



Do Regional Economic Organisations Suffer from a Democratic Legitimacy Deficit?

Evidence from Europe, Asia, Africa, and the Americas

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Many observers of the European Union (EU) argue that economic integration has generated a 'democratic legitimacy deficit'. They point to six problematic institutional mechanisms influencing the 'input', 'throughput', and 'output' dimensions of EU policy-making. Despite recent calls not to consider the EU as a *sui generis* case of integration, scholars have yet to investigate in a systematic fashion whether other regional economic organisations (REOs) may also be experiencing a democratic legitimacy deficit. In this article, we examine whether the six deficit-causing mechanisms purportedly present in the EU case are at work in the most important REOs in the world. We develop an operationalisation of these mechanisms and find those REOs to have, on the whole, low levels of legitimacy, which tend to be more pronounced in 'input' and 'output' than in 'throughput', though important differences exist across REOs. We reflect on the EU case in light of our comparative evidence. We conclude by outlining an agenda for future research on the democratic legitimacy of REOs and beyond.

Keywords: comparative regionalism, democracy, institutional mechanisms, integration, legitimacy, regional economic organisations

Introduction

Many organisations that support the internationalisation of economic activity face criticism of their democratic legitimacy. The fiercest critics claim that these organisations are generally undemocratic (Dahl 1999; Rodrik 2011). Other criticism is more targeted. An established body of literature argues, for instance, that the World Trade Organisation and the International Monetary Fund operate with too much secrecy and unaccountability (Stein 2001; Kahler 2004; Stiglitz 2003).

Some of the most pressing criticisms to date, however, have concerned the European Union (EU). With the exception of some notable dissenters (Majone 1998; Moravcsik 2002, 2004), scholars view the decision-making bodies and processes associated with the project of EU integration as suffering from a 'democratic legitimacy deficit'. Their arguments have evolved over time – beginning with the 'standard' democratic deficit thesis of the 1990s and continuing with refinements and additions, partly in response to new treaties and reforms (Weiler *et al.* 1995; Follesdal and Hix 2006), including discussions over whether the EU should be judged in the first place against traditional standards of democracy typically applied to nation states (Cheneval and Schimmelfennig 2013; Cheneval *et al.* 2015; Majone 2009: 23-40). Overall, scholars have pointed to six institutional mechanisms related to the production of secondary law as playing an especially important role.¹ Two concern 'input'

legitimacy: the (1) marginalisation of national parliaments in the everyday production of law, and (2) lack, and limited powers, of democratically elected decision-makers at the EU level. Two relate to 'throughput' legitimacy: the (3) non-transparent decision-making processes of the EU, and (4) limited and biased opportunities for participation of interest groups in EU policy-making. And two concern 'output' legitimacy: (5) the confinement of domestic regulation to increasingly fewer areas due to the broadening scope of EU laws coupled with (6) the intrusiveness of those EU laws. These arguments have raised fundamental questions about the proper functioning of democracy in the EU (Schmidt 2013).

Yet, the EU case may be significant for another reason: the number of countries in trading blocs potentially vulnerable to the dynamics that may be happening in the EU is very large. The World Trade Organisation currently reports that there exist around 200 trading blocs, with nearly every country on earth belonging to at least one bloc. For decades, scholars considered the EU as a unique form of regional economic integration – a case *sui generis*. At least since the 1990s, however, prominent observers have convincingly argued that the most important blocs have become regional economic organisations (REOs) with legal and organisational profiles that – though distinct – merit comparison with the EU. In fact, an entire subfield of political science – comparative regionalism – dedicates itself, *inter alia*, to the systematic comparison of regional organisations (Sbragia 2008; Warleigh-Lack and Rosamond 2010). One wonders, therefore, whether the arguments being put forth about the EU apply more widely than has been hitherto recognised.

This article accordingly investigates the following question: *Do REOs across the world suffer a democratic legitimacy deficit à la EU?* To date, scholars of regional integration have offered very limited insights into this question. Efforts have focused on exploring conceptually whether this question is worth considering (Ritberger and Schroeder forthcoming), and the theoretical approaches that might drive possible investigations. Systematic and empirically-driven comparative assessments are still missing, with only

Ribeiro Hoffman and van der Vleuten (2007) offering an initial step in this direction, and Griguresco (2007) assessing only one specific element of deficit (transparency) across a number of intergovernmental organisations. We believe that the time has come to start correcting this empirical gap in our knowledge of REOs. The answer will reveal much about the current design of REOs and the potentially widespread undermining of democracy across the globe. At the same time, it will identify promising lines for future research.

