 2016).

### **I.3. Consulting "Civil Society": An Alternative to Political Representation?**

The institutions' ongoing dialogue with interest groups, throughout the European decision-making process, can be considered as a third and last mode of public policymaking, pertaining to a delegitimization of representative resources and practices. The organized consultation of civil society is not a specificity of the European political system, any more than expertise or informal governance. Within it, however, it takes on singular forms.

For the European administration, the symbolic, and sometimes financial, support of "organized European civil society" was originally a means to assert itself against its institutional partners-rivals. The multiplication of exchanges with these organizations sought to prove its capacity to define the general European interest and to claim a monopoly over it, faced with the Council, presented as the bastion of national interests. Preferred tools for building a specifically European form of legitimacy (Vauchez, 2014), the consultation mechanisms of organized civil society also became, at the turn of the century, one of the means by which the Commission claimed to "dialogue" with European citizens (Finke and Kohler Koch, 2007; Smismans, 2006). Moreover, aiming to compensate for the lack of elective legitimacy, these consultation policies are presented as an answer to the deadlocks of representative democracy. Borrowing from social scientists (Aldrin, Hubé, 2016), they highlight the incapacity of circuits of representative democracy to meet the challenges of modern governance and promote a "participatory turn". Over the last decade, they have also translated into the reform of decision-making processes, offering interest groups new opportunities to contribute to it in different ways (pre- and post-legislative impact studies, increasing public consultations, etc.).

These interaction frameworks contribute to depoliticization in several ways: depending on the subjects to be addressed, *ad hoc* punctual exchanges with actors who are most often chosen by their institutional interlocutors than appointed by their organization, are preferred to institutionalized relations with established structures, and their potential elected officials (Roger, 2010). More than just confronting viewpoints and the ability to build a balance of power, stakeholders are expected to have technical knowledge and a control of decision-making processes allowing them to produce proposals that are directly mobilizable by their interlocutors. Lastly, many actors are invited to contribute as experts: this role, as defined in these bodies and by the institutions' officials, is constructed in opposition to that of the representative, demanding from those assuming it both the spirit of compromise and the capacity to detach themselves from the organizations to which they belong. Significantly,

some of these bodies have long complained that the operation of these groups, and more generally their interactions with institutions, are difficult to reconcile with the involvement of their constituents in these exchanges (Robert, 2013).

## **II. The Origins of the EU's Depoliticization: Political Illegitimacy and Determinants**

Whether formulating, negotiating, or inviting actors to co-produce public policy, the methods of its development at the European level thus participate in delegitimizing political resources and practices. In this regard, we would now like to show that the proximity of these ways of seeing and making the EU reflect a set of prejudices regarding the actors and mechanisms of representative democracy. The legacy of the context and founding fathers who presided over the birth of the EU, this “relationship with the political” is not simply a trace of the past. Indeed, it still finds a *raison d'être* in its convergence with the interests and worldviews of a group of Europe's professionals and “permanent officials”, who can and/or must promote competing resources.

### **European Actors and Their “Relationship with the political”: A Common Distrust of Representative Democracy and Its Mechanisms**

The mechanisms of depoliticization previously mentioned, and discourses justifying them, outline a “relationship with the political” revolving around three complementary postulates.

According to the first, elected officials are not in a position to make relevant public policy choices. As demonstrated by several surveys conducted with Commission officials in the 1990s and 2000s, these agents are suspected of acting for the sole purpose of ensuring their re-election, under pressure from their constituencies, and of being driven more by passion than by reason (Bellier 1999). Although this is not specific to the European sphere, the representation of political actors as less capable of reason and impartiality nonetheless particularly resonates, as they are also perceived as the main vectors of national interests and thereby considered to be a threat to the survival of the European project (Abélès and Bellier, 1996).

The second type of preconception at the root of the logics of depoliticization concerns the properties attributed to political debate, viewed as a very imperfect way of determining public policy directions. Publicizing debates would first accentuate the elected officials' natural inclination for decisions likely to serve their self-promotion, to the detriment of less immediately profitable, but more collectively useful, positions. Conversely, informality and secrecy are defended, for the preliminary phases of intergovernmental negotiation, in the name of the fact that they “leave negotiators more freedom to consider the substance of, and debate, different options, to take risks, to change their mind, to rely on experts” (Curtin 2012, 24). Similar arguments have been put forward by the Commission on groups of experts (Robert, 2013). Publicity is also associated with conflict: the latter is itself analyzed as a both a cause and a symptom of the poor quality of exchanges, a way to build antagonisms rather than a means to facilitate the identification of a common solution. Indeed, conflict is considered to be neither productive (in that it could favor the identification of issues, of alternatives) nor even “natural” (in the sense that it could be explained by the preexistence of different interests).

