

# Voter influence after Sweden's EU accession

*How has Sweden's accession to the European Union affected the amount of influence its voters have on national legislation?*



(Promex, n.d.).

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**Executive summary**

Since Sweden joined the European Union in 1995, the nature of its political decision-making processes have changed. Instead of creating laws purely based on the mandate of Swedish citizens, a portion of Sweden's national legislation is now created taking the input of the 27 other EU Member States into account. Undoubtedly, this has changed the amount of influence Swedish voters have on Swedish national legislation.

Using data produced from desk research of print and online literature, this dissertation attempted to determine how Sweden's accession to the EU has affected the amount of influence its voters have on national legislation. For the sake of brevity, focus was placed on the EU's main institutions and the legislative processes at the national and European level.

Large methodological challenges were encountered in identifying practical influence, partially due to the limitations of the relevant pre-existing research, which meant that a sufficiently precise and complete answer about the change in voters' influence could not be given. However, it became clear that at least 30% of Swedish national legislation is now directly affected by EU decisions, and that the link between voters and this portion of national legislation is less direct than with purely national legislation. Out of the several methods of voter influence that are available, national elections are the most effective method for both types of legislation.

Overall, Sweden's EU accession has decreased the accountability of decision-makers by making their link to the voters less direct, while voters' understanding of their own influence has been made smaller because of the failure of the Swedish media and political parties to explain EU decision-making. As a result, the conditions for voter influence have deteriorated. However, without further research, it is not possible to determine whether voter influence itself has also deteriorated.

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## 1.0. Introduction and methodology

“All public power proceeds from the people” is first sentence of the constitution of Sweden. This first article describes how the national parliament now wields this public power as the people's foremost representatives (Bull, Halje, Bergström, Reichel, & Nergelius, 2012, p.58). After the changes prompted by Sweden's accession to the European Union in 1995, is this article still equally applicable?

The EU is often criticised for its lack of possibilities for voter participation, with the claim that in relation to the national level, decision-making has been moved further away from the citizens, where their potential to influence becomes smaller (Griffiths, 2012). Whenever the magnitude of these possibilities for voter influence enters into the public debate, it is almost exclusively supported by subjective arguments. Aside from ideological reasons, this is largely caused by a lack of research on the topic. Therefore, this dissertation seeks to determine how Sweden's accession to the European Union has affected the amount of influence its voters have on national legislation. Because EU decisions directly lead to new or amended national legislation, it follows that the influence of Swedish voters on this same legislation has been affected by the accession.

To identify the change in voters' influence, this dissertation will break the relationship between Swedish voter, the Swedish legislative system and the European Union into three parts: First, the dissertation will examine the voter influence on the portion of national legislation that is not affected by EU decisions. In the following chapter, the influence of EU decisions on Swedish national legislation will be examined to determine the division of 'EU-affected' and 'non-EU-affected' legislation. Finally, the dissertation will seek to determine the voter influence on EU decisions, to arrive at a complete view of the link between voter and the creation of new national legislation. Although this topic is closely related to the debate on democratic deficit, this dissertation will refrain from entering into this specific topic, and will instead aim to contribute to the factual base for this debate. Therefore, a successful result would be to demonstrate whether the influence of Swedish citizens has increased, decreased or has been left unaffected by accession to the EU.

Sweden will be used as a case study for the following reasons:

- 1). It is necessary to choose (at least) one member state due to the different amounts of influence, most clearly seen through the number of allocated seats in the European Parliament and the vote weighting in the Council of the EU.
- 2). The choice of Member State must match the language skills of the researcher to ensure maximum availability of source material and pre-existing research.

### **1.1. Research questions**

How has Sweden's accession to the EU affected the amount of influence its voters have on national legislation?

Sub-questions:

- What methods of influence over national legislation not affected by EU decisions exist for Swedish voters, and how effective are they?
- How much of new Swedish legislation comes from EU decisions?
- What methods of influence over EU decision-making exist for Swedish voters, and how effective are they?
- Is Sweden's influence in EU decision-making in proportion to its size relative to other Member States?

### **1.2. Scope**

For the sake of brevity, this dissertation will focus on influence related to national and European legislative processes. The aim is to get an overarching view without going into detailed analysis of specific types of legislative procedures and processes. This means that the following aspects will be omitted which, if included, would add to the dissertation's level of detail and reliability:

- Legislative processes at a sub-national level, which in practice influences and is affected by EU legislation both by formal and informal methods.
- The influence of interest groups, both at a national and European level.
- Comparisons to other Member States. A small amount of these will be included when necessary to illustrate a point. Some of the results and conclusions of this dissertation may be applicable to other Member States, but no such similarities should be assumed without further study. This applies in particular to the Eurozone countries.

- A historical record of the EU's development and institutional reforms during Sweden's membership and its effects on voter influence.
- The political influence of EU officials in the institutions. The technical nature of many of the EU's decisions gives considerable influence to officials according to Tallberg, Beach, Naurin and Tiilikainen (2011, p.114) which influence should therefore be examined if studying the topic of this dissertation in greater detail.
- The political influence of Swedish and European courts. This is relevant due to the significant difference between them: the political influence of the courts in Sweden has always been extremely limited (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.20), whereas the European Court of Justice exercises a "profound and pervasive influence over the EU", according to Richardson (2005, p.183).

### **1.3. Research methods**

This paper is based on data produced from desk research of print and online literature. More recent sources were preferred, but any sources produced since Sweden's EU accession were deemed to be potentially relevant.

Print literature for the dissertation was found in the Mariestads Stadsbibliotek library in Sweden and the library of The Hague University of Applied Science in The Netherlands. Some of these sources took a clear subjective stance on EU integration and national sovereignty, both for and against. Data representing both of these views were included in the final dissertation for the purpose of achieving a balanced view.

The internet research conducted for this paper resulted in material from a variety of sources, mainly in the form of academic journals and research reports published by independent organisations. The single most consulted source is the independent government agency Swedish Institute for European Policy Studies (SIEPS). This was to be expected, as it is the largest producer of research about Sweden's relationship with the EU. The database of SIEPS was consulted to locate as many reports relevant to this dissertation as possible. The Swedish parliament's EU Information Centre was contacted for the purpose of locating sources not found in the libraries or through internet searches. To a lesser extent, journalistic sources (such as the online newspaper EUobserver) were included. Direct information from the Swedish parliament and cabinet was also consulted, mostly concerning Swedish legislative procedures.

Field research in the form of interviews were deemed unnecessary for a paper of this scope because information located through desk research was sufficient for its purpose. Additionally, for most of the specific sections in this paper, interviews with a single or a small handful of individuals would have been of limited use for the overall topic of this dissertation.

## **2.0. Voter influence on Swedish national legislation**

This chapter will examine the influence of Swedish voters on the portion of national legislation which is not affected by EU decisions. This includes methods of influence and political processes as they functioned before EU accession, but also how these currently apply. The process of pinpointing EU influence on national legislation and, in particular, how extensive this influence is will be covered in chapter 3. This chapter covers the two most significant methods of influence for Swedish voters:

### *National elections*

The first section examines the influence afforded to voters through national elections and their effects on the parliament and cabinet. It also includes the power relations between the parliament and cabinet, such as in the forming of the cabinet and the passing of legislation.

### *Referendums*

This section covers the use of referendums in Sweden by looking at relevant regulations and at the historical use in Sweden. It also contains a conclusion on their relevance as a method of influence.

Although interest groups play an important part of politics in Sweden (Möller, 2015; Utrikespolitiska institutet, 2015), the role of these groups and their influence will not be covered in this paper for the sake of brevity.