In this article, we propose a general and institutionally-oriented operationalisation of the main normative standards for democratic legitimacy as they have been developed in the context of the EU, and apply them to nine of the most important REOs in the world (see Appendix 1 for details). Our analysis reveals three main patterns:

1. Most REOs fare poorly in terms of input legitimacy: by and large national parliaments are marginalised and there is insufficient democratic representation at the international level.
2. The picture is more mixed when it comes to throughput legitimacy: while in most REOs legislative processes are not transparent, interest group representation in several REOs is fairly inclusive and has access to REO legislative processes.
3. Most REOs fare poorly in terms of output legitimacy: REO law constrains national governments in many policy areas and does so in intrusive fashion because of its binding – though not always superior – character.

Taken together, these findings suggest that many of the democratic failings that numerous scholars have over time attributed to the EU apply to REOs around the world, though sometimes only partially – something that, as we shall see, can also be said of the EU today. The analysis also highlights important differences across REOs – with some exhibiting more democratic legitimacy than others. As such, our investigation raises important questions for future research related to the evolution of democratic legitimacy in REOs, the relationship between institutional

legitimacy and the actual perceptions of citizens and policymakers, and the variables that might explain different levels of legitimacy across REOs.

Before we start, we want to pre-empt two potential criticisms. The first is that we are engaging in an EU-centric exercise. Our ambition is *not* to declare the EU as the 'gold standard' for thinking about questions of legitimacy in international governance. Nevertheless, we do believe that the standards of democracy that critics of the EU have subscribed to when investigating its democratic deficit are generally defensible as desirable. Indeed, they belong to a broader and established intellectual tradition about the prerequisites of democracy in nation states and beyond (see, for example, Archibugi *et al.* 2011; Wolf 1999).² There is good reason, then, to apply these insights in a comparative fashion (Warleigh-Lack 2006). The exercise, moreover, will help us reflect about the EU case in a broader context and in light of others' experiences – something that is very much in the spirit of post-colonial demands on EU scholars to be self-reflexive (Nicolaidis *et al.* 2014).

The second, partly related, criticism is that there are certainly other standards of democratic legitimacy we could assess REOs against that go beyond what we consider in this investigation. We concur with this observation. But our objective is not to identify, in the abstract, all possible dimensions of legitimacy and test all REOs against them. Rather, our question is to determine whether the democratic legitimacy deficit mechanisms purportedly at work in the EU are also at work in other REOs. We view this investigation as a worthwhile – and certainly sufficiently challenging – first step into a comparative assessment of democracy in REOs across the world.

We proceed as follows. First, we review the six mechanisms purportedly at work in the EU. Second, we specify our methodology: the operationalisation of each mechanism and the related possible levels of democratic legitimacy. Third, we discuss our findings and revisit the EU case in light of our comparative evidence. In the conclusion, we outline an agenda for future research.

The EU's democratic legitimacy deficit: Six institutional mechanisms

While scholars have devised a variety of normative standards to assess the political legitimacy of international organisations, the debate about the EU's legitimacy has – despite some dissenters (e.g. Majone 1998) – centred squarely on the standard of *democratic* legitimacy, which 'demand[s] that political institutions respect democratic values' (Peter 2010). Using this normative standard, the debate about the EU's *democratic legitimacy deficit* has focused on three main dimensions: input, throughput, and output. While we acknowledge that parts of this debate have focused on the societal underpinnings of EU legitimacy – e.g. the (non-)existence of a European demos and a European public sphere (Risse 2010) – or the quality of deliberation underlying decision-making processes, our focus is on formal *institutions*. These have formed the centrepiece of the debate on democratic legitimacy in the EU (and thus they have also dominated the search for remedies, as happened with the Lisbon Treaty of 2007). Indeed, a set of generalisable institutional mechanisms are said to have caused a democratic legitimacy deficit in the EU context. Summarised in Table 1, we discuss each dimension and the primary associated deficit-causing mechanisms in turn.

