Research Article

Technocracy and the Tragedy of EU Governance

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Abstract

In a historical perspective, technocracy, emphasising bureaucratic and technical expertise in political, social and economic areas, is a double edge sword: on the one side, it guaranteed the condition for international cooperation post-WW II, providing as an ostensibly ideologically neutral basis the condition for cooperation and governance in a politically bitter international climate. On the other hand, it indicates the tragedy of increasing delegitimization of EU governance, causing the alienation of political willing from the people that is (mis-)used by populists present-day and their slogan 'back to the people'. Technocracy is theoretically symbolised through the functionalism of EU integration, politically manifest in the redefinition of democracy as expertocracy and from "input"- to "output"-orientation, and academically manifest in the mainstream of EU studies that (still) seem to operate in the legacies of functionalist/neo-functionalist epistemological commitments. The tragedy of EU politics therefore appears to be that it is trapped in a technocratic, and thus a democratically distorted (because disconnect from popular willing as one the irreducible pillars of democratic governance) understanding of governance that, however and at the same time, has been historically the condition of the possibility of cooperation. The following paper is thus an attempt to understand alienation and (populist) opposition to the EU integration processes as systemic and mutually conditioning phenomena, deeply entrenched in the structure of the EU and of EU studies themselves, and develops the argument that the epistemological commitments of neo-functionalism need finally to be overcome to bring back in democratic agency in EU politics.1

Keywords:

Regional Integration; Functionalism; Legitimacy; Effectivity; Democratic Triangle

The subtitle of this Special Issue, *Revisiting the legitimization of European politics*, suggests that there is a problem with European Union (EU) legitimacy. And indeed, not only the longstanding academic argument about the institutional democracy deficit (amongst others, Follesdal/Hix 2006; Abels 2009), but also more recent phenomena such as the pan-European rise of populism (amongst other, see Weyland 1999; Uceñ 2007; Taggart 2004) puts the EU's legitimacy in question. I argue here that the sentiment as it manifests in populism, namely the emotion to be left unheard and neglected, is due to the early and continuous emphasis of the EU and of EU studies on technocratic governance and functionalism. This finds its maybe most prominent example in Fritz Scharpf's (re-)definition of democracy as output-oriented rather than input-oriented form of governance (Scharpf 1999; 1997). Then, democracy becomes disconnected from the people, and democratic will formation is focused on the effectivity rather than on the constitution of governance. This understanding does not remain unpunished. Thus, current legitimacy problems are caused by, and deeply entrenched in, mainstream EU studies themselves since some 50 years and their positive interplay with EU policy making.[2]

To be clear: Populism is an undemocratic and inappropriate conclusion of the sentiment of "being unheard and neglected", no doubt, however, there is a critical potential in populism that makes us aware of the conditions of the rise of those sentiments. To put it differently: the EU suffers from its beginning until present-day from a depoliticised understanding of integration – that finds its manifestation in functionalist theories and their never-ending and never-fulfilled, but also politically never-explicated or -deliberated hope of the spill over from economic to political questions, with which the people could identify; an understanding that, however, was the *condition* for cooperation and integration in the 1950s in the first place. In the European societies that recovered from WW II *political* cooperation would have been impossible. Functional integration and technocracy seemed the only way forward as politically neutral (what Ernst Haas called 'accommodation on the basis of the minimum common denominator'; 1963: 8), however, at the cost of democratic political will formation due to the hypostatization of technocratic, elitist governance.

The following paper is divided into three steps: In the *first section*, I will illustrate the continuous commitment of the majority of EU studies to the epistemological assumptions of neo-functionalism. Even if there are new and so-called 'post-positivist' theory attempts, they remain caught in the legacy of functionalist epistemologies. In the *second step* I will argue that these epistemological commitments result in a concept of democratic government that disfigures the traditional understanding of representative democracy. This is best exemplified in the work of Fritz Scharpf. In the *third step*, following Nadia Urbinati (2019, 2014), I will develop the idea of a democratic triangle as a *regulative* idea that normatively prescribes democracy as the balance of political will formation, political morality, and governance. The hypostatization of technocratic governance in the EU unbalances and distorts this triangle, resulting in a follow-up distortion and unbalancing through populism and its overemphasis on political willing. In the *Conclusions* I will draw the lesson from these discussions, namely first, that the EU has to balance the democratic triangle at a quick pace by dismantling its elitist and technocratic approach to governance. This implies the (re-)integration of those populist voices that doubt its legitimacy through developing and strengthening all kinds of EU-ropean civil society engagements and will formation processes bottom-up. It is hoped for that through such (re-)integration they will lose their populist distortive character and turn their populist claims into moderate and balanced politics. This also implies the consequent punishing and sectioning of those governments that conduct overtly anti-democratic politics (such as Poland or Hungary). It is to be preferred to develop a democratic union, even if smaller, then to follow the logic of a politically undefined, economically-reasoned spill-over into democratically indifferent enlargement(s).