## 2.1. National elections

Sweden's national elections serve to allow voters to choose their representatives in the national parliament (Regeringskansliet, 2015d), which is the country's single legislative chamber. The results of these elections have a large indirect influence on the composition of the cabinet and the election of the Prime Minister. The cabinet is the Sweden's executive power and is directly accountable to the parliament but not to the voters (Regeringskansliet, 2015a). After an election, it is up to the Speaker of the Parliament to nominate a Prime Minister based on the composition of the parliament and the wishes of the elected parties. This nomination is put to an inverted vote in the parliament: unless a simple majority of the Members of Parliament oppose the nomination, it is accepted. It is noteworthy that there has never been an occasion in Swedish political history where the Speaker's nomination has been rejected (Sveriges riksdag, 2014). After this election, it is up to the Prime Minister to select the remaining members of the cabinet.

### *Legislative procedure*

Legislative proposals either come in the form of a proposition (if tabled by the cabinet) or a motion (if table by a Member of Parliament). Propositions can be tabled at any time during the year, whereas motions can only be tabled during a period of roughly two months after the opening of the annual parliamentary session in September. During the rest of the year, the parliament may only propose amendments to cabinet propositions. Annually, around 4000 motions and 200 propositions are produced, which must all be prepared in a relevant standing committee before they can be transferred to the chamber. The committee produces a statement about the proposal before it can be put to a vote in the plenary, where it requires a simple majority to get passed (Regeringskansliet, 2015c). All of these plenary meetings are open to the public and all voting results are also public, making it possible to see the votes of individual Members of Parliament (Regeringskansliet, 2015a).

### *Political system*

The Swedish political system makes extensive use of decentralised administrative bodies, which are relatively autonomous due to strict constitutional limits for political intervention. Instead, political influence is mainly exerted through the structural organisation and reorganisation of these bodies (Holmgren, 2015). The extensive use of such administrative bodies is the result of a process that begun in the late 70's. Driven by ideological change and the effects of globalism, Swedish cabinets turned against the old

ideology of centralism (Holmgren, 2015). Instead of central planning, the new aim was to maximise local influence and decentralisation. To achieve this aim, a large number of increasingly decentralised national boards and agencies were established that were meant to operate mostly outside the influence of the parliament and cabinet. Instead of being tasked with implementing laws, these bodies are tasked with the coordination of networks of private and public initiatives. Together with other smaller changes, this led to the weakening of institutional strength of the state. Perhaps more significantly, it has also made it harder for voters to understand how public policy is created (Lindvall & Rothstein, 2006). According to Lindvall and Rothstein (2006) this unclear division of power between policy-making and administrative structures leads to the "link from input to output, from elections to policy, [to become] partly obscure, partly broken".

### *Conclusion*

It is clear that the Swedish cabinet has a strong position relative to the parliament through its control over the legislative process and its influence over the organisation of administrative agencies. Indeed, the executive power has traditionally been significantly stronger than the legislative power (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.19). That being said, more research is required for a more complete and thorough picture, particularly into the role of administrative bodies.

Although the constitution has seen some changes because of the EU membership, the methods of influence and political processes for national legislation have virtually been left the same, meaning that the power relations between the parliament and cabinet have also not seen any significant changes in national matters. In turn, this means that information about this topic from before the EU accession is still largely applicable today.

## 2.2. Referendums

As the Swedish political system is a representative democracy, referendums, being a form of direct democracy, are mostly seen as an advisory complement to parliamentary decision-making (Regeringskansliet, 2015b). There are no possibilities for citizen initiatives and referendums can only be prompted by a parliamentary majority decision (Nilsson, 2009). The practical impact of referendums is further limited by the fact that the parliament has the freedom to choose whether the referendum is to be binding or consultative, and historically, the choice has always fallen on consultative. However, the results have been followed by the parliament on all but one occasion, and in most cases this was declared by the parliament beforehand (Regeringskansliet, 2015b). Throughout the history of Swedish democracy, referendums have been seen more as an exception (Sveriges riksdag, 2013), used only on occasions of great national importance, such as the switch to right-hand traffic in 1955, the use of nuclear power in 1980 and the EU accession in 1994 (Regeringskansliet, 2015b).

Clearly, as a method for influence for voters, referendums are not particularly effective. This is mainly caused by the customary use rather than by restrictive regulations. The largest limitation in practice has been the frequency of use, and at the moment there are no signs that point towards a increase in use in the near future. The customary choice of consultative referendums does not reduce the effectiveness of referendums in practice, as the results tend to be followed by the parliament.

### **3.0. Influence of EU decisions on Swedish national legislation**

This chapter concerns the influence of EU decisions on Swedish national legislation and is divided into the following two sections:

#### *Constitution*

This section contains a short overview of the motivations behind the EU accession due to their relevance to some of the constitutional changes. It covers some of the most important effects caused or necessitated by the membership. Finally, the section concludes by considering how applicable the constitution is in its current state.

#### *Effects on Swedish legislation*

This section attempts to determine how much of Swedish national legislation is influenced by EU decisions by looking at pre-existing studies on the topic. The methods and results of these studies are briefly covered, together with an analysis of their reliability and applicability. The chapter ends with a overall result derived from these studies.

### 3.1. Swedish constitution

In 1990, the governing Social Democrats announced the will to join the European Union. For Sweden, this was quite a big step, as it would mean giving up the tradition of neutrality upheld since 1812. This was motivated by the fact that the cold war had ended, which had removed the need for neutrality (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.41). According to the incumbent cabinet of the time, the possibility for national self-determination was decreasing due to an increasingly globalised world and its effects on Sweden which were making national political decisions increasingly more difficult to carry out. This was causing a decrease in Sweden's decision-making power and as a result was weakening its national democracy. As such, the choice was between full sovereignty over a decreasing number of issues and a much more limited decision-making power over a growing number of issues (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.8). The Social Democrats determined that this weakening of decision-making power could be counteracted by gaining a vote in the Council (Algotsson, 2001, p. 56). In return for handing sovereignty to the EU, Sweden would be given the possibility to influence EU decision-making which would increase its international influence. The government declared that Sweden's freedom to make decisions on its own would diminish as an EU member, but in practical terms, its decision-making power would increase as it would be possible to exercise it through the EU (Algotsson, 2001, p. 56). When compared to the situation at the time (member of the European Economic Area), it was considered preferable to be able to participate in EU decision-making (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.8).

#### *Constitutional changes*

After the decision to join the EU was made, the Swedish constitution had to be changed by the Swedish parliament to allow decision-making competence to be delegated to the EU, and to allow the EU the freedom to take decisions in different areas and with different procedures than called for by the constitution (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.32). A provision was added stipulating how the parliament can transfer the right of decision-making in any political area to the European level (Algotsson, 2001, p.58). This transfer can be enacted through a single three-quarter majority vote or two simple majority votes separated by an election (Bergström, 2008, p.4; Melin & Nergelius, 2012, p.176). Because of the wording of this provision, the constitution is not required to stipulate specifically which powers have been delegated to the EU (Algotsson, 2001, p. 58). The practical effect of this is that the transfer of powers in any political area will not

see any constitutional hurdles, even those that are not strictly necessary for the EU-membership and its decision-making processes (Bryder, Silander & Wallin, 2004, p.21; Melin & Nergelius, 2012, p. 176; *Sweden in the EU*, 2011, p.6). According to Bergström (2008, p.4), this creates limits to the competences of the EU, but does not limit the capacity to execute these competences or any future changes to this capacity.