Input legitimacy, the first dimension, denotes the representative quality of the decision-making process. According to Steffek (2015: 5), it refers generally to 'institutional arrangements that allow citizens to communicate their interests to political decision-makers'. EU scholars think of it primarily as the extent to which citizens can influence political decisions by holding EU decision-makers accountable through elections (Scharpf 1999). With this normative criterion in mind, EU scholars have focused on the institutional prerequisites for electoral accountability at the national and supranational levels respectively. National parliaments constitute the democratic core of EU member states. Composed of directly elected representatives, they are charged with translating citizens' preferences into laws that regulate society. Through

Table 1: EU democratic legitimacy deficit: Dimensions and institutional mechanisms

Dimension	Institutional Mechanisms
Input legitimacy (electoral representation)	Marginalization of national parliaments in the production of EU law Lack and limited powers of democratically elected decision-makers at the EU level
Throughput legitimacy (governance quality)	Non-transparent decision-making processes (transparency) Limited and biased opportunities for participation of interest groups in EU policy-making (inclusiveness and openness)
Output legitimacy (national democratic self-determination)	Domestic regulation confined to increasingly fewer areas Imposition of binding and superior (to national law) EU law

regular elections, citizens can change the composition of national parliaments, which in turn should affect policy outputs. EU scholars lament, however, that, despite their centrality for democracy, national parliaments are marginalised in the production of EU legislation (Raunio 1999; Goetz and Meyer-Sahling 2008; Winzen 2010; Duina and Raunio 2007; Blagescu and Lloyd 2006). This is the first deficit-causing mechanism. In particular, scholars observe that national parliaments play no role at all in the initiation and approval of EU legislation. Only with the 2009 Treaty of Lisbon have they gained a right to object to EU legislative proposals if a sufficient number of parliaments agree to raise objections. Nevertheless, such participation is deemed too limited because the effect of national elections on EU policy outputs via shifts in the composition of national parliaments is minimal.

The lack of national parliamentary participation would be less of a concern if democratic representation were strong at the *EU level*. In a multi-level polity like the EU, input legitimacy might operate at different levels. A number of EU scholars, however, have argued that such electoral representation is sorely missing due to the lack, and limited powers, of democratically elected decision-makers at the EU level (Hyvärinen and Raunio 2014; Follesdal and Hix 2006; Hix 2008; Zweifel 2002: 818). This is the sec-

ond mechanism at play. In principle, nothing inherent to the process of economic integration precludes the existence of a European Parliament (EP) composed of directly elected EU legislators who are responsible for the initiation (at least in part), debate, and approval of legislative proposals. This would make the EP similar to many national parliaments. The work of the EP could also in principle unfold in tandem with the work of members of an executive branch who own their position to their parties being elected into power and have the right to initiate laws (as happens in most of the EU member states). But scholars observe that matters are quite different. Non-elected officials from the Commission are the sole initiators of EU law. As to approval, the EP played a negligible role until the Single European Act of 1987, when the cooperation procedure granted the EP (limited) approval rights in various issue areas that have since been further expanded. The Council itself (which has approval rights) is composed of appointed (by prime ministers or heads of state) ministers. Elected officials at the EU level thus have at best a moderate impact on the legislative activities of the EU. Simply put, the institutional design at the regional level favours a non-elected executive, rather than democratically elected legislative or executive branches of government.

Throughput legitimacy, the second dimension,

refers to the quality of the governance process in regard to its transparency as well as to the inclusiveness and openness to interest intermediation. In short, it seeks to capture 'what goes on inside the 'black box' of EU governance' (Schmidt 2013: 5). One institutional mechanism of concern to EU scholars has thus been the non-transparent nature of the decision-making processes in the major EU bodies (Héritier 2003; Eriksen and Fossum 2002; Lodge 1994; Zweifel 2002: 817). If a basic predicament of democracy is the ability of citizens to understand (and therefore have the opportunity to participate in one form or another in) the production of law, the EU in the eyes of most observers is resoundingly undemocratic. This is because the normal process of legislative production – with ordinary legislative acts originating from the Commission, then requiring parallel approval by the Parliament and Council (involving a lot of back and forth), and finally having to go under the scrutiny of national parliaments – is too complicated to grasp (Voermans *et al.* 2014), and legislative meetings (especially when it comes to the early phases of legislative initiation) are often kept secret or closed to the public.

