

Europe's Search for an Attentive Public: What Prospects?

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Introduction: Europe's Missing Public

The political channels running between European decision making and citizens have increasingly been seen as problematic, leading to prominent debates about the EU's perceived democratic and legitimacy deficits. Concerns are often raised about the lack of accountability of EU decision makers to citizens and about democratic control over and participation in the political process. The watershed moment came in the rejection of Europe's constitutional efforts by the French and Dutch peoples in the 2005 referendums. Taken against the expressed wishes of all main political parties, and all mainstream mass media, these popular rejections in usually supportive countries underlined the passing of the permissive consensus era.

One of the founding fathers of the European project, Jean Monnet, foresaw the issue in the following terms: 'Europe has been created. Now we must create Europeans.' The supranational European institutions have tended to retain this social engineering perspective toward its potential European public. However, the closest Europe's elite bureaucrats ever came to people was through the results of their Eurobarometer opinion polling. Especially in the early days, these poll results served as an ersatz indicator for public preferences and as a quasi-test to see if Europe's citizens had reached a stage of evolution where they could appreciate the benefits bestowed on them from on high. Eurobarometer was the EU-level technocratic solution *par excellence* to Europe's missing public. However, waiting for Europeans to 'evolve' has been a very long wait indeed. This approach also led to paradoxical behavior: policy makers at the supranational level acted as if citizens with national loyalties no longer existed, whereas the citizens of member states acted as if the European-level of governance and administration had not come into being. The more evident and irreversible the substantive impact of European decision making has become over time, the more this contradiction has come to the fore as a political issue.

Some academics have also looked for the emergence of 'Europeans' as a form of identification at the individual level—gauged by opinion polling—as a solution to Europe's missing public (e.g., Bruter 2005). However, it is widely accepted that

identification processes with Europe remain secondary to national ones, so that at best Europe is an 'identity-lite' (Risse 2003). Instead of looking for evidence of European transnationalism in European identification processes and cultural transformations at the individual level, for example, in growing numbers of multilingual Europeans, the European public sphere research field shifts the focus onto the role of the mass media who are able to supply information about and translate the important and relevant political aspects of European decision making to ordinary people in a language and idiom they are already able to understand. In this view, the investigation focuses primarily on the transformation of public communication processes. Communication is central to all aspects of globalization, transnationalization, post-nationalization, and de-nationalization processes. As Calhoun (2003 243) points out, 'If Europe is not only a place but a space in which distinctively European relations are forged and European visions of the future enacted, then it depends on communication in public, as much as on a distinctively European culture, or political institution, or economy, or social networks.'

The European public sphere approach places at center stage the possible emergence of a system of political communication that supplies flows of information linking actors across borders and political levels. It considers the transformation of communication flows carried principally by the mass media to be vital and the most realistic candidate for generating a European-wide public political debate.¹ In this view, a citizen does not have to become a European in the culturally thick sense, although some will. Instead a citizen requires access to adequate supplies of information about European decision making, at least to the same extent as it is available for purely national affairs. This information allows citizens the opportunity to engage meaningfully with the politics of European multi-level governance and decision making.

The European public sphere research field takes the emergence of a multi-level system of governance in the EU as a case for examining the performance of media and political communication in an era of advancing globalization. Although this focus is Europe-centric, findings on the transformation of mass media discourses in response to advancing European integration also have general relevance for the debates about the

¹ The perspective is broadly compatible with Fligstein's (2008) on European society and like his draws inspiration from the classic study by Deutsch (1953) on social communication and nationalism.

capacity of media and political systems to adapt to the challenges of globalization and transnationalization processes, by providing adequate supplies of information and links between polities and citizens.

On democratic performance, many scholars see a lack of communication to be constitutive of Europe's perceived democratic deficit. They emphasize the need for mass mediated coverage and public visibility for European policy making as a requirement for a legitimate politics (e.g., Habermas 2005). Behind the surface plot of Europe's democratic deficit lies the deeper concern of whether political and media systems can perform effectively, subsequent to onset of globalization processes. Advancing economic and political integration involves a shift in power and competences from the nation, up to the European political level and across to other European countries. This increasingly impacts peoples' lives, but the degree and extent to which modern democracies offer opportunities to see, be included in political decisions on, and contest these impacts is less well known. What is clear is that mass media performance in supplying adequate information to citizens becomes ever more important as political relations become more complex, institutional and geographical boundaries of competences blurred, and politics increasingly mediatized.