### *Conclusion*

In 2001, Algotsson (p. 51) wrote that the accession of Sweden has had very little effect on its written constitution. Even though the constitution was updated in 2010 to more clearly describe the EU-membership, it still does not show the full effects of the EU's constitutional development and gives the impression of Sweden having bigger control of the EU, its development and its effects on the Swedish political system than in reality (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.136). One of the reasons for this is that the EU-paragraph of the constitution is relatively vague about the applicability and the relationship between the Swedish constitution and the EU treaties. According to the Swedish parliament's Constitution Committee, this vagueness creates the possibility for amending the Swedish constitution without actually making any changes to the text because the transfer of further sovereignty does not require constitutional changes. This leads to a further decrease in applicability of the constitution (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.34).

Tallberg, Aylott, Bergström, Casula Vifell and Palme (2010a, p.140) therefore conclude that the constitution needs to be rewritten to more closely reflect reality, as it currently merely shows the political system in its earlier state. They also state that it is necessary for the EU-paragraph to specify how the EU is allowed to wield its decision-making power to create formal conditions for an active control of the Swedish political system. These changes are needed to turn the constitution into a document that citizens can consult to get a correct overview of Sweden's relationship with the EU (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.140).

### 3.2. Effects on Swedish legislation

Determining the percentage of Member State laws affected by EU decisions is complex and highly technical ("How much UK national law is based on EU law," 2014). Because of these difficulties, studies on this topic are often "far from providing a reliable picture", as stated by Toeller (2012). Arriving at a reliable figure is difficult because it must include both direct and indirect influence. Direct influence consists of the legal influence from the EU onto the Member States through binding regulations and directives (*EU in local politics*, 2010, p.3). Methods that only study national legislation are not sufficient, as they overlook areas like competition policy where the Commission has very large competences with no need to influence national legislation (Toeller, 2012). Indirect influence means political or cultural influence through the EU's non-binding tools, such as recommendations from the Council or the Commission, the Open Method of Coordination and the ten-year growth strategy, Europe 2020 (*EU in local politics*, 2010, p.3). Additional difficulty is added by the fact that studies conducted on the effects in any particular Member State will not contribute significantly to the knowledge about other Member States due to differences in constitutional, governmental and legal systems. The proportion of national legislation derived from EU legislation will therefore be different everywhere ("How much UK national law is based on EU law," 2014). Additionally, some specific EU regulations will be significantly variable in their impact, depending on the Member State. For instance, regulations that affect olive and tobacco production may not have a noticeable impact in a northern Member State like Sweden ("How much legislation comes from Europe," 2014).

According to Johannesson (2005, p.78), there is very little research that attempts to quantify the influence of the EU on Swedish national legislation. Although ten years have passed since this statement was made, it is still applicable. Unsubstantiated claims are common, however, even from highly involved EU representatives, such as Commissioner Viviane Reding (2013): "Did you know that 80% of Swedish laws are not Swedish laws? They are European laws that have been translated into Swedish legislation". Other estimates, with a similar lack of evidence, of this same number ranges from over 50% (before the Lisbon treaty) (Wibe & Dahlsson, 2004) to between 70% and 90% (Nygårds & Nygårds, 2013, p. 13).

More than mere estimates are necessary to arrive at a reliable figure. One of the more appropriate methods of determining the influence of EU decisions on Swedish legislation

is to examine individual Swedish legislative acts and determine their connection to EU decisions. In a slightly adapted form, this has been carried out on several occasions by the Swedish Parliament's Research Service. One of these studies found that 62.1% of Swedish laws passed since accession in 1995 until May 2009 contained a direct reference to a specific EU law (Rosengren, 2010, p.5). Another study found that 30% of all laws and amendments passed during the period of 1998 to 2003 had a connection to the EU (Rosengren, 2010, p.3; Johannesson, 2005, p.71). The same result was found in a different study conducted for the period 1999-2008: 31.46%. (Bull, Halje, Bergström, Reichel, & Nergelius, 2012, p.38). Within these periods, the figure varies considerably on a yearly basis. The highest figure was seen in 2000 with 45.3%, while the lowest was seen in 2001 with 18.7% (Johannesson, 2005, p.83). These figures are indicative of certain level of influence, but do certainly not tell the whole story, because they say nothing about the impact of the connection with the EU: any of these laws or amendments could be anything between mere technical adjustments or elaborate regulations (Rosengren, 2010, p.5).

Another method of measuring influence is looking at propositions. The Swedish Parliament's Research Service has also conducted several studies on this topic. In these studies, government propositions were examined to determine how many of them had a direct connection to an EU decision. 'Direct connection' was in this context taken to mean containing a direct reference to a specific EU legislative act. In the parliamentary session of 1997-1998, 44% of propositions were found to contain a direct reference (Rosengren, 2010, p.3). During the parliamentary session of 2007-2008, this number had to dropped to 29% (Rosengren, 2010, p.6). During the calendar years of 2010 and 2012, the figures were 28% and 43%, respectively (Johansson, 2013). Evidently, these figures vary on yearly basis like the legislative acts mentioned in the previous paragraph. The biggest issue with this method is that it gives no indication about how many of these propositions were adopted into laws, which in turn means that it only gives an idea of the general prominence of EU-matters in Swedish decision-making, as opposed to the actual effect on Swedish national legislative acts.

### *Conclusion*

Ten years after Sweden's accession, Johannesson (2005, p.83) wrote that many studies were still necessary before it could become clear to what extent the EU wields power in Sweden. Given the relative lack of new research, this statement still holds true.

When all the figures from the studies mentioned above are taken into consideration, the most definitive answer that can be given concerning the influence of EU-decisions on Swedish national legislation is that more than 30% of new national laws passed in Sweden result from an EU decision. However, it is debatable whether this figure is a reliable and complete result, as many factors are missing. For instance, only one of the studies was conducted after the Lisbon Treaty entered into force, which means that the changes brought by this treaty are largely unaccounted for. According to Raunio and Wiberg (2010, p.89), the share of national matters having an EU-origin have increased due to these changes, but this has yet to be confirmed by such a study.

The low values shown by these and similar studies say more about the lack of detail in the measurements rather than a low level of European influence, according to Toeller (2012). Usually, such studies just consist of measuring the national legislation which serves to implement a European directive. Of course, other EU-decisions also have an impact: the treaties themselves, Court decisions and so on. Indeed, the more detail a measurement contains, the higher the share of EU-influenced legislation it tends to find (Toeller, 2012). This will also be the case for the result of 'higher than 30%' mentioned above: if more factors are taken into account, the figure will become higher. Until studies are (repeatedly) conducted with much greater detail, this result without a clear upper boundary will remain the most accurate one.

#### **4.0. Influence of Swedish voters on EU decisions**

This chapter concerns the influence of Swedish voters on EU decisions and is the third and final part needed to answer the main research question. It covers the following three methods of influence available to Swedish voters:

##### *National elections*

This section covers the influence of national elections on EU decision-making through the national parliament and cabinet. It covers the power relationship in EU matters between parliament and cabinet and analyses the functioning of the parliament's subsidiary controls. Next, the European Council and the Council of the EU are covered, including methods of influence and power relations between the participants, followed by an analysis of Sweden's position and influence. This section ends with an analysis of the Commission, with an examination of how it relates to citizen influence and the influence of individual Member States.

##### *European elections*

This section covers the perceived and actual importance of European elections and their effects on the European Parliament and the election of the President of the European Commission. The influence of Swedish citizens in this process are covered.

##### *European Citizen's Initiative*

The final section of this chapter focuses on the European Citizen's Initiative, its functioning, its results and its effects on citizen influence.