A second mechanism of concern to EU scholars in terms of throughput has to do with the limited and biased opportunities for participation of interest groups in policy-making. Interest group participation is generally central to a governing system that cannot rely on a strong common identity or demos, and which is characterised by the 'absence of a fully functioning recognisable democratic representative system' (Greenwood 2007: 338). Yet, partly due to the complexity of the EU policy process, the system has been difficult to access. Diffuse interests, such as consumer or gender equality groups, appear to have had the greatest difficulties (Hurrelmann and DeBardeleben 2009). But even more highly organised, resourceful, and technically knowledgeable actors have struggled over time – though perhaps less so more recently.

Output legitimacy, the third dimension, refers to the ability of democratic governments to respond to citizens' demands and provide the desired public goods. As Mayntz (2010: 10) puts it, this type of legitimacy is 'derived from the capacity of a government or institution to solve collective problems and to meet

the expectations of the governed citizens'. Here, observers of the EU have pointed to two mechanisms as compromising democracy in the region. First, the scope of EU legislation – when it comes to economic integration and the laws that are produced with that goal in mind – is constantly expanding and affecting more and more issue areas at the national level (by some estimates it now constitutes up to 50% of all domestic regulation). The result is that national politicians and regulators in the EU member states find themselves increasingly constrained by EU law, even in areas supposedly shielded from EU intervention (Genschel and Jachtenfuchs 2011). National governments – who are closest to their citizens – have increasingly lost self-determination and the ability to act, while a very distant EU bureaucratic machine has expanded its policy footprint to a large number of policy areas.

Second, making matters worse, the same expansive EU law is both binding and superior to national law (Alter 2001: 19). This further undermines the democratic mandate of national governments. The Stability and Growth Pact of the 1990s, subsequent reforms in 2005, and the 2012 Treaty Establishing the European Stability Mechanism serve as good examples: together, these measures have imposed major limits on the ability of member states to adopt labour market, social, investment, or other policies with potentially negative implications for balanced budgets (Scharpf 1999).³

We should note here that broader discussions about the EU's output legitimacy pay considerable attention to the effectiveness of its policies. As interdependence grows, the argument goes, national policy solutions become less effective and, thus, the EU is more likely to be output legitimate because it generates better policy results than would otherwise be possible. But these considerations are about a different sort of legitimacy – one based on effectiveness rather than democracy. Policies that originate from a distant, bureaucratic REO with an ever expanding and intrusive reach can, regardless of their effectiveness, undermine the ability of national governments to fulfil in democratic fashion their expected mandates (Scharpf 1999: 13; Steffek 2015). Thus there very well may be, in fact, direct trade-offs between effectiveness and

democracy (Dahl 1994). Hence, as Menon and Weatherill (2008: 403) write, ‘emphasising outputs as a source of EU legitimacy becomes increasingly problematic as its activities encroach ever more intrusively on ever more contested realms’. In voicing concerns about the EU’s *democratic legitimacy deficit*, scholars and others have accordingly focused on the encroachment of the EU on national governments.

Methodology for investigation: Operationalisation of mechanisms and levels of democratic legitimacy deficit

Our aim is to determine whether the institutional mechanisms argued to cause a democratic legitimacy deficit in the EU are at work also in the most important REOs beyond the EU. Our focus is on the process of economic integration, which is at the root of the discussion in the EU. Parallel or associated regional initiatives in a given REO, such as those concerning political or security integration, are thus bracketed from our analysis unless explicitly tied, in formal language, to the pursuit of economic integration.

Table 2 shows our operationalisation of each of the six institutional mechanisms, and identifies the related levels of democratic legitimacy. Our reference date is 2015. In the spirit of the EU literature, we gauge variation in legitimacy on a three-point scale: low, medium, and high. These levels do not include every conceivable combination of mechanisms given our operationalisation scheme. Rather, we identified, for each mechanism, combinations that seem possible in theory and in practice given the mechanism in question. For example, our operationalisation of the output legitimacy item ‘intrusiveness of REO law’ defines the medium category as secondary law being binding but not superior to national law. The other theoretical possibility – secondary law being superior but not binding – is illogical and empirically does not occur. In general, we pursued operationalisation of the mechanisms in the spirit and practice of research on the EU.