To understand the emergence and performance of Europe's public sphere, this article draws from key general findings from a large empirical research collaboration,² which examined the transformation of mass media discourse and political contention in response to advancing European integration. It looked at seven countries (Britain, Germany, Netherlands, France, Spain, Italy, and the non-EU member Switzerland) on the basis of a data sample of more than 20,000 cases retrieved through content analysis of four newspapers in each country. The study design allowed for comparison across countries, policy fields, and time (1990–2002). Presented here are general findings on the basic issues relevant for an assessment of the emergence of European transnationalism through public communication flows: the degree and form of public sphere development

² The detailed findings appear in Koopmans and Statham (forthcoming 2010). Further details on the Europub.com project, including detailed national reports, a comparative report on the findings from the analyses of media discourse, and description of the research design, are available at <http://europub.wzb.eu/>.

for the EU, its inclusiveness of civil society actors, and the role of media actors in producing it.

The next section builds an empirical picture of the degree and form of European public sphere development, as well as its inclusiveness of civil society, which is relevant to assessing the basis of any possible deficit. It outlines evidence on the visibility of European decision making in mass media discourse and the inclusiveness of non-state actors in this Europeanized communication. The subsequent section addresses how public legitimation processes through media discourses work by applying the concept of 'attentive public' (Almond 1960). It argues that mass media discourse was able to supply some resources of public legitimacy to the EU prior to the Constitution, but explains why these were not sustainable in the face of referendums over the Constitution. Finally, the closing remarks address the prospects for European transnationalism, politics and public sphere development subsequent to the failure to win referendums over the Constitution.

A Mass Mediated European Public Sphere?

Most empirical research on the European public sphere examines the supply side of political communication, which has emerged in response to advancing European integration and carries political debates to general publics.³ Regarding public sphere development, a first important dimension is the *visibility* of Europe to publics. For there to be anything that meaningfully resembles a public sphere, European policy decision making needs to be visible to citizens. Essential here is the performance of mass media in making Europe visible to people. Second, the degree to which the Europe is *inclusive* of publics is also important. This refers to the accessibility of European policy decision making to publics, either through interest representation or by collective action mobilized from civil society. Here it is the democratic performance of the political system that

³ For studies that like the Europub.com collaboration attempt to provide answers to general trends, by recourse to large-scale cross-national data, see especially the collaborative research program initially led by Peters (Peters et al. 2005, 2009; Sift et al. 2007) and that by Trenz (2004, 2007). For a critical review of the development of the European public sphere research field, see Meyer (2007).

matters and the degree to which the public is able to gain formal access to, and be included within, public debates about European decision-making processes.

Like our collaborative study, virtually all empirical studies on the European public sphere that have appeared over the last decade take the political contents of high-circulation national media, usually newspapers, as their data sources. This is based on the well-founded assumption that in the absence of a supranational mass media, Europeanized communication is not going to simply replicate the emergence of national public spheres at a higher political level, but grow from within national public spheres, which become more or less inclusive of other political levels and national discourses from other European countries (Schlesinger 1999). The approach takes the news supplied by national mass media as a proxy for an individual citizen's access to political information about European multi-level governance. In this view, it is the public visibility and inclusiveness of the EU, and other European member states, within a domestic public sphere that determines the extent and form of Europeanization of public debates. Typically, studies collect news data covering several countries and/or have a time dimension that allows for investigating trends for the increasing interpenetration, synchronization, and/or convergence of Europeanized communication within and across national public spheres. Common research questions include, "Is there sufficient political communication and interaction across borders and political levels? What are the prevalent forms of Europeanized communication?"