NEO-FUNCTIONALIST COMMITMENTS IN EU STUDIES

A short survey of citation indexes and the number of references demonstrates the growth of EU governance studies over the last two decades as well as the commitment of their mainstream to the epistemological commitments of neo-functionalism (based on own research into citation indexes via googlescholar metrixes and Web of Science (h-index);[3] see also Kohler-Koch/Rittberger 2006). There may be variations, reformulations, and remodelling of single variables and parameters, declared as new theories (such as 'policy-dismantling', 'policy learning', 'policy change', 'Democratic Policy Design', 'Multiple Streams' approaches[4]) but the *epistemological* commitments as formulated by Haas some sixty years ago seem still intact and create epistemological legacies from which the mainstream of EU studies did not seem to have itself emancipated (see Haas 1961; this ironically corresponds with Phillipe Schmitter's assessment of all these 'new' approaches as 'neo-neo-functionalism(s); see Schmitter 2002).

It seems important here to briefly reflect upon one differentiation implied in my argument. The argument is based upon a difference between *ontological* and *epistemological* commitments of a theory, a differentiation without which our understanding, discussion, and development of theory is incomplete and perfunctory. While there are certainly significant ontological reformulations, critiques, and detachments from functionalism and neo-functionalism, I argue that in epistemological terms the understanding and construction of theory and the resulting kind of knowledge (about the EU) remain within functionalist/neo-functionalist legacies. This can best be shown looking at the widely read and influential paper by Liesbet Hooghe and Gary Marks from 2009. This paper is called 'A *post-functional* Theory of European Integration' (italics by the author) and the authors certainly dissociate themselves from functionalist/neo-functionalist *ontological* commitments, amongst others by de-emphasising the relevance of economic interests and emphasising the need to look at identities and by their description of a post-functionalist research programme. However, they remain *epistemologically* within said legacies as demonstrated by the definition of the purpose of theory, by the use of causality for their explanations, and by reference to the assessing yardstick for policy processes of effectivity. The observation of an ontological detachment, but epistemological persistence is likewise observable in the important contributions of Vivien Schmidt (e.g., 2006) and Giandomenico Majone (e.g., 2005) that are widely regarded,[5] but as I argue groundlessly so or at least only half-heartedly, as moves away from and overcoming the functionalist/neo-functionalist legacies in EU studies.

The epistemological legacy of functionalism and neo-functionalism[6] in EU studies can be further revealed by a brief comparison of early epistemological commitments in Haas and some examples from current EU policy studies. In a seminal paper for EU policy studies, Ernst Haas embeds his argument in three epistemological assumptions (1961 [also 1963]). First, he insists on the conceptualisation and subsequent study of political and societal actors as 'causative' (1963: 8). This is, actors would politically enact effects that can be analysed according to causality. This is not further discussed but rather assumed as self-evident. Haas goes on to understand and describe social and political processes as based on 'rational perceptions' and enacted by self-interested actors (1963: 15). A friendly interpreter of Haas, Philippe Schmitter, explicates the idea of self-interest as the maximization of economic benefits (Schmitter 2016). This translates later, as we will see, into the idea of the political action as cost-benefit-calculation. A third epistemological assumption in Haas, however, contests any teleological assumptions and understands itself as non-teleological (1963: 15). However, this statement is ambivalent because a differentiation needs to be made that is, however, not made by Haas, namely between goal orientation as a wilful, deliberate and deliberated process or as a natural process. Put differently, politics as political agency or mere execution of a natural process. Obviously, Haas rejects the latter, but because he makes no differentiation between a political telos as deliberate and deliberated process and teleology as the assumption of a (quasi-)natural process, he seems to pour out the child with the bath water since he likewise rejects wilful

agency towards a deliberate and *deliberated* goal. Instead, he degrades political agency and introduces the idea of a functional spill over from economic to, at some future point, political spheres and themes. This is especially prominent in Haas's and Schmitter's definition of 'spill over'. Hass writes that spill over is 'the degree of functional specificity of the economic task … causally related to the intensity of integration. The more specific the task, the more likely important progress toward political community' (Haas 1963: 12) while 'functional contexts are [and remain] autonomous' (13; see also Schmitter 2002: 3).