Besides the formal legislative processes mentioned above, there are other factors which affects citizen's abilities to influence EU decisions. Perhaps the most significant of these is the information flow from the EU to the citizens, which is crucial for a representative democracy. Although the EU has its own channels, most of the information flow takes place through Member State media. Quality, depth and objectivity is key for allowing sufficient citizen participation and accountability of EU decision-makers.

Despite the importance of the issue, studies have shown that there is no Europe-wide debate to speak of (Jensen, 2009, p.5), as national press only tends to focus on their own politicians or on issues with a strong link to their Member State. According to Nygård and Nygård (2013, p.169), this creates a situation where European leaders never have to

answer to the whole European public, and as a result, accountability suffers. For example, Tallberg, Beach, Naurin, and Tiilikainen, (2011, p.119) are of the opinion that Swedish and European media must do much better in scrutinising high-ranking officials in the Commission, Parliament, Council of the EU and European Council, as they have significant power and are a type of "hidden decision-makers". They also consider it a democratic disservice to the voters to only focus on the European Parliament's work before the elections, once every five years. The European Parliament contributes as much to decision-making as 28 member-states in most areas, which means that it should be subject to constant and systematic scrutiny, or at least much as the cabinet's actions in the Council. To some extent, the same could be said about the reporting on the EU aspect of national elections. In Sweden specifically, Nygård and Nygård (2013, p.162) considers the EU to receive "extremely low attention" from the press, which will lead to citizens underestimating the impact of the EU on (seemingly) national issues.

#### 4.1. National elections

The EU is built on representative democracy in which citizens are represented in two ways: directly in the European Parliament and indirectly through their national cabinet in the Council. These national cabinets are accountable to their national parliaments or citizens, and this accountability is part of the EU's democratic base (Bull, Halje, Bergström, Reichel, & Nergelius, 2012, p.65). For Swedish citizens, the most significant method of exerting influence on EU decisions is through the national parliament, into the cabinet and into the Council. The significance of national elections for EU influence is not mirrored by media reporting, political discourse or political campaigning, which can give voters the impression that national elections do not affect EU policy. Like in many other Member States, the political discourse keeps national politics mostly separated from European politics as if they were distinctly different, when they in reality have been closely connected for 20 years (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p. 57). It is apparent in the national elections that EU issues are given insufficient attention by political parties and are not prioritised by voters (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010b). According to a study by Anell (2009, p.412), less than 2% of party programmes published for national elections concerns the EU, despite the fact that the composition of the Council is entirely decided by this type of election. Perhaps this lack of attention is mirrored by the individual national elections' lack of effect on policies: for instance, a right-wing cabinet in a left-wing dominated Council will almost certainly be unsuccessful at influencing decisions (Jensen, 2009, p. 2).

#### 4.1.1. National parliament and cabinet

This section covers the possibilities of influence for Swedish citizens on EU decisions through the national parliament and cabinet. Out of these two, the cabinet by far has the most influence on EU decisions, as it is the cabinet that represents Sweden in the European Council and the Council of the European Union. The influence of the parliament on its own is very limited, and most of its influence is channeled through the cabinet (Johannesson, 2005, p.82). However, because it, and other national parliaments, control the national representatives (the cabinet) acting within the EU, the national parliaments act as a source of democratic legitimacy for the Union itself (Alhbäck Öberg & Jungar, 2009, p. 360; Bull, Halje, Bergström, Reichel, & Nergelius, 2012, p.63).

##### *EU matters in the parliament*

National parliaments receive direct information from the EU institutions about legislative acts, legislative programmes and other documents (Mayoral, 2011, p.8). Like other Member States, the Swedish parliament contains a Committee on European Union Affairs which monitors EU matters and serves as an information channel between the parliament and the cabinet (Bryder, Silander & Wallin, 2004, p.20; Sweden in the EU, 2011, p.2). This committee serves an important role in ensuring democratic accountability in the decision-making process of the EU (Mayoral, 2011, p.9), as it plays a key part in giving the voters' representatives in the parliament the conditions to participate in forming Sweden's positions in the EU, and therefore the ability to influence the cabinet's actions in the Councils (Möller, 2013, p.238).

All legislative proposals from the European Commission are sent to Sweden's representatives in the Council, who send it on to the national parliament. The proposal is then discussed in the parliament's Committee on EU Affairs and the relevant standing committees (Tallberg, 2010, p.47). The cabinet prepares its position on the proposal, which is then also discussed in the Committee on EU Affairs and the relevant standing committees (*Sweden in the EU*, 2011, p.2). This process results in the parliament, through a majority vote, rejecting or approving the cabinet's position and manner of negotiating for the upcoming Council meeting (Lundmark, Halvarson & Staberg, 2009, p.97; Möller, 2013, p.239), giving the parliament the possibility to influence EU decisions through the cabinet's representatives in the Councils (Lundmark, Halvarson & Staberg, 2009, p.97). Although the cabinet is not formally bound to follow the parliament's decision, it is customary and expected that it will represent the parliament's position (Sweden in the EU,

2011, p.2). The level of conflict is low, as in practice, it is also uncommon for the committee to reject the position of the cabinet (Hegeland, 2006; Möller, 2013, p.239).

The standing parliamentary committees are also expected to monitor activities in their subject area at the European level, but their participation in EU decision-making through the Committee on EU Affairs is entirely voluntary and is not subject to established procedures. As a result of this, the involvement of the standing committees has so far been lacking (Ahlbäck Öberg & Jungar, 2009, p.375). A poignant example is the statements of opinion from the standing committees: in the period of 1995 to 2009, five of these document were produced. This can be compared to the activity of the Finnish parliament, which has a similar legislative process, where 2057 statements of opinion were produced during the same period (Ahlbäck Öberg & Jungar, 2009, p.376).

There have been steps to increase involvement, but these have not been particularly successful in their aims. Since 2007, standing committees are expected to examine and produce statements on EU green and white papers and various other strategic documents. This creates compulsory involvement, but only in the early stages of EU decision making, which severely decreases the effectiveness of the reform (Ahlbäck Öberg & Jungar, 2009, p.379). Overall, the lack of activity between the standing committees and the Committee of EU Affairs leads to a disconnect from the standing committees and a concentration of EU policies to the Committee of EU Affairs. This has the effect of creating a greater difficulty in influencing EU policy-making for Swedish Members of Parliament (Ahlbäck Öberg & Jungar, 2009, p.364). In fact, it has been claimed that any cooperation that exists between the standing committees and the Committee of EU Affairs essentially all takes place within the political parties themselves (Ahlbäck Öberg & Jungar, 2009, p.376).

Perhaps the largest contributor to the lack of participation from the standing committees is their large workload. Because of constitutional regulations, practically all parliamentary matters must be prepared in a standing committee before it can be transferred to the main chamber. The most significant exception to this rule is EU matters. This means that standing committees spend most of their time on preparing motions from individual Members of Parliament, which in recent years has reached a total of around 4000 per year, leaving little time for other issues. Without large changes, it is therefore highly unlikely that the standing committees will become more involved in EU matters (Ahlbäck Öberg & Jungar, 2009, p. 377).

*Subsidiarity control*

The most significant direct method of influence which exists for the national parliaments is the subsidiarity control (sometimes referred to as subsidiarity check), which entered into force together with the Lisbon Treaty. It gives national parliaments a new role in the EU legislative process which allows them to express an opinion on a legislative proposal from the Commission regarding its adherence to the subsidiarity principle (Wetter, 2014, p.1). However, because other changes in the treaty have weakened the position of the national parliaments, the impact of this new process (also known as the Early Warning Mechanism (EWM)) for testing of the subsidiarity principle may be partially cancelled out (Bergström, 2008, p.4). According to the European institutions themselves, the position of national parliaments has been strengthened overall, and the EU has gained democratic legitimacy as a result (Wetter, 2014, p.12). However, critical voices have been raised that this measure contains too many restrictions which prevent it from having any significant effect in practice (Bergström, 2008, p.4).