It is now common parlance to refer to vertical and horizontal forms of Europeanization for describing trajectories of European public sphere development.⁴ Vertical and horizontal communication flows are distinct from those that remain contained within a national domestic public sphere. They indicate the degree of openness or closure of a national public sphere, up to the EU level (vertical) or across to other European countries (horizontal). Vertical Europeanization consists of communicative linkages between the supranational EU and a national-level polity—either bottom-up or 'top-down'—that appear in a domestic public sphere. Conversely, horizontal Europeanization consists of communicative linkages between one or more European

⁴ This usage of horizontal and vertical dimensions parallels that of studies on the Europeanization of policy fields (e.g., Raedelli 2003).

polities—‘strong’ when including the host carrying domestic sphere and ‘weak’ when not. When contrasted to communication that remains national, the vertical and horizontal dimensions allow us to analyze the extent, form, and shape of the emerging European public sphere.

Reporting on the contents analyses from our collaborative project, perhaps the most significant general finding from the research is that the EU *is* publicly visible in fields where it is influential.⁵ In policy issue fields where the European level has competences, EU actors appear frequently as speakers or as addressees, and issues are frequently discussed in a European frame of reference. At least when viewed quantitatively, this empirical finding goes against the oft-heard thesis that the EU has a communication deficit. Against the common claim that Europe remains invisible and unmediated—see, for example, Hix (2008, 185), who is still waiting for ‘the media to cover the Brussels soap opera for the first time’—our findings clearly show that important Europeanization trends are evident in mediated policy discourses and these serve to make European politics visible to the general publics. This is corroborated by Trezz’s (2004, 311) media contents analysis of 11 quality newspapers from six EU countries in 2000, which supports the general idea that Europe has a significant visibility in national media: ‘one out of three articles in a European quality newspaper makes political reference to Europe, and one out of five directly reports on at least one European issue.’

To account for such developments, we consider that the emergence of visible Europeanized communication is best explained by the structures of access provided by the multi-level polity. Crucially, the clearest explanatory determinant for whether a communicative act—that is, a public ‘claim’—in a policy field is Europeanized is the extent to which competences have shifted up to the EU level. For example, EU-level actors have a strong visible say in monetary politics and agriculture debates, where integration has shifted decision making up to the supranational level, but very little in debates over immigration, troop deployment, education, and pensions, where national sovereignty remains powerful. The general rule is that the more a policy field is supranationalized, the more it has a public policy debate that includes and makes the EU-

⁵ See Koopmans et al, (forthcoming 2010) for detailed analyses.

level visible to citizens and the more vertical communication flows are found. Regarding horizontal communication flows, the story is a little less clear-cut. The more intergovernmentalized policy fields—EU integration, troop deployment, immigration—do indeed have a significant presence of claim makers from other European countries. However, this is also the case for supranationalized fields—monetary, agriculture—which witness similar levels of claim making by actors from other European countries. We consider this is most likely due to the increasing cross-national interdependence that results from common supranational institutions and policy making. The overall finding is that Europeans seem to have sufficient opportunities to see European governance and decision making in their mass media discourses, at least quantitatively, especially in policy fields where the EU has competences.

Turning to trends across time, we find that the visibility of EU actors has grown markedly from 9% in 1990 to 15% in 2002 over a period when integration has advanced. In addition, the increase in the monetary policy field, which experienced monetary union in this period, was dramatic from 9% in 1990 to 29% in 2002. However, these increases in vertical communication flows have not been matched by horizontal ones, with claims by European foreign actors remaining stable at about a fifth. Overall, it seems that the deepening of European integration has led to a rise in vertical Europeanization, but not to increased horizontal flows of communication across national borders. More detailed analyses provide evidence for a Europeanization process where the total amount of attention to other European countries remains at a similar level, but the type of communication transforms in response to deepening integration in a way that makes the EU level more present. Rather than Europe supplanting domestic claim making, it seems that news about ‘Europe as foreign affairs’ is replaced by ‘EU-level news’. Also publics tend to see emerging transnational ties to other European countries largely indirectly via references and links to the European supranational level. The transformation of communication has not resulted in a growth of direct references and ties to other European countries. Publics see evidence for the emergent European transnational ties through an EU-level filtered lens.⁶