Hand-in hand with these understandings of spill over goes a neglect of political agency because the subject of politics is, and should not even be, humans, but institutional processes that are seen as functional outcomes due to a particular set of assumptions on how politics would operate. Politics as the institutional and functional outcome of how we should view politics. This can be called an imperialism of categories (by Hoeber-Rudoph 2005) as well as an example of the reification problem (Dewey 1920, 1931; James 1920). The neglect of agency in EU policy studies is seeded here. And Schmitter notes that actors should only in 'exceptional circumstances' be expected to have a say and to agree (2016: 2). This is manifest also in neo-functionalism's reluctance and rejection of the discourse about '"la finalité politique"' (2016: 6) as requested in 2000 by the then German Foreign Minister Joschka Fischer. His stipulation of such a political discourse appears in retrospective as a sensible attempt to take back democratic, civil society's control of the means and goals of European integration.

The discussed epistemological commitments and their consequences (especially of devaluing political agency) can be found in current policy studies, focusing on the EU and elsewhere. The idea of modelling political analysis according to the ideas of causality and rational agency is ubiquitous and an apparent adage in mainstream policy studies. One of the most influential authors in the field of policy studies with immense influence on EU studies, Paul Sabatier, describes guidelines for theorising and analysing policy processes. He writes that they must be 'be clear enough to be proven wrong', that concepts should be as 'abstract as possible', that one would need to 'develop a coherent model of the individual', that one would need to 'work on internal consistencies and interconnections', and finally, that one would need to 'think causal processes' (Sabatier 1999: 266; see for example also see for example Cairney/Heikka 2014; Sabatier 1991; Weible 2014; Zahariadis 2014).

Sabatier mentions causality explicitly while he talks here about rationality as a 'coherent model of the individual'. According to this understanding a rational actor calculates his/her political decisions and actions primarily according to costs and benefits. This has widespread leverage in policy studies as the broadly received writings of Andrew Jordan, Michael W. Bauer, Christoffer Green-Pedersen, and Christoph Knill demonstrate. They write: 'Our main point, though, is that in seeking to explicate the selection and use of strategies, analysts should specify which costs and benefits are at issue, and who in practice they (are expected to) fall upon' (Jordan, Bauer, Green-Pedersen 2013: 797; also Bauer/Knill 2012). The most naïve statements in this direction come from Knill in his Introduction to public policy studies. He and his co-author Jale Tosun equate causal explanation and cost-benefit calculations with the mere *description* of reality. Especially casual statements would be generalizable descriptions (see Knill/Tosun 2012: e.g., 7, 37, 66, 70).[7]

I call these statements by Knill and Tosun *naïve* because they make those statements as if they were uncontested and undisputed. However, as everybody knows, there are century-long philosophical discussions about those and related perceptions. If one tries to bring those philosophical discussions down to one message, that is certainly that "reality" cannot be simply 'represented' and 'described' but that there are all kinds of constructions, preconceptions, intellectual legacies, mediations, projections, etc. into play that forbid any kind of straightforwardness in regards these things. On the other side, one may ask

"what's the point of discussing these things over and over again", make a choice, and carry on.[8] This is a position to be accepted (even if I personally think, this is lazy) *as long as* the conditions of own theorizing and their limitations are acknowledged, explained, and accounted for. Since this is, however, not the case here, I call respective statements naïve.

DISFIGURATIONS OF REPRESENTATIVE DEMOCRACY: LEGITIMACY THROUGH EFFECTIVITY

The wideranging commitments in EU policy and policy studies to the epistemological paradigms of functionalism (i.e., to causality, rationalism, and the idea of a spill over from economic to political issues) are leading to the reification problem as alluded to above: That is, political "reality" (or better: what is perceived as such according to these epistemological commitments) is subordinated precisely to these epistemological commitments and their assumptions. And yes, this is redundant. Put differently: "reality" is merely what these epistemological commitments make us, allow us to, see. Political "reality" depends upon preselected epistemological choices[9] and their assumptions. Consequently, political agency is, too, subordinated and dependent upon the functions (pre-)determined by rationalism, and the idea of a spill over. "Reality" is sacrificed to the primacy of assumptions and reality degenerates into a test field of hypotheses.[10] Politically, this leads to an understanding of democracy in the EU as procedural outcome of such processes, resulting in the uncoupling of democracy from people's will formation and political agency (popular sovereignty) but rather viewing democratic legitimacy as the effectiveness of governance through expertocracy.[11] Scharpf's highly influential redefinition of democracy in the EU is most indicative of this. It is tragic and self-defeating because it reproduces and affirms the birth deficit of the lack of democratic government and popular legitimacy of the EU.