If political debates, reduced to often sterile conflicts, are perceived as dangerous for Europe, it is ultimately due to their supposed effects on citizens. By reporting the potentially divergent interests of parties, and arbitrations conducted to the advantage of some and to the detriment of others, the formulation of public policy in political terms would have deleterious

consequences for its legitimacy. It first presupposes recognizing prerogatives, highlighting the Union's power of action, even when no European institution finds itself in a position to claim such authority, because the European political system grants none of them the legitimacy of a government. Such a form of justification would then harm the decision legitimized in this way (especially among the Member States that opposed it). More generally, it would feed a reading of Europe in terms of winners and losers, deemed both scarcely compatible with its promotion as a place reconciling interests and dangerous for its putative opponents. Moreover, as A. Smith recalls, "the European order is challenging because the political work conducted to legitimize it directly competes with efforts devoted to safeguarding the illusion that Europe is composed of globally intact nation-states" (Smith, 2010, 177). Although national governments sometimes attempt to save themselves from the political costs of European decisions by blaming them on "Brussels", they are equally as reluctant to shed light on the intergovernmental bargaining and the choices that it entails. This is evidenced by the unspoken rule adopted by negotiators, consisting of publicly silencing oppositions in the Council once the decision is adopted (Novak, 2011), or by national oppositions to the project to make the votes of Member States public regarding comitology procedures (Robert, 2018).

### **Technocratic Roots**

The illustration of this unique relationship with the political, and more specifically of this form of diffuse distrust of mechanisms of representative democracy, is an invitation to retrace, in the history of Europe's construction, the root of its depoliticization.

From this perspective, several works have underlined the technocratic aspirations of the "founding fathers" of Europe and their mark on its original institutions. W. Kaiser and J. Schot (2014) have documented the progressive emergence, from the middle of the 19<sup>th</sup> century, of networks of experts, claiming, in the name of their expertise, a central role in constructing international norms and organizations. Their worldview is based on the idea that only a dialogue between experts and technicians, founded on pragmatism and consensus-building, can bring about peace and economic prosperity. These experts are also convinced that conducting public policy, especially due to its growing internationalization, falls under primarily technical expertise, that political leaders and diplomats are neither completely suited nor legitimate to be responsible for it. In particular owing to their trajectories and allegiances to these networks, Jean Monnet, Robert Schuman and their kind were entirely the heirs and representatives of this "international technocracy". They had a shared distrust of elected officials and, more broadly, of mechanisms of majority democracy (Cohen 2012). This desire to shield Europe from the passion, folly and fluctuations of political will was strengthened and legitimized by the post-war context: while the European construction was appointed as the guarantor of peace at the continental level, old national democracies were themselves perceived as potential threats. In addition to their inherent instability, they demonstrated, through their inability to contain the rise of nationalism and prevent the Second World War, the natural propensity of political discourses – and of those promoting them – to turn European citizens against one another.

A complex mix of distrust of politics and ambition to replace it, this technocratic relationship with the political would find reasons within the European political system to more sustainably take root. The persistence of this technocratic spirit was the doing of the European Commission and of the High Authority that preceded it: indeed, the delegitimizing of political resources and representatives in favor of expertise and independence is its *raison d'être*, as well as the main argument for extending its prerogatives. Having become one of the central dimensions of the professional culture of its officials, this relationship with the political is also maintained by the institutional configuration that it inspired. Aside from the everyday

competition with the Council and the Parliament, a number of political events, regularly revived by actors to justify some practices pertaining to depoliticization<sup>8</sup>, have encouraged the crystallization of this relationship with the political.

### **Theoretical Influences and Ideological Affinities: The Role of Reform Initiatives and Academic Literature in the EU's Processes of Depoliticization**

Another way to shed light on the relationship with the political of European institutions and their officials is to focus on its sources of theoretical inspiration. An initial approach concerns the influence of neoliberal thought, whose importance has been underscored by Denord and Schwarz (2009), from the early years of building the Community. According to them, it explains the lack of emergence of a significant social policy at the European level. However, the common distrust of European actors regarding mechanisms of majority democracy is also illustrated in their affinities with the reflections developed by F. Hayek, W. Röpke and followers of German ordoliberalism on these subjects (Solchany, 2015). There are many points of convergence: the criticism of the link between political representatives and their constituents, condemned to produce clientelist elected officials and public budget gravediggers; distrust of parliamentary democracy and of its natural propensity to fuel the division of the social fabric and the all-powerful state; maintained suspicion regarding the contradictory debate, which must be replaced with one best way identified by rational elites.