⁶ Our empirical findings on vertical and horizontal Europeanization are similar to those of the team originally led by Peters (Peters et al. 2005, 2009; Siffert et al. 2007). However, they interpret these findings

One of the benefits of the public claim-making method (Koopmans and Statham 1999) applied in our contents analysis is that it allows a sophisticated examination of the presence of collective actors, their claims, and the communicative links they build across borders and political levels in public discourses. This means that in addition to addressing questions about Europe's visibility in the media, it is also possible to examine the inclusiveness of collective actors within mediated political discourses over Europe. Although we do not find a quantitative deficit of communication, it could be that the deficit consists of qualitative aspects of public discourse, and in particular the extent to which non-state actors are able to participate and voice their demands in Europeanized political communication. After all, European transnationalism can be defined in a way that requires the inclusion of civil society actors, thereby extending the political process beyond the insider circles of government and executive actors (Nye and Keohane 1971). Transnationalism inevitably implies a redistribution of power among actors. Some point towards new opportunities for civil society actors and non-governmental organizations (NGOs) to gain domestic power by addressing their demands on a political institutional level above the nation-state, through so-called 'boomerang effects' (e.g., Keck and Sikkink 1998). In a similar vein, advocates of post-national citizenship emphasize new possibilities for civil society as a result of globalization processes. They argue that even weak groups, such as migrants, have their rights enhanced—against a supposedly restrictive nation-state—by being able to draw on resources of international human rights regimes and discourses (e.g., Soysal 1994).

Whether government and executive, or alternatively civil society actors, are relatively over- or underrepresented within Europeanized public debates, as compared to those that remain purely national, gives a strong indication of who wins and loses in discursive influence and power as a result of advancing European integration. The most striking finding from our research is that the only actors systematically overrepresented in Europeanized forms of claim making are government and executive actors (Koopmans 2007). These alone mobilize about one half of Europeanized political communication,

differently, concluding that a public sphere deficit exists. We consider this claim to be overstated. It is based on unrealistically high normative standards, particularly with respect to horizontal Europeanization, where they require 'the emergence of a *common European discourse*' (Sifft et al. 2007, 130). By these standards, even political discourses that remain at the national level would fall short.

whereas they make a third of claims in the purely national public sphere. By contrast, the big-time losers within Europeanized public discourses are civil society actors, who mobilize only an eighth of claims, compared to more than a third nationally. Even among civil society actors, less resourceful groups, such as consumers' associations, environmentalists, and pensioners, are even more strongly underrepresented in Europeanized public politics than the powerful interest groups representing capital and labor. Against the view that the supranational level offers opportunities through legitimating discourses and norms for NGOs to enhance their voice (Keck and Sikkink 1998; Soysal 1994), we find no indication that Europeanization has been accompanied by greater inclusiveness for civil society actors that even closely approximates their discursive empowerment in national politics. From this we conclude that civil society actors are the least able to profit from the opening up of Europeanized discursive spaces for politics. Generally, it seems that Europeanization enhances the discursive power of the already powerful: national and EU executive elites.

Given that emergent Europeanization trends are vertical, bringing the EU level to prominence, it is also revealing to see which collective actors are able to make themselves heard from the EU level in mediated political discourses. Here the findings show that EU civil society is strikingly absent from mediated public discourses. Remarkably, civil society actors, including business, unions, interest groups, NGOs, and many other types of organizations account for only 1% of claims made from the EU level, whereas the three important European executive institutions, the Commission (40%), Councils (heads of government and ministers; 15%), and Central Bank (14%) make up more than two thirds. The President of the Commission alone accounted for a ninth of all European-level claims. This finding shows that mediated EU-level politics is very strongly dominated by the discursive power of the executive to an extent that is problematic from the viewpoint of democratic legitimacy. It demonstrates the elite-dominated nature of EU politics, especially through its lack of inclusiveness toward EU civil society actors. The Brussels and Strasbourg lobbying circuit barely registers a trace in the public domain, either to make its demands heard or to have its activities publicly transparent. So the European level is visible, but not at all inclusive of EU non-state or

EU civil society actors, which points toward a deficit of inclusion within Europeanized public debates.