In several of his writings, Scharpf reiterates his re-conceptualisation of democracy. I refer here to and may paraphrase the argument of his 1999 German book *Regieren in Europa* as this is the original version of the English version *Governing in Europe.* Scharpf here distinguishes two forms of democratic government: one that would be input-oriented as popular sovereignty – which he describes as rule *through* the people – and one that would be output-oriented as effectivity – which he describes as rule *for* the people (1999: 12). According to the second model, i.e., according to output-oriented effectivity, political decisions would then be democratically legitimate if and because they promote the general well-being in society (1999: 16). It is thus not (anymore) the legitimacy of decision makers through elections or of the governing process as bound back to the popular will as it manifested in mandating the government. And Scharpf sees no reason why government in the EU could not be based upon output-oriented procedures, thus accepting that government is disconnected from popular will and traditional democratic legitimacy. Indeed, and ironically and indeed self-defeating for the EU, he argues (and admits), EU politics should not even be constituted by popular sovereignty because every attempt to do so would nothing but reveal the democracy deficit of the EU. This deficit, however, would be genuine and not solvable (1999: 168). Who takes over are institutions and expert committees that are driven by the functionalities of spill over processes (as by Schmitter 2002, 2016 discussed above). By overemphasising effectivity, i.e., overlooking or actively dismissing the "means" which create "ends", and the intense political debates which go on in this phase, inevitably leaves people feeling detached from, and not part of, the political process. Thus, the ends, even if beneficial, acquire an aura of apathy or even resentment (as the rise of Euroscepticism, populism, and secessionism shows) precisely because the electorates rightly feel that they were not consulted in the creation of those ends. It may appear too strong an argument to state that Scharpf would attempt to redefine democracy, that his redefinition would advocate for the disconnection of politics and government processes from society and political action, and that he would not argue generally against the need for input legitimacy in democratic processes, but there can be no doubt that he

sees a *sufficient* degree of democratic legitimacy if the political process were based upon output effectivity only.

THE DEMOCRATIC TRIANGLE: WILL FORMATION, POLITICAL MORALITY, AND GOVERNMENT

In my attempt to sort out the neo-(neo-)functionalist disfiguration of democracy, drawing upon well-established aspects of democracy theory historically and present-day, three fundamental elements of conceptualizing democracy as a regulative idea become important. Besides the first element of the will of the people (or *popular sovereignty*), there is, second, a particular kind of *political moralism*. Democracy can also claim to stand for a third element, namely, that of *prudent political governance* which, on the basis of established political institutions, competently deals with the plurality of different interests and opinions together with the rational political competition between them. I propose then that democracy is about constructively interrelating the three elements of political willing, governance, and political morality. *Legitimacy through effectivity* then indicates a crisis of democracy and a distortion of this interrelation as it hypothesises the institututional governance process.

These three elements of *political willing*, *governance*, and *political morality* are classical topoi of democratic theory (and developed here following the discussions of Nadia Urbinati 2014, 2019), even if their respective significance differs among liberal, republican, and realist understandings.[12] I suggest, however, that it is the conceptual integration and reframing of these topoi into the concept of democracy *as a triangular tensional constellation of (im)balance* that provides a (normative, or regulative) framework for assessing and rectifying the functionalist distortion of a democratic government process in the EU, finally to recapture legitimacy of EU politics and to infuse EU policy studies with the normative element that they lack.

THE MAJOR ELEMENTS OF DEMOCRATIC DISCOURSE

Technocratic governance is a hypostatization of one of the core components of modern democracy, namely a hypostasis of governance. While governance processes are a defining feature of democratic politics, it is but *one* among a number of such fundamental defining features. The logic of technocratic governance, however, exclusively follows and radicalizes this one element of politics, neglecting the fact that in democratic discourses political government is embedded in a more complex constellation. Technocratic governance cuts off government processes and isolates them from their constitutive relations to other major components of the political process. In contrast, the democratic triangle and its normative implications can be described as follows: Democratic discourses and processes in modern societies form a triangular constellation that consists of, and should constantly (re)balance, the three major elements of democratic politics, namely political will formation, fundamental principles of political morality, and governance. These three elements together form a fully developed and well-balanced democratic discourse and practice.

Within this triangular constellation, the element of *governance* refers to the dimension of democratic politics forming and applying the means and capacities that are necessary to realize successfully any kind of political project. These capacities include various forms of knowledge, ranging from factual information and technical expertise to the ability to understand the functioning of political processes and to assess which projects and aims can be realistically 'willed' and which costs and side-effects their realization implies. They also include the management of resources, functioning institutions enabling effective decision-making, and more generally institutionalized forms of applicable power ("*pouvoir*

constitué"; or power in the Weberian sense of the term) as they are primarily generated in, and provided by, the major representative institutions of the professional political system in a modern democracy. Governance in this sense still implies political professionalism. In complex modern societies, governance is connected to the major role of functional elites and professional representatives in democratic politics. It is therefore also in principle connected with the functional necessities that come along with issues and questions of state stability and security.[13] Generally speaking, the element of 'governance' reflects the fact that political processes are, too, about realizing projects, regulating processes, solving problems, controlling side-effects, and actively organizing decisions, moderating the conflicts between different political interests. However, this is only *one* corner of the democratic triangle.