Although neoliberalism is its main matrix, other reform initiatives inspired by it would then find, for the same reasons, in the European political and institutional sphere, a context conducive to their fulfilment. This is particularly the case for the initiatives proposed in the 2001 White Paper on European Governance: whether they concern reforming the European administration, stakeholders' participation in the policymaking process or the policy of transparency, their arguments refer to what B. Jobert rightly describes as "the myth of depoliticized governance which translates a visceral distrust of the games of majority democracy into the terms of new public management" (Jobert 2003).

The success of these reform initiatives appears to be related to the academic literature. This is one of the subjects evoked by P. Mair, for whom EU studies have concentrated their theoretical efforts on identifying alternatives to representative democracy, also contributing to blur its lines and weaken its legitimacy. In support of this hypothesis, one could mention the audience of these works among Europe's actors and the convergence of their criticisms of mechanisms of representative democracy, judged partially unsuitable for the European Union's operation.

One of the first criticisms challenges the very principle of popular sovereignty at this level: not only because power remains in the hands of the states, and the European "people" (demos) remain an abstract notion (Nicolaidis 2013), but also because it imposes the tyranny of the majority and does not allow the most rational solutions to be identified (Majone 2011; Moravcsik 2002). A second argument relates to the methods of political exchange: explicitly engaged in the "paradigm of deliberative democracy" (Mouffe, 1994), authors like E. Eriksen and J. Fossum (2000), or J. Neyer (2016), argue that political debate at the European level can and must, as a priority, take the form of a technical deliberation, between experts, aiming to

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<sup>8</sup> For example, this was the case for the blocking period of intergovernmental bodies following the introduction of qualified majority voting in the 1980s. First of all, this measure led national delegations to use negative votes more often, momentarily paralyzing the institution, but lastingly convincing its actors of the negative effects of explicit oppositions and, *a contrario*, of the productivity of secrecy and the euphemizing of conflict. On this history, see Novak, 2011.

identify consensual positions. Lastly, some authors agree on the incapacity of mechanisms of representative democracy to strengthen the EU's legitimacy and to ultimately guarantee its survival. Following F. Scharpf (1999), these authors promote the legitimization of public policy and of the EU through results (outputs), rather than by including citizens in its development processes (inputs), deemed more uncertain. As Kauppi et al. (2016) underline, most of the works on the politicization of the EU defend a very pessimistic vision of it. Some, like S. Bartolini (2006), have taken a very explicit stance: according to the latter, by maintaining the illusion that voters can influence the EU's future, and in particular challenge partly entrenched preferences, this political conflict above all contributes to further fueling their distrust and disinterest regarding the EU.

### **Depoliticization Incentives: Socialization and Motivations Behind the Institutionalization of Apolitical EU Governance**

Presiding over the genesis and construction of the European political and institutional space, several contextual factors seem to have fueled a form of distrust regarding representative logics. Nevertheless, the persistence, even long-term accentuation, of these depoliticization strategies emphasizes their limited reversibility and sparks an interest in their institutionalization methods. Here, we will briefly recall some of the avenues explored in recent works.

One line of thought relates to institutional configurations and the way in which they encourage depoliticization. For example, this is the case of the Commission officials, mentioned *supra*, whose attachment to a technocratic conception of European Union governance thrives on the fact that it enhances their own resources – administrative and technical competencies, apolitical posture and claim to neutrality – to the detriment of those of their rival partners in the Parliament and the Council. The operation of intergovernmental negotiation, especially its confinement, can also explain its actors' interest in circumventing logics of representation. Regarding intermunicipal bodies, Desage and Guéranger (2011) show that in such arenas, largely out of sight, the preservation of good relations with other negotiators, particularly through reciprocal concessions and the non-publication of disagreements, may be an essential objective. The representation of constituents is all the more easily subordinated to this objective, as it is masked and thus inexpensive for “representatives”.

These effects of configurations do not, however, exhaust the diversity of the interests of depoliticization and its success beyond the institutions. Several surveys have highlighted that a group of European professionals – political personnel (Beauvallet and Michon, 2012), trade unionists (Wagner 2005) interest representatives (Laurens, 2013), or even journalists – prefer to use a very similar “apolitical” register to that of euro-officials. For instance, the survey conducted by O. Baisnée, at the beginning of this decade, on press correspondents in Brussels, shows how they mostly tend to appropriate – and relay – the social worldview conveyed by the Commission's discourse, especially the way in which the latter defines what is a political matter and what is not (Baisnée and Smith). These works thereby underline the socializing role of the Community administration, whose centrality and role of privileged interlocutor of interest representatives gives it a determining role in constructing practices, discourses and forms of legitimate authority at the European level. These logics of the progressive configuration of actors to certain institutional practices, in the course of their establishment in the European political game, can also be observed in other bodies. This is the case for national officials and interest representatives in the Commission's advisory groups, as well as the Council working groups and in Coreper, or even the trilogues, whose participants increasingly tend to systematically resort to early agreements over time (Reh, 2013).