Generally, the imbalances we find in the representativeness of collective actors within Europeanized public communication are problematic from the viewpoint of the democratic quality and performance of public debates. If one makes civil society participation a requirement for transnationalism, then the EU's public sphere development is transnational only to a very limited degree. Indeed the European public sphere turns out to be less inclusive of civil society than its purely national counterpart. More importantly, this transformation is carried by increasing interaction and communication, largely by executive elite actors, across borders and political levels. It shows no signs of expanding political participation to non-state actors. European transnationalism, if one is prepared to call it that, is an elite-driven and -led process that strongly enhances executive power relative to civil society in a dynamic way. This perhaps indicates why national governments, as well as of course the EU institutions, tend to be strong supporters of European integration. So the deficit does not consist in a lack of communication about Europe, but in the relative over-visibility and dominance of European and national executive elites in mediated political discourse.

Media Discourse and Public Legitimacy: Before and After the Constitution

So far, our findings give a clear picture of the emergent European public politics: European policy debates are publicly visible across the region, but they are not very inclusive and strongly characterized by elite dominance. The transformation of political communication and collective action in response to advancing European integration has led to the empowerment of the already powerful. How did this politics receive sufficient resources of public legitimacy to be sustainable before the French and Dutch people rejected the Constitution in the 2005 referendums? Why did this break down during the Constitutionalization process? And what are the prospects for a European public politics in the post-Constitution era?

The study discussed in this paper address only the supply side of public debates. However, the public demand side is important for assessing the performance of media and politics. Existing studies based on public opinion polls show the general public has a low level of knowledge about and interest in the EU, plus ‘only a small proportion of the public holds strong affective supranational attachments’ (Gabel 1998, 112). Commenting on the Commission’s Eurobarometer figures, Shore (2000, 223–4) notes they ‘provide grim reading for advocates of ever closer union. Support for EU membership across the Union has plummeted from 72 per cent in 1991 to only 46 per cent—fewer than at any time in the past twenty years—while eight out of ten Europeans admit to being “not very well informed” or “not informed at all” about the EU.’ The Commission’s own communication *White Paper* (Commission of the European Communities 2006, 5), published after the referendum rejections, claims that Europeans ‘often feel that they have little opportunity to make their voices heard on European issues’. These findings suggest that relatively few people across Europe have sufficient knowledge to form a meaningful political opinion about European governance and decision making, as compared to their understandings of national politics. Perhaps at most about 15 per cent know enough to be for or against issues, whereas the rest simply do not know, and many may not be interested at all. Indeed turnout has dropped in every European election since they started in 1979, with the June 2009 European Parliament elections producing a record low turnout of 43.4 per cent across the 27 countries. This decline is probably due to a realistic assessment by voters of the relative impotence of the European Parliament compared to national ones, but indicates perhaps a more general lack of public understanding of and enthusiasm for the changes brought by the emergence of European governance.

It is worth recalling that our findings show that the general public’s apparent lack of interest in Europe does not result from low media attention. On the contrary, the media reports significantly about the European level, despite perceiving few commercial incentives to do so because of low readership demand. Apart from the executive, media personnel were the only other actor more present in Europeanized debates as compared to purely national ones. Thus, the media produces a European public debate, even if, for the most part, it elicits little public interest. This also means that media discourse, which in

most countries and at most times has been on aggregate supportive of the EU, becomes an important resource of public legitimacy for political elites to push the integration project forward. In this sense, it appears that mass media discourse over Europe has served a 'proxy' role for Europe's absent general public by supplying a degree of legitimacy that allowed the elite dominance of the European project to be sustainable.