Another key corner stone of democracy is *political willing* and will formation that represent the fundamental idea of popular sovereignty. It emphasizes the fact that any political process, if it is democratic, is a project of collective self-determination in which it is the people, or the 'demos', that determines the basic rules of social life and the general shape of the society. As for this first element, the democratic discourse is a process in which this 'will', together with the demos as the willing political subject, are constantly formed. It is nonetheless an indispensable element of democratic politics that substantially exceeds the status of a mere functional aggregate of different interests, opinions, and social forces. It articulates itself directly in the processes of elections and referenda and indirectly in the various institutions of civil society, in civic associations, and other forms of political participation. These forms of participation are also the source of political 'power', insofar as power is, for democracy, an essentially bottom-up phenomenon: the "*pouvoir constituent*" within a political society or power, following Hannah Arendt, as denoting the fundamental capacity of citizens to act together.[14] Generally speaking, the element of willing represents the idea that democratic politics is about collectively asking the question of what we want politically, in which society we want to live, and that in principle every citizen at least potentially contributes to answers.

Finally, *political morality* refers to the fundamental moral principles and duties every democratic community *must* comply with because they are inscribed in the very logic of democratic politics itself. Institutionally, the power of these principles and duties is most clearly represented and articulated in the rule of law and the independence of the judiciary. This third element reflects, in other words, liberal democracy's critique of the Rousseauesque understanding of people's sovereignty as infallible. Even in the case of 'a small and perspicuous, more or less homogenous community integrated through shared cultural traditions', the sole reference to the sovereign will of the people cannot guarantee that this 'normatively construed common will can, without repression, be mediated with the free choice of individuals' (Habermas 1997: 102). From today's perspective, this insight, which was successively gained during the history of ideas on the rule of law and limited government, sounds like a commonplace. In its complete practical significance, this insight was, however, not fully developed much earlier than during the 18th century, and it was strongly reaffirmed in the 19th and early 20th centuries, with the experiences that the freedom of individuals and their 'right to have rights' must be upheld and protected not only against the misuse of the power of governments, but also against the powers of society and public opinion when turned tyrannical (amongst others, Arendt 1976: 267 ff.). Political morality rests ultimately on the idea that a certain set of principles cannot be violated by democratic politics without abolishing democracy, or at least a core constitutive element of democracy, itself.

THE RELATIONAL FEATURES OF THE DEMOCRATIC TRIANGLE

The above three components constitute the triangular logic of a fully developed democratic discourse and of democratic practice. In order to clarify *in which sense* these elements