## Conclusion

As previously mentioned, depoliticization is by no means an exclusive feature of Europe's governance, and some of its determinants, such as the forms it takes, are well documented at national and international levels. However, in both the EU's construction and its current operation, depoliticization occupies a unique place. Far from boiling down to a seizure of power by agencies, or being confined to economic policy, the circumvention of mechanisms of majority democracy can be found in each phase of the European policymaking process. Interpreted today as answers to the economic crisis, or even to a more ostensibly critical opinion regarding the EU, these particular ways of formulating, legitimizing, debating and negotiating public policies were not, however, invented at the end of last decade. Identifiable from the very genesis of the European project, the relationship with the political, and prejudices regarding the representative democracy on which these practices rely, have played a fundamental role, inspiring the architecture and institutional practices.

It is precisely by considering it from this perspective that depoliticization seems likely to shed light on the current European context behind its academic success. First, it can constitute one of the explanations of the growing success of critical positions regarding the EU, even in favor of its dismantlement (see Jörke in this volume). Although many other factors contribute to this (increasing economic difficulties and inequalities, the perception of the EU's roles in these developments, reconfigurations of national political scenes, etc.), the hypothesis can be made that depoliticization has also helped make these EU discourses of rejection politically possible and profitable. Indeed, it strongly directs and restricts the EU's repertoire of legitimization, in other words, the way in which European public policy and those who produce it are seen. This is illustrated by the difficult legibility of its decision-making processes, the weak visibility of political representation work outside the confrontation of national interests, or even the massive recourse to technical forms justifying political choices to the detriment of a more voluntarist discourse based on values. Moreover, these forms of discursive depoliticization "may result in depoliticised citizens" (Dupuy and Van Ingelgom, 2019, 272) in the sense that the "perceived lack of EU's political agency" could nurture a form of fatalism and citizen indifference towards Europe institutions. At last, through its delegitimization of conflict and debate, depoliticization has also contributed to leaving little room for defending and confronting alternative projects for the EU, thus participating in lastingly assimilating these alternatives into positions hostile towards the European project itself<sup>9</sup>.

Although it can be argued that these logics of depoliticization indirectly fuel the success of partisan groups opposed to integration, or the rise of absenteeism in elections, they also seem to us to play a key role in the European political system's reactions to this situation. This context first reinforces the negative representations associated with politicization: this is illustrated by the position that S. Bartolini has defended since 2006. According to him, any reform seeking to politicize the EU through "an injection of the majority system in its consensual procedures" is bound to fail and would put the EU in danger. Emphasizing "[increasing] divergences between voters and their representatives regarding European

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<sup>9</sup> This is the argument defended by Peter Mair, inspired by Robert Dahl's seminal reflections on the adverse effects of a governance based on the permanent quest for compromise. The lack of room left to the opposition thus has two possible consequences: the rise in power of an opposition to the political system as a whole; and/or submission to the power in place (Robert Dahl [Ed.], *Political Oppositions in Western Democracies*, Yale, Yale University Press, 1966).

politics”, and “the citizens’ detachment, lack of interest and skepticism *vis à vis* Europe”, he concludes that “any politicization of integration/independence issues risks widening the gap between parties and voters and tearing European parties apart”. Furthermore, “if the issues constituting Europe were even modestly politicized, ‘the cure would be worse than the disease’” (Bartolini 2006, 44). Two other logics specific to depoliticization processes also contribute to its self-perpetuation, even to its reinforcement, despite the political context. Indeed, these logics tend to strengthen power relations, to place and maintain already dominant actors in positions of power within this institutional space, especially because they possess recognized and valued capital. As the “Grand Coalition” in the Parliament illustrates – contested by its margins but appointed and supported by the most powerful political groups and by deputies with significant institutional capital – such a situation is hardly conducive to the emergence of internal contestation within the European political system. Finally, this prospect appears all the more remote, as the actors occupying a central place within it are, almost structurally, among the least exposed to the fluctuations of public opinion (to electoral defeat, to anti-European mobilizations): mostly recruited among the EU’s permanent professionals – civil servants, experts, long-standing EP deputies (Georgakakis and Rowell, 2013) – they are seized in the mechanisms keeping them well away from citizens.

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