To illustrate the point, we use Almond's (1960) classic distinction that there are broadly three types of public opinion on policy making: a 'general public', an 'attentive public', and a 'policy and opinion elite'. In this view, the 'general public' do not know or care about much beyond their immediate concerns except at times of crisis; the 'attentive public' are an educated minority who follow more abstract concerns, are played to by the elite, and also pass on views to the general public; and the 'policy and opinion elite' are a small group of highly influential people, officials, politicians, and top journalists, who devise policies and articulate them largely for attentive publics. Applying this formula to Europeanized public debates,⁷ the 'attentive public' has been very much smaller than it is usually in national domestic politics. This is supported by our findings that civil society is very weak in discursive influence. A consequence of this very small 'attentive public' from civil society over Europe is that the mass media has taken center stage as *the* actor representing the public. This occurred more by default than by intention. The study shows that media attention for Europe arises more from professional norms for reporting—journalists recognizing the growing location of power at the European level—than partisanship. The media's generally supportive stance for this version of the European project is contingent, not absolute. However, the weak presence of civil society has meant the media has tended to look much more to elites than non-state actors for views to disseminate about Europe. To some extent the media has filled the 'gap' for the missing 'attentive public' through its own opinion mobilization, though it seems that such messages, if they have made any impact on the views of the 'general public' at all, have largely induced passivity for the elite-dominated project. Overall, the 'policy and opinion elite' has effectively been able to play to its own image of the European project represented in the mass media discourse, which has reinforced its legitimacy, while

⁷ Almond's (1960) *The American People and Foreign Policy* is especially pertinent because European policy decision making has traditionally been as remote and distant for the general public as foreign policy.

Europe has largely remained off the radar of the general public. In this way, the elite-led European integration project gains a degree of legitimacy by being made publicly visible and exposed to some media scrutiny, even if this mediated public discourse remains dominated by elite voices. This appears to have been the normal state of affairs that sustained the stages of advancing European integration prior to the Constitution's rejection in 2005.

Although sustainable when European integration is not at a critical juncture, the flaw in this model is that 'proxy' public legitimacy supplied to elites by media discourse is trumped by direct calls on the people that result in an expression of popular will. Nothing exposed this more than the failed referendums for the 2005 Constitution Treaty. Required to give a voice on a topic about which they had shown little previous inclination to do so, the French and Dutch publics responded with a protest vote against the elite consensus supported by all the main parties and conventional media.⁸ Of course, the French and Dutch had not been transformed en masse overnight from uninformed to informed publics over Europe. It is likely that they voted for domestic political concerns and interests—including opposition to perceived elite dominance—rather than on the substantive policy contents of European Constitutional Treaty, even if, as in the French case, a copy of the 500-plus page document was posted to each voter.⁹ Regardless of whether referendums are good or bad for democratic politics, the Constitution case demonstrates that by seeking a popular mandate, the French and Dutch governments effectively undermined their normal basis for legitimating European politics. By contrast, the German approach was to manage the Constitution in the 'normal' way. The Treaty was ratified by the national parliament, with the legitimacy for the 'yes' flowing from the elected parties and mass media discourse giving prominence to supportive elite voices (including the media's own). This approach provoked few signs of popular opposition from the general public, at least not prior to the French and Dutch 'no'.

The failed 2005 Constitution attempt stands as a watershed moment, because it brought to public attention and politicized the elite dominance of the European project to

⁸ For empirical evidence on the supportive stances of elites and the media in the French public discourse, and comparisons with other countries, see Vettters et al. (2009).

⁹ Even the Convention's President Giscard d'Estaing complained about the folly of sending a 500-page document comprising 446 articles and 36 supplementary protocols to every French voter (Anderson 2007).

an unprecedented extent across the European region. Initially, many academics hailed the Constitutional process enthusiastically as a potential midwife for the birth of a European popular will and political community driven by an emerging European civil society. On this Habermas (2005, 29) was especially prominent: 'The generation of a European public opinion depends on the vital inputs of actors within a European civil society. At the same time, a European-wide public sphere needs to be embedded in a political culture shared by all.' He also stated that '[w]e should not underestimate the symbolic importance of the sheer fact that a constitutional debate is now underway. The Euro alone is not sufficient to inspire enthusiasm for Europe as a political community in the minds of Europeans. The intergovernmental agreement in Maastricht lacks the symbolic power which can only be generated by a political founding act' (Habermas 2006, 90). Some academics were overenthusiastic in translating this normative vision into a prediction for the forthcoming reality, for example, Bruter (2005, 171) claims, 'Without a doubt, a mass European identity has emerged and progressively grown [and] the average level of European identity of citizens [...] can be expected to progress even further as the European Union is going through the symbolic stage of giving itself its first Constitution.'