The subsidiarity control works as follows: national parliaments receive information from the Commission regarding draft legislative proposals and use this information to determine whether the proposed legislative act is most appropriate at the EU level or whether an equivalent result could be achieved through legislation at a national or sub-national level. The national parliaments are given eight weeks to send their reasoned opinions to the Commission (Mayoral, 2011, p.8). There are three possible outcomes from this process: no action, the yellow card and the orange card. The yellow card is activated if one third of the Member States (or one fourth when concerning proposals in the area of Freedom, Security and Justice) consider the proposal a breach of the subsidiarity principle. This yellow card requires the Commission to review its proposal and motivate its changes, withdrawal or lack of changes to the proposal (Mayoral, 2011, p.8). The most severe option is the orange card, which is activated if a simple majority of national parliaments send a reasoned opinion. The action required from the Commission is the same, with the exception that additional subsidiarity reviews must be carried out by the European Parliament and Council of the EU if the Commission chooses not to withdraw the proposal. If a majority in European Parliament or a 55% majority in the Council of the EU considers the proposal to breach the principle of subsidiarity, the Commission is obliged to withdraw it (Mayoral, 2011, p.8).

Although this forms a new possibility for the national parliaments to participate in the legislative process, this is little more than an advisory role, as the parliaments do not have the ability to block legislation considered to breach the subsidiary principle (Wetter, 2014, p.1), and must instead rely on the judgement of the Council or the European Parliament. Additionally, even if the Commission is eventually forced to withdraw its proposal through the orange card procedure, there are no formal barriers to prevent an equivalent proposal from being repeatedly tabled (Wibe & Dahlsson, 2004). Concerns have also been raised whether or not parliaments are given enough time and information to accurately judge the Commission's proposals (Wetter, 2014, p.1). The subsidiarity principle has also shown itself to be difficult to apply: the treaties are not linguistically precise about how the most appropriate level for the legislative act should be determined (Tallberg, 2010, p.55), which leaves room for purely political and subjective interpretation. The principle is described as depending on the objective of the legislative act, but this is also not well-defined and could instead be referring to the objectives of the treaties themselves (Anell, 2009, p.398). Additionally, the EWM itself is also written in unnecessarily narrow legal terms (Hettne, 2014, p.9) and does not apply to existing legislation. The combination of these restrictions makes it debatable whether these subsidiarity checks have any practical value (Bergström, 2008, p.4; Wetter, 2014, p.1).

### *Conclusion*

National parliaments have formal and partially direct roles in EU policy-making, but they do not have significant influence (Coen & Richardson, 2009, p.108). The amount of influence differs between the national parliaments, as the processes for scrutiny and coordination of EU policies between government and parliament are not identical in all the Member States (Alhbäck Öberg & Jungar, 2009, p.363). The influence of the Swedish parliament compares favourably to other Member States, mostly because of the Swedish institutional setup in EU affairs, where the Swedish Committee on EU Affairs is one of the strongest in its kind in the EU (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.140). Sweden, together with Denmark, Finland and Austria, belongs to the group of parliaments that can alter or veto government proposals and formulate own its policies, which is counted as the most influential type of parliament. The parliaments of France and Great Britain have less influence, and can only modify or reject proposals; whereas the remaining parliaments have little or no influence (Alhbäck Öberg & Jungar, 2009, p. 361).

That being said, Hennel (2014) claims that it is impossible to determine the political influence and outcome of the Swedish parliament's work. Even if the Swedish and other

national parliaments actively follow all steps in EU decision-making, it is extremely difficult to prove they had any influence on the eventual outcomes. This is especially the case in situations where informal structures of influence played a significant part, as these forms of influence are much less visible (Bryder, Silander & Wallin, 2004, p. 21).

The power of national governments has increased through their direct participation in the EU's decision-making (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.19) and is larger than in purely national legislative processes. This has occurred at the expense of the national parliaments, who lose power by delegating the decision-making competence to negotiate and decide in the EU to national executives (Alhbäck Öberg & Jungar, 2009, p.359; Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.19). This also gives the cabinets an information advantage over the parliaments and makes the parliament's ability to control the cabinet's actions smaller than with national issues (Tallberg, Aylott, Bergström, Casula Vifell & Palme, 2010a, p.19). This has also occurred in Sweden, where it has become clear that the parliament has weakened in the political areas transferred to the EU (Bergström, 2008, p.6), while the government's traditionally strong position has become even stronger (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.19). Yet another contributing factor is the fact that it is customary for the Swedish cabinet to only seek support for its EU policies within its own party, which decreases access to information, participation and therefore influence for opposition and support parties (Alhbäck Öberg & Jungar, 2009, p.372). All these factors combine to make the parliament's influence over the government's EU politics limited in practice (Tallberg, Aylott, Bergström, Casula Vifell, & Palme, 2010a, p.140).

#### 4.1.2. Council of the European Union and European Council

The Council of the European Union forms one half of the legislative part of the EU. It represents the cabinets of the 28 Member States and meets in different configurations of national ministers depending on the political area being discussed. Decisions in the Council of the EU are mostly made by Qualified Majority Voting, but occasionally by unanimity. In most cases it has equal power with the European Parliament, and together these institutions form something akin to a bicameral system. The Council of the EU has a six-month presidency, rotating among the Member States, which essentially consists of the responsibility to organise and chair the meetings (European Union, 2015).

The European Council is where the Member States are represented by their Heads of State or Government, who in turn are accountable to their national parliaments or citizens (Mayoral, 2011, p.7). It provides strategic guidelines for the development of the Union and is the final decision maker on issues too complex or politically sensitive for the Council of the EU. It is in charge of foreign and security policy, coordinates Member States' socioeconomic policy, appoints senior officials for EU institutions, initiates and concludes intergovernmental conferences on treaties, and decides on new Member State applicants (Tallberg, 2007, p.6).

There is a great deal of uncertainty and a lack of robust evidence about the decision-making of the Councils, even though the European Council is the main decision-making body and the most important institution of the EU, according to Van Aken (2012, p.7). Anell (2009, p. 415) goes as far as calling it "the most secretive legislative body in the world" because the Council meets behind closed doors with undocumented proceedings (Tallberg, 2007, p.6). Because of its closed nature, empirical research on its functioning is very difficult, and as a result the European Council can be said to be under-researched (Tallberg, 2007, p. 3). This leads to the problem of determining influence, because the closed processes make it impossible to follow potential concessions and changes of position. This problem also applies to the Council of the EU, where it is impossible to tell how much a negotiator has conceded (Hennel, 2014). Voting customs are another factor, and because consensual agreements are the norm between Member States, there is a lack of explicit votes and little indication as to how decisions were made. Occasionally, consensus is not reached and a vote is instead called. The results are subsequently published which does publicly reveal the positions of the Member States. As the traditional manner of taking decisions takes place behind closed doors, such votes and

their outcomes are essential to understanding the dynamics of the Council (Van Aken, 2012, p. 9).

In this section, the term 'Council' will be used when information is applicable to both the Council of the EU and the European Council.