form an integrated constellation, it is important to consider more closely how exactly they relate to each other: the following *relational* features of the democratic triangle are crucial in this respect. Its components are to be understood as 'integrated', but also as 'irreducible' elements.[15] Regarding their meaning, they are always discursively contestable and contested elements: which is partly due to the fact that they are related to each other as 'complementary' and at the same time as competing elements. Taking together these relational features, highlights the significance of a *balance* as the most fundamental condition of open and vivid, well-functioning, and legitimate democratic politics. *The idea of balance is the one relational feature in which the various normative implications of the conceptual re-framing of democracy come together*. The normative implications of political willing, political governance, and political morality coincide in the center of the triangular constellation of democratic politics. In other words, the democratic triangle suggests a peculiar *art of political balancing* as the major ethics and practice of democratic politics. This democratic triangle is illustrated in Graph 1 below.
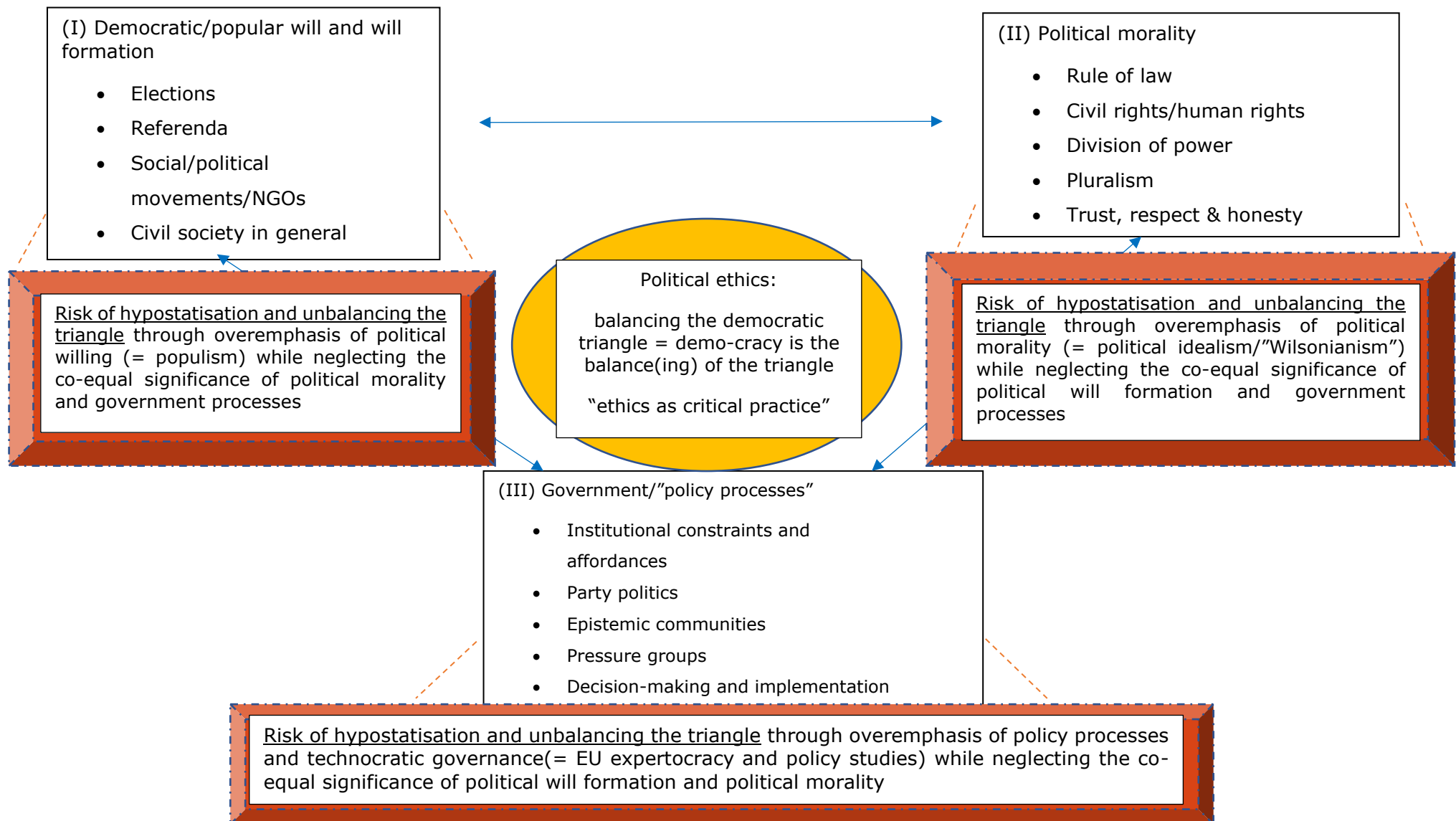
CONCLUDING REMARKS

The technocratic and elitist 'no-alternative' "*Politik des Sachzwangs"* (politics of necessity) of Angela Merkel during the Euro-crisis illustrates the overemphasis on governance. Based on the assumption of an ever-growing complexity of political problems and constellations, political elitism sets too much emphasis on the demands and claims of political professionalism. The resulting hypostatized logic of governance tends to denounce any democratic claims for participatory decisions or moral considerations as illusionary while claiming absolute priority for the demands of effective political management of allegedly mainly technical problems. The exclusive focus on a comitology of experts (as with the European Commission) against political morality and popular will formation is just another example of the governance-hypostatisation of legitimacy through effectivity.

I want to summarise my arguments: The democratic triangle suggests that any distortion of the balance between its three elements is preceded by the distortion of one of the other elements, thus by preceding imbalances. Consequently, the populist challenge that currently rocks the EU and questions its legitimacy appears as a result of and reaction against a preceding imbalance, namely through technocratic hypostatization as fundamentally and ambivalently entrenched in the fate of the EU*. Democratically legitimate politics is therefore the art of balancing the triangle.* This is classically described as 'good government' in number 62 of the *Federalist Papers.* Here, James Madison argues that a 'good government' above all implies two things: 'first, fidelity to the object of government' and 'secondly, a knowledge of the means by which that object can be best attained' (Madison et al.: 1987: 366). Read against the background of the conceptual framework of this paper, this sentence provides a succinct description of political governance in a well-balanced democratic discourse. It at the same time highlights the two major reasons—namely a lack of fidelity and a lack of capacity—why the element of governance has for long been a source of distortion and imbalance in EU as well as in many Western democracies. The post-1957 functionalist ideology of the European Economic Community was never transcended politically into a fully elaborated democratic discourse The emergence of populism constitutes in part a response to the growing lack of the acknowledgment and manifestation of popular will that now, while, too, hypostatizing one element, namely that of political willing, unbalances the triangle itself. Populism is a direct answer to the wilful neglect by technocratic governance of democratic will formation and political morality.