So what happened to civil society development in the face of the Constitutional process? On one side, the EU's consultation processes remained strongly top-down and for insiders. On the other, the available evidence indicates that the impacts of the Constitution opportunity structure on broader civil society mobilization were very limited. A subsequent empirical study using similar methods to the one described above—claim-making analysis and semi-structured interviews—specifically geared to examining civil society participation in Constitution debates produced negative findings.¹⁰ Elites dominated public debates over the Constitution to the same extent as found in the earlier study. In interviews, NGOs emphasized their lack of resources and dependency on executive actors for funding. They largely saw themselves as clients of national governments, dependent on what their patrons succeeded in bargaining for within their policy sector at the EU level and waiting for a trickle-down. Importantly,

¹⁰ Claim-making analyses were undertaken on Constitution debates in France, Germany, Britain, and Spain (see contributions to Trezn et al. 2008). Plus structured interviews were undertaken in Britain with national NGOs in the fields of consumer protection, women's rights, and religion (Statham 2009).

NGOs did not see themselves or act like 'civil society' in the sense understood by democratic theory. From this, it seems that civil society over Europe remains very weak and not of a type that is likely to expand the ranks of the 'attentive public' to any great extent soon.

Concluding Remarks: A Normalization of Critique?

The emergence of a European public sphere of communication and political contention is an important case of transformation beyond the nation-state. However, the processes of transformation that have occurred are problematic from the viewpoint of democratic legitimacy. This is not because Europe lacks visibility; Europeans now live in an era where European decision making is mass mediated. It is because the shift of policy competences to the European level has resulted in Europeanized public debates that are less inclusive of civil society than national ones. The Europeanization of debates over decision making has led to an empowerment of the already powerful executive actors. Thus the actual path of European public sphere development remains a long way from the inclusive Europeanized public sphere advocated by normative participatory democratic theories of Europeanization (see especially Habermas 2005, 2006). Also the evidence goes completely against the thesis of possible 'boomerang effects' for transnational activists (Keck and Sikkink 1998), whereby weaker actors, such as NGOs and social movements, enhance their power nationally by accessing and influencing a political level above the nation-state. It seems that the discursive disempowerment of civil society is dynamically embedded in the Europeanization process. This offers an important lesson for the possibility of transnationalism through the process of EU-ization: it seems it is much easier for executive and elite actors to build relationships and operate effectively at the European level and there are strong barriers to civil society development. If European transnationalism requires non-state public involvement to be called such, as Nye and Keohane (1971) suggest, then EU-ization moves in the opposite direction.

It is a matter for future research to determine the long-term impact of the Constitution event on Europeanized debates. However, it is unlikely that an emergent

'attentive public' will take the form of the Europe-friendly bottom-up mobilized civil society depicted in Habermas' normative theory, because the substantive conditions for such a development remain absent, and civil society is likely to produce as many opponents as supporters. In the meantime, the mass media remains an important actor. After the Constitution, at the very least, media debates are likely to be more critical, given that the public has shown itself not to be uni-dimensionally in favor of European integration. Indeed, the Lisbon Treaty (2007), the attempt by political elites to re-hash the technical aspects of the Constitutional Treaty, was rebuffed in an Irish referendum in 2008, which is indicative of this heightened public critical environment. Elites have been brought under a more critical media spotlight (*critical* here is meant in the sense of 'critique' not 'opposition'), and in time this may lead to a normalized pluralistic and more mature political debate. Overall, it seems the failed Constitution has contributed to the normalization of a critical mediated public debate over Europe, but not the compliant version of a European political community of citizens envisaged by its elite architects.

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