#### *Formal influence*

Formal influence in the Council is almost entirely determined by vote weighting, and according to European Council participants, this is the most fundamental difference between the Member States (Tallberg, 2007, p.45). Since the 1st of November 2014, a new vote weighting system applies, with the goal of creating an allocation of votes that is more proportional to the populations of the Member States. This Qualified Majority Voting (QMV) may be seen as an attempt to improve the democratic representativeness of decision-making (Mayoral, 2011, p.6). The Lisbon Treaty adds a requirement for QMV in many existing policy areas, where it replaces the formal principle of unanimity where all parties have the equal right to block proposals, and which forms one of the largest sources of power for the smaller Member States (Bergström, 2008, p.3; Tallberg, 2007, p. 6; Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.20).

The most common legislative procedure used in EU decision-making, the Ordinary Legislative Procedure, where the European Parliament has an equal role to the Council of the EU, always requires Council of the EU voting to be QMV (Bergström, 2008, p.3). Compared to the vote weighting used before 1st of November 2014, this gives large Member States more power relative to smaller Member States, while these small Member States have their power drastically reduced. Sweden is one of the countries that has its vote reduced the most. For example, the power difference between Sweden and Germany grows from 2.9x to 8x due to this change (Lindqvist, 2015).

Despite these formal voting rules, Member States generally attempt to reach compromises that are as wide as possible for the purposes of creating goodwill and preventing future decisions from going against themselves. Similarly, Member States will also refrain from using their veto in most situations due to the political cost of opposing the majority (Möller, 2013, p.51). Clearly, customs of reciprocity are still quite strong in the Council (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p. 51).

The rotating presidency of the Council of the EU is another source of formal influence. During the six-month term, the chosen Member State is responsible for the Council's political agenda, leading negotiations and representing the Council in legislative procedures and towards external actors. The formal power to force decisions on other Member States is limited, but it gives the presidency Member State power resources that makes it possible to have a greater influence on political decisions (Tallberg, 2006). These power resources are mainly in the form of an information advantage and increased control over the political process (Tallberg, 2007, p.6; Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.21).

### *Informal influence*

Although the structural power of the Member States is most decisive in the Council, informal factors are a significant part of the power relations (Tallberg, 2007, p.45). To some extent, this is unavoidable due to the nature of deliberations, negotiations, compromises and a large number of participants. There are also other factors which will heavily affect the standing, authority and influence of a Member State: economic strength, population, territory, military capabilities, and administrative capacity. These factors affect negotiating strength as they define a Member State's range of options (Tallberg, 2007, p. 45). Member States can act to achieve additional influence by prioritising among political issues, allowing them to concentrate resources and show commitment internally and externally (Tallberg, 2007, p.6). This type of prioritising will put the Member State in a better position to develop the relevant content and procedural expertise, which will allow the head of government to enter negotiations with full knowledge of the dossiers and formal procedures. This improves the potential for influence and reduces the risk of being at an information disadvantage. Selective use of the threat of veto is also an effective method of increasing influence. This must be used infrequently enough so that the political credibility and reputation of the Member State is not affected, but can legitimately be used on matters of clear national concern (Tallberg, 2007, p. 46). The personal attributes of the specific heads of government participating in the Council can also have an effect on their Member State's success. Specifically, their personality, expertise and standing in European and domestic politics plays a role (Tallberg, 2007, p.6). Due to these factors, even in situations calling for unanimity, Member States will have unequal capabilities to influence decisions, despite having formally equal votes (Naurin & Wallace, 2010, p.256).

*Power relations in practice*

Small and medium-sized Member States are more influential than their size would suggest and have a significant effect on Council decision-making, despite their structural disadvantage against larger member-states (Naurin & Wallace, 2010, p.255; Tallberg, 2010, p.50; von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.51). Of course, not all smaller Member States are equally active in the Council, and not all smaller Member States that are active are equally successful (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.116). However, the active small and medium-sized Member States are generally successful at compensating for their lack of structural influence by prioritising, as described above (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.116). Being able to demonstrate a large national need or public opinion on a certain issue also becomes more necessary for influence as the Member State size decreases (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.76). This also applies to seeking coalitions, according to Tallberg, Beach, Naurin, & Tiilikainen (2011, p.116). The most common examples of this are traditional Member State-based and single-issue based coalitions. Such coalitions have become more important during the period following Sweden's accession, as pre-agreements have become increasingly common. These pre-agreements essentially move negotiations from the plenary into informal meetings dominated by the larger Member States (Tallberg, 2007, p.45), impeding the possibility for traditional Member State-coalitions. As a result, smaller Member States often find it necessary to themselves participate in these pre-agreements to prevent being left out of the decision-making (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.116).

*Conclusion*

The link between Swedish citizens and decisions taken in the Council is distant and vague in terms of accountability. As stated by Möller (2013, p.155): "In the council, if Sweden gets voted down through a majority decision, how can the Swedish voters hold, for example, the French government accountable?". This is confirmed by the Swedish Council on Legislation, a government agency that checks the legal validity of legislative proposals, that concluded that especially through the increased use of QMV, the possibility for political accountability that the Swedish constitution calls for is partially eliminated. However, it also concluded that this is not serious enough to be considered a breach of the constitution (Bergström, 2008, p.6).

Sweden holds 2% of the EU population, but its influence can be said to be much larger than its size would suggest (Möller, 2013, p.237; Tallberg, Beach, Naurin, & Tiilikainen,

2011, p.76): it has been successful at influencing decisions of the EU and “punches above its weight” (Erixon & Fölster, 2014, p.95). One of the reasons for this is Sweden's absence from the Euro, which has caused it to put sizeable resources into compensating. This means it usually better prepared and more active than other Member States of similar size, which is an important informal source of influence. However, this influence is mostly apparent in specific political areas where Sweden has gained influence by being exceptionally well-prepared and by pursuing these issues with great determination, persistence and consistency (Erixon & Fölster, 2014, p.95). For example, Sweden has been active and successful in environment and common foreign policy (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.43), animal rights (Haglund, 2013), welfare issues, and in recent years also economic policy (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.116). A significant part of this influence can be explained by the fact that Sweden is respected by other Member States for its successful and often ambitious domestic policies in these areas (Erixon & Fölster, 2014, p.95). However, there are also areas which Sweden has prioritised and views as important, but where these efforts have lead to little result. The best example is Sweden's wish to deregulate the Common Agricultural Policy, which has been entirely unsuccessful (Haglund, 2013; von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.44).

Despite this success, Sweden has not always been influential throughout its membership. Sweden's presidency of The Council of the EU in 2001 is by some seen as the start of Sweden's active period (Bryder, Silander & Wallin, 2004). Before that period, in the late 1990's, Sweden's cabinet was often lacking in preparation for Council meetings, which led to Swedish representatives participating without clear directives to follow. This will, undoubtedly, have damaged Sweden's possibility to influence (Tallberg, 2010, p.53). Sweden has been outside of the EU mainstream for a large part of its membership, showing scepticism towards further European integration (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.44), which can be seen in its voting behaviour: in the period of 2004 to 2008, Sweden contested votes more often than any other Member State: 3.6% compared to the EU average of 1.3%. The second-most contesting Member State was Denmark at 2.6%, while Ireland was at the other end of the spectrum at 0.4% (Naurin & Wallace, 2010, p.30). Furthermore, Sweden has used its veto in the Council of the European Union more times than any other Member State over the course of its membership (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.44), and has also very frequently voted against proposals that had majority support of other Member States (von Sydow, Gustavsson, Jerneck, Naurin & Lindahl, 2014, p.44).