The most important requirement for achieving democratic politics and to fight populism, however, is less to do with *one* element in the democratic triangle or another than with the *art of actively balancing all three elements* so that they remain, whatever the political challenges and threats, co-constituting. Keeping the constitutive relation among the three

elements *in play* is what *prudence* or *political ethics* as critical practice is about. In his *Nicomachean Ethics* and in *Politics* Aristotle defines "prudence" (*phronesis*) as the most important political virtue (Aristotle 1984a: VI.5, VI.13; 1984b, III.4). In his language, the prudent political animal avoids excess, is necessarily self-restrained in the plurality of the *polis,* and seeks the lesser violence for the city as a whole. In our terms, prudence entails keeping the elements of democracy (political will, governance, and political morality) in (self-restraining) relation to each other so that the will of the people acquires both institutional form and constant reshaping in response to its own plurality, the imperatives of governance, and external realities. *The overall art of mediation among the three elements* is a meta-act of political ethics that can be performed by diverse actors within the democratic polity: not only officers of the state and leaders in the various dimensions of civil society, but also by citizens in general performing their participatory role in the prudent awareness of the complex triangular constitution of democratic politics in the EU (and elsewhere).

This raises finally the question "Who is a balancing actor?" This is a whole new discussion that can only be sketched out here. In principle, there are three groups of actors who seem to have primary responsibility for balancing the forces of the democratic triangle. First, there is every person as a citizen who as member of the civil society is responsible for the commonwealth he or she is living in. In Aristotelian language, the polis is only as good as its citizens. This is a about moderation, temper, reflectivity, honesty, and integrity of the individual who decides, acts upon, and disseminates politically those values, i.e., has developed individually these values as personal characteristics and carries them into the public sphere. Second, the question raised points to aspects of political leadership, finally to elected politicians in general. This group has a particular responsibility for the democratic common good as they are supposed to be devoted fulltime as professionals to policy making. In this position, they need to be guided by an understanding of politics that provides orientation and guidance in the everyday business of decision making. This is precisely *not* to have a political agenda but rather to possess a reflective compass that provides a framework for decisions. *The democratic triangle is such a framework*. And finally, the question of who is a/the balancing actor points to theories of EU (and in the wider picture also regional integration) and of policy analysis. As I hope to have shown and argued, a certain epistemological understanding and analysis of politics results in a particular policy. The world that is acted upon and acted upon in *certain* way, is framed and constructed beforehand. We do not need to be Foucauldian to suspect that the world is framed and constructed in such a way that it can be acted upon according to preceding interests (the power-knowledge nexus; this is also the message from Nietzsche's analysis of morality), but a constricted understanding, framing, and analysis of politics leads to one-sided and hypostatized, thus distorted politics. And there is no doubt, and even their representatives would agree, that the functionalist epistemological commitments of causality, of the rational actor model, and of spill over effects is a narrow and distorting analysis.[16] So why this choice for precisely those epistemological commitments that knowingly distort? I argue here that it is time to fundamentally rethink and change the understanding and analysis of politics in EU studies and policy. What is needed is new theories of policy analysis that take seriously *all three* elements of democratic politics as the democratic triangle outlines them. What can give more reasons for critical questions to theory (and their neglect of questions of popular sovereignty and respective legitimacy à la functionalism/neo-functionalism/neo-neo-functionalisms) than a political legitimacy crisis that populism harshly and grotesquely points towards?

Graph 1. The democratic triangle (I-III) and distortions of democracy through technocracy and populism ("the paper at one glance" …)

(I) Democratic/popular will and will formation

- Elections
- Referenda
- Social/political movements/NGOs
- Civil society in general

(II) Political morality

- Rule of law
- Civil rights/human rights
- Division of power
- Pluralism
- Trust, respect & honesty

Political ethics:

balancing the democratic triangle = demo-cracy is the balance(ing) of the triangle

"ethics as critical practice"

Risk of hypostatisation and unbalancing the triangle through overemphasis of political willing (= populism) while neglecting the co-equal significance of political morality and government processes

Risk of hypostatisation and unbalancing the triangle through overemphasis of political morality (= political idealism/"Wilsonianism") while neglecting the co-equal significance of political will formation and government processes

(III) Government/"policy processes"

- Institutional constraints and affordances
- Party politics
- Epistemic communities
- Pressure groups
- Decision-making and implementation

Risk of hypostatisation and unbalancing the triangle through overemphasis of policy processes and technocratic governance(= EU expertocracy and policy studies) while neglecting the co-equal significance of political will formation and political morality

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ENDNOTES

[1] I am grateful to the critical remarks by the reviewers that helped me to bring out a more differentiated and more pronounced argument. Even if I do not agree with some of their comments – some of which appeared more on the defensive rather then the discursive side – I found the engagement with those comments still helpful to accentuate my argument.