#### 4.1.3. European Commission

The European Commission is the executive institution of the EU and is intended to act independently, representing the Union itself. It is composed of a college of 28 Commissioners, each nominated from one of the Member States. It plays a key role in the legislative process with its exclusive right of initiative which has both direct and indirect consequences. The most direct consequence is its ability to set the direction of EU legislation, because although the Council of the EU and the European Parliament have the full right to amend legislative proposals from the Commission, such amendments can only change a proposal to a certain extent. A more indirect consequence is its effect on citizen influence: a legislative proposal must always be based on a treaty article, the choice of which is negotiated between the Commission and the Member States. This choice decides which legislative procedure is to be used. Among other things, this determines the voting procedures in the Council of the EU and therefore affects the relative powers of the Member States on that particular issue (Tallberg, 2010, p.39).

The main connection between Swedish citizens and the European Commission runs through Sweden's national parliament election, formation of cabinet and the cabinet's nomination of Commissioner. This candidate, together with all the candidates from all other Member States, must then be approved as a whole by the European Parliament. While the Commissioners are in office, they are only formally accountable as a whole to the European Parliament, but both the European Council and the President of the Commission have the power to request the resignation of an individual Commissioner. Adding to their independence, Commissioners are not accountable to their Member State or to the government that nominated them.

#### *Conclusion*

The European Commission is absolutely crucial in the setting of the direction of the EU as a whole, as it has the exclusive right of initiative which in many cases outweighs the European Parliament and Council of the EU's right of amendment (Wibe & Dahlsson, 2004). The Commission is therefore also strategically important for Member States to attempt to influence (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.116), but considering that the treaties are clear on the fact that the Commission is intended to be impartial and to act for the good of the whole EU (Anell, 2009, p.418), the influence of individual Member States is very limited. Indeed, the Commissioners are not accountable to or representatives of their own Member States. Some researchers claim that there are

unwritten rules that Commissioners should look after the interests of their own Member States (Nygårds & Nygårds, 2013, p.105), whereas others, such as Commissioner Anita Gradin (1995-1999), claim that there is no national bias among Commissioners (Nygårds & Nygårds, 2013, p.135). As the Commission must act for the good of the Union, any obvious bias by an individual Commissioner towards a Member State is highly unlikely.

## 4.2. European elections

The other major method of influence for Swedish citizens is through the European elections which decides the composition of the European Parliament and, since 2014, has an influence on the choice of European Commission President. Due to the role of the European Parliament in the EU's legislative process, this election is similar in importance to national elections when it comes to EU politics.

Despite their importance, the European elections are not without their issues. Perhaps the largest issue is that they have come to be used for the wrong purpose. Generally, voters judge national parties based on national issues in these elections (Anell, 2009, p.417) which makes them amount to little more than "national popularity contests", according to Jensen (2009, p.2). Thomassen (2009, p.214) goes as far as to claim that "European elections fail as an instrument of democracy at the European level", because they do not serve to reflect the views of the European voters on European issues. Some claim that this is caused by the limited impact of the European elections, such as Möller (2013, p. 150): "There is no government in the EU, which means that the government power is never at play in EU elections". This also applies to the national level, where the European elections results have so far given no clearly noticeable effects (Anell, 2009, p.412).

Political parties are either satisfied to campaign largely on national issues, or merely responding to the fact that citizens are likely to judge the parties based on their performance on the national level (Anell, 2009, p.412; Thomassen, 2009, p.214). According to (Franklin, 2014, p.2), parties use the elections as an opportunity to "remind voters of their national party allegiances", which leads to voters doing the same. In effect, this makes the European elections into "quasi-referendums on the standing of parties at the national level – particularly on the standing of governing parties" (Franklin, 2014, p.2). Therefore, the parties generally fail to make clear what they stand for in European terms or what increased support for any party might mean in terms of policy output (Franklin, 2014, p.2). Tallberg, Aylott, Bergström, Casula Vifell and Palme (2010a, p.142) insist that more should be expected from decision-makers; that it is a democratic disservice to the voters to only focus on the European Parliament's work before the elections, once every five years.

#### 4.2.1. European Parliament

The European Parliament contains 751 Members (known as Members of the European Parliament or MEPs) allocated among the Member States in a degressively proportional manner based on population size. This gives a minimum allocation of 6 (for Malta) and a maximum of 96 MEPs (for Germany). The proportionality of seats in the European Parliament to population size is quite loose, which creates an imbalance that is favourable for smaller Member States. At its extreme, a small Member State can have votes worth twelve times that of a large Member State (Mayoral, 2011, p.2). Sweden is allocated 20 seats in the Parliament, which is 2.66% out of the total 751. This is smaller than an even 1/28th (which would represent 26 seats), but larger than Sweden's 2% share of the EU population. When looking purely at these figures, the formal influence of Swedish voters is minimal in the European Parliament, yet larger than its population size.

The power of the European Parliament relative to the other European institutions is highly relevant when considering the influence of its participants. If the European Parliament would hypothetically be dominated by a single Member State, this Member State could only be said to have a large influence on EU decisions if the European Parliament itself would be influential. Therefore, it is interesting to note that the European Parliament has gained both formal and informal power since the Swedish accession (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.51). Despite this, it still remains the weakest institution, which according to Tallberg (2010, p.177) is especially problematic because it is the only directly elected one. The largest weaknesses Tallberg lists are its lack of right of legislative initiative, its lack of influence in special legislative procedures and its exclusion from policy areas such as Common Foreign and Security Policy and the drafting of new treaties. However, due to the European Parliament's general political role and its working methods, it does have a certain influence even in these areas (Tallberg, Beach, Naurin, & Tiilikainen, 2011, p.51). Its working methods to exert informal influence mainly consists of making use of publicity to influence European Council decision-making. Its strong role in ordinary legislative decision-making helps in this regard (Puetter, 2013, p.12).

#### 4.2.2. President of the European Commission

As the Lisbon Treaty entered into force on the 1st of December 2009, a new system for electing the President of the European Commission was introduced. The system was used for the first time in connection with the 2014 European elections. As in previous elections, it is still the heads of government in the European Council that nominate a candidate for approval by the European Parliament. The difference is that the European Council is now meant to take the results of the elections to the European Parliament into account when choosing their candidate (European Commission, 2015b). The wording in the Treaty leaves significant room for interpretation, which was illustrated through the difference in attitudes of the Council and the Parliament about the election results. In practice, the Council found themselves more limited in their choice of candidate than they had expected. This is confirmed by the fact that the heads of government indicated an interest in changing the system for the next elections (Mahony, 2014). Representatives from the European Parliament, on the hand, considered the impact of the elections on the nomination to have added a "much-needed link between EU citizens and Brussels" and has represented a "turning point for European democracy" (Mahony, 2014).

Despite this difference in interpretation of the Treaty text, the lead candidate of the European Parliament's party group that won the most seats in the 2014 elections, Jean-Claude Juncker, was nominated as the European Council's candidate (European Parliament, 2014b). By itself, this says very little about the impact of the election results, as there is no guarantee that it was the cause of the Council's choice of candidate.

The impact of this on voter influence is debatable, and can only be considered relevant if the choice of Commission President actually makes a difference in policy output, that is, if the direction of Commission will be different with a European Parliament's party group-nominated candidate versus a European Council-nominated candidate. It would be a mistake to draw far-reaching conclusions at this point, as this system has only been used once and Jean-Claude Juncker and his Commission have only been in office for one year. So far, it may be more appropriate to state that the new system for electing the President of the European Commission offers a new possibility for voters to influence the EU, but it remains unclear how large the impact of this influence is.

### 4.3. European Citizen's initiative

The European Citizen's Initiative (ECI) was introduced in the Lisbon Treaty and entered into force in 2012. It is intended to introduce an aspect of direct democracy to EU decision-making to increase citizen involvement and to tackle democratic flaws (Bäckman, 2013, p.1). The ECI is an advisory instrument which allows citizens to request the European Commission to propose legislation on a certain issue by collecting signatures from one million EU citizens (*Report on the application*, 2015, p.6). The ECI needs to reach this threshold of one million with a minimum number of signatures coming from at least seven Member States (European Commission, 2015c). In Sweden (population of 9.5 million) the minimum number is 15000, which can be compared to the 72000 required to reach the German threshold (population of 80.6 million) (European Commission, 2015d). Clearly, the minimum threshold does not scale in proportion to population size, as Sweden's relative signatory threshold is much higher than Germany's.

#### *Process*

Any EU citizen of voting age can initiate an ECI by forming a committee with a minimum of seven EU citizens residing in seven different Member States before registering the initiative with the Commission. The date when the registration has been approved is also the starting date of the collection period, after which the organising committee has exactly one year to reach the threshold of one million signatures (*Report on the application*, 2015, p. 3). To collect the signatures, the committee must create an online collection system which must be approved and certified by the relevant national authorities before collection can start (*Report on the application*, 2015, p. 8). This collection system verifies and collects personal data of the signatories (*Report on the application*, 2015, p. 6). The requirements for this varies, and in some Member States, ID numbers are required (Mahony, 2015). In most ECI's attempted so far, the registration was completed long before the collection system as approved, which lead to the organisers having significantly less than one year for the collection process (Mahony, 2015; *Report on the application*, 2015, p.8). At the end of the process, if the ECI reaches the signatory thresholds before the deadline, the Commission must give a formal response about the actions it intends to take based on the ECI.

There are a certain set of limitations to both the subject matter and the eventual potential outcome of the ECI. For instance, the proposed initiative must be inside of the Commission's competences and it is up to the organisers to determine where these lie

(*Report on the application*, 2015, p.6). The Swedish parliament's Committee on EU Affairs has commented on this, stating that the ECI in its current form gives the impression that the EU can be made to act in new areas that are currently outside the treaties; and that it is overly difficult for organisers to determine if certain areas lie within Commission competences (Bäckman, 2013, p.8). Indeed, the Commission has not yet clarified whether an ECI can potentially amend primary law coming from the treaties (Mahony, 2015). The combined effect of these limitations is clearly visible in the results: out of the 51 ECI's that had been attempted up to April 2015, only three progressed far enough to elicit a formal response from the Commission, but none of these three resulted in a legislative proposal. 20 of these 51 were rejected by the Commission before they reached the collection stage (Mahony, 2015).

### *Conclusion*

Currently, the ECI is the most direct method of influence for EU citizens, but it has been heavily criticised for its complexity and lack of impact. Mahoney (2015) describes its process as "off-putting, cumbersome and almost unworkable", and leading to frustration among citizens. Due to the minimum requirement of seven Member States and the differences in the individual signatory thresholds, ECI organisers will face more difficulties reaching the thresholds in some Member States than in others. This requirement also means that the ECI will be of extremely limited use for national or regional issues. Furthermore, because the Commission controls the approval and registration of the ECI's and the results merely have an advisory status, there is no guarantee for a concrete result (Bäckman, 2013, p.1). Indeed, due to the Commission's freedom, an ECI could potentially lead to a proposal that is very different than the organisers intended (Bäckman, 2013, p.8).

For the influence of Swedish citizens, the ECI's effects must be said to be negligible due to its strictly limited impact. However, indirect impacts - other than on Commission legislative proposals - are certainly possible, and could, for example, affect the positions and actions of the participants in the European Parliament or Council. This could potentially be the case if an ECI with overwhelming support is rejected by the Commission. Indeed, if future ECI's do not lead to results, this tool can damage the EU's legitimacy instead of strengthening it (Bäckman, 2013, p.8; Mahony, 2015). It is the Commission's actions that will decide whether the ECI is seen as meaningful by citizens (Bäckman, 2013, p 1), and since the Commission has already indicated that it will not be making any large changes to the ECI, it seems unlikely that improvements will be made in this regard (Mahony, 2015).

## 5.0 Conclusions

This dissertation set out to find how Sweden's accession to the EU affected the amount of influence its voters have on national legislation. Previous research has only covered certain aspects of voter influence, and these results have not been collected to reach an overall conclusion that will contribute to the factual basis for the debate about the European Union's alleged democratic deficit. Therefore, this study sought to answer the following four questions:

1. What methods of influence over national legislation not affected by EU decisions exist for Swedish voters, and how effective are they?
2. How much of new Swedish legislation comes from EU decisions?
3. What methods of influence over EU decision-making exist for Swedish voters, and how effective are they?
4. Is Sweden's influence in EU decision-making in proportion to its size relative to other Member States?

The findings of this dissertation gives the following answers to the research questions:

1. What methods of influence over national legislation not affected by EU decisions exist for Swedish voters, and how effective are they?

**National elections are the key method of influence.** As a representative democracy, it is to be expected that the national elections are the key method for voters to influence decision-making. Although there is a certain amount of interest group influence and autonomy given to administrative bodies, most of the mandate given to the political representatives comes directly from the national elections.

2. How much of new Swedish legislation comes from EU decisions?

**More than 30% of legislation is affected by EU decisions.** This is the most reliable figure that can be given based on the pre-existing research which, in most cases, concerns legislation that has a direct link to a specific EU law. However, these studies generally differ in methodology or time period and are therefore not entirely comparable. As a result, these factors combine to make this figure relatively unreliable.

3. What methods of influence over EU decision-making exist for Swedish voters, and how effective are they?

**Swedish voters have the most influence through national elections.** The influence of Sweden in the Council is much larger than in the European Parliament. However, more research is needed into the influence of individual Members of the European Parliament to see how successfully they can represent their voter's interests in practice. National

parliaments have a formal possibility to participate in EU decision-making through subsidiarity checks, but this is very limited in practice.

**Voters are unaware of how to use their influence.** Political parties and the Swedish media fail to explain EU decision-making to the voters. Voters cannot influence decision-making in the way they intend unless they know how decision-making competence is divided between the national parliament, European Parliament and the Councils, and how these are affected by the national and European elections.

4. Is Sweden's influence in EU decision-making in proportion to its size relative to other Member States?

**Sweden performs beyond expectations in the Council.** Sweden has more influence than other Member States of similar size through successful use of informal methods of influence. However, this additional influence is mostly limited to specific political areas.

The dissertation set out to answer the following main research question: *How has Sweden's accession to the EU affected the amount of influence its voters have on national legislation?* Therefore, a successful result would be to show whether the influence of Swedish citizens has increased, decreased or has been left unaffected by accession to the EU. Due to the large methodological challenges in identifying influence and this dissertation's reliance on pre-existing research, it is not possible to give a sufficiently precise answer to the main research question, specifically in regards to quantifying the voters' influence or the EU-accession's impact on it.

However, the dissertation produced findings concerning the voters' methods of influence that gives an indication about the voters' amount of influence. It is clear that Sweden's accession to the EU has moved certain parts of its political decision-making to the European level, causing the link to the voters to become less direct. This confirms the findings of Bergström (2008, p.6), that the possibility for political accountability that is present in the national political system and called for by the Swedish constitution is partially eliminated when the EU becomes involved in decision-making, as it introduces new decision-makers that are less directly accountable to the voters. Accountability is further reduced by the fact that voters are largely unaware how European decision-making works and how they can affect it, because the Swedish media and political parties create the impression that EU issues and national issues are neatly separated into the European and national elections. Overall, the accession has decreased the accountability of decision-makers by moving them further from the voters, while voters' understanding of their own influence has been made smaller.

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