[2] For this interplay, see Boswell 2008 who illustrates this looking into the example of migration politics.

[3] Due to this approach, publications have been identified, selected, reviewed here according to their *impact* (that is not identical or interchangeable with any other, likewise important criteria, such as theoretical innovation, methodological rigor, or conceptual depth and thoroughness).

[4] Amongst others, Jordan, Bauer, Green-Pedersen 2013; Bauer/Knill 2012; Bennett/Howlett 1992; Rose 1993; Capano 2009; Schneider/Ingram/Deleon 2014; Saurugger, 2013.

[5] I want to thank one of the reviewers to represent this view and thus do make we aware of the need to mention the differentiation of and within theory between every theory's ontological and epistemological commitments. I have no space here to elaborate on this important distinction further, but see for further discussion importantly Lévinas 1989, 1996; Hartmann 1953, 2019. I want to add here that Majone is probably furthest away from functionalist/neo-functionalist ontology in that he refers strongest among mainstream EU studies to political thought and tries to identify the analogy of European governance processes to historic patterns. This would also be the initial steps to constitute a new epistemological step for EU studies in which he, however, does not reflect.

[6] For helpful discussions on the difference and reformulation, see Majone 2005; Schmidt 2006.

[7] The textbook by Christoph Knill and Jane Tosun is not – as one the reviewer criticised – a 'seemingly random' book on policy studies but seems indeed to be quite influential and widely received and thus an appropriate and representative selection for critical discussion. The reviewer's critique also remarked that this book would not be on EU studies but on policy studies in general. I do not think so as it is very unlikely that Knill would make one set of epistemological commitments here, and another one there. And indeed, we find the same epistemological commitments in his single- and co-authored publications on the EU.

[8] Knill indeed emphasises the importance to make a theoretical choice elsewhere, but also misses out on explaining the conditions and limitations of his choice, but represents it as THE choice to be taken; see Knill/Bauer 2012.

[9] That theory is perceived as a more or less arbitrary choice and selection of certain assumptions that are then applied and tested is suggested by Bauer/Knill 2012.

[10] The epistemological commitments discussed are surprising, do many policy scholars still observe the muddiness, non-linearity, uncertainty, and inadvertency of policy processes

(e.g., Sharkansky 2002; Weible 2014; Wilson 1989; Zahariadis 2014). The question thus arises how do get, and how to make, causal statements from and on a non-causal world? How is this possible so that these statements are still meaningful statements on the object? This seems impossible is there a disconnect between ontological observations on an object (thus on the characteristics of an object) and the knowledge claims made on and in relation to these objects (thus the epistemology of and in relation to these objects). This is like nailing the famous putting to the wall; everyone who has ever tried this, knows that it does not work.

[11] See also Schmitter 2016: 4: 'Neo-functionalism assigns a major role to experts, both those in the TRO and those in the respective national bureaucracies. They are presumed to be anxious to expand their role in policy-making and, therefore, to introduce new initiatives when the opportunity arises (usually as a result of crisis, see below Supposition I.8). They are also supposed to be wary of "premature" politicization and, therefore, to internalize emerging conflicts and resolve them without including outsiders, especially those with a wider political agenda. Experts are presumed to form something approximating an "epistemic community" based on a high level of agreement concerning the nature of the problem and the means for resolving it. Moreover, this shared scientific paradigm is also supposed to be predisposed to favor an increase in intervention by public authority, in this case, by the TRO.'; also Knill/Jale 2012: 229 and 239, who make positive reference to Haas' concept of expert government and technocratic governance.

[12] In the following I will sparsely use references; these are well discussed and organised in Urbinati 2014, 2019. I may point to these writings for references to democracy theory.

[13] See Bernard Williams' characterization of the various implications of the 'first political question' (2005: 3 ff.).

[14] See Joseph Emanuel Sieyes's classical definition of the differentiation between the *pouvoir constituant* and the *pouvoir constitue* in his essay 'What is the Third Estate?' (2003); for Hannah Arendt's understanding of power, see Arendt 1970.

[15] According to Jürgen Habermas, we may say that all three are 'co-original' insofar as each, as a political element, assumes the others as equally necessary elements of political process (see Habermas's concept of '*Gleichursprünglichkeit*' [1997: 104]). None of them can be subsumed as a mere sub-item or treated as a subordinate concomitant or contextual condition of one of the others, or as a secondary 'application problem' of one of the others as the more fundamental principle of politics. This irreducibility implies that there is no clear priority or, to use a phrase coined by John Rawls, no clear lexical order among the triangle's three components. See Rawls 1971: 40 ff.

[16] Selection and distortion in functionalist theories is best (because blatantly) explicated (and embraced) in Waltz 1990.

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