As noted, *input legitimacy* captures the extent to

which regional decision-makers are electorally accountable to citizens, a legitimacy dimension that is undermined by the marginalisation of national parliaments and insufficient electoral representation at the supranational level. Following EU scholars, we operationalise the former mechanism by assessing, first, the role of national parliaments in the initiation (e.g., formal submission of proposals) and approval (e.g., ratification) of EU law (Winzen 2010; Raunio 2009). We consider, second, an underlying antecedent condition: whether national parliaments are, to begin with, composed of democratically elected officials. While this is unproblematic in the EU context given that democracy is a requirement of membership, it cannot be taken for granted in other REOs. This dual operationalisation generates three levels of democratic legitimacy in REOs. Democratic legitimacy is high when the majority of national parliamentarians (NPs) are elected officials with extensive initiation and/or approval rights. Legitimacy is low when the majority of NPs are appointed, independent of their competences in REO decision-making, *or*, if the majority of NPs are elected, but they lack both initiation and approval rights. An intermediate category contains cases where the majority of NPs are elected but enjoy only selected initiation or approval powers (they can initiate or are asked for approval only in some policy areas or types of secondary legislation).

Again following research on the EU, we operationalise the insufficient presence of democratically elected officials at the REO level – the second deficit-causing mechanism in input legitimacy – by assessing both the composition of bodies and their role in the legislative process (see Rittberger 2012). Specifically, we evaluate whether there are any elected officials in REO legislative bodies and, if they are present, determine their role, including whether they can initiate, approve or, in weaker fashion, need to be consulted on laws. We speak of low democratic legitimacy when officials in REO legislative bodies are appointed and no elected official has initiation or approval rights; and of high legitimacy when there is a significant presence of elected officials at the REO level (typically forming regional parliaments or a similar entity) with

Table 2: Operationalization of institutional mechanisms and levels of democratic legitimacy

Dimension	Operationalization of Institutional Mechanisms	Possible Levels of Democratic Legitimacy
Input legitimacy	<p>Status of national parliaments:</p> <ul style="list-style-type: none"> Composition of national parliaments: elected vs. government-appointed Role of national parliaments regarding initiation and approval of EU legislation 	<ul style="list-style-type: none"> Low: The majority of NPs are government-appointed <i>or</i>, if elected, NPs lack initiation and approval rights Medium: The majority of NPs are elected and they have limited initiation and/or approval rights High: The majority of NPs are elected, <i>and</i> they have extensive initiation and/or approval rights
	<p>Democratic representation at international level:</p> <ul style="list-style-type: none"> Composition of key decision making bodies at bloc level: elected vs. appointed officials Role of elected decision-makers over legislative production: consultation, initiation, approval 	<ul style="list-style-type: none"> Low: REO officials in key legislative bodies are appointed and no elected official has initiation or approval powers Medium: Significant presence of elected officials at REO level (regional parliaments or analogous body) with consultative or co-initiation or co-approval role; or a limited (minority) number of elected officials in key bodies but with primary role in either initiation or approval High: Significant presence of elected officials (regional parliament or analogous body) with primary role in both initiation and approval
Throughput legitimacy	<p>Transparency of decision-making:</p> <ul style="list-style-type: none"> Publicness of meetings Number of REO institutional actors involved (initiative, approve, or consult) in decision making processes 	<ul style="list-style-type: none"> Low: Agendas and minutes for meetings are secretive (not public) Medium: Agendas and minutes for meetings are generally public, but high number of institutional actors (more than 2) Low: Agendas and minutes for meetings are public, and low number of institutional actors (2 or fewer in each case)
	<p>Inclusiveness and openness of policy process:</p> <ul style="list-style-type: none"> Composition of private interest groups (business and labor): self-selected vs. appointed by governments Strength of private interest participation: degree of codification 	<ul style="list-style-type: none"> Low: Business and labor groups are overwhelmingly appointed by governments, independent of whether access is codified; or no codified access for either group, regardless of its composition Medium: Business and labor groups are self-selected, but only one group has codified access to decision-making High: Business and labor groups are self-selected, and both have codified access to decision-making
Output Legitimacy	<p>Scope of supranational legislation:</p> <ul style="list-style-type: none"> Number of issue areas affected by REO law 	<ul style="list-style-type: none"> Low: Legislative activity covers over 9 or more issue areas Medium: Legislative activity covers 5 to 8 issue areas High: Legislative activity covers 4 or fewer issue areas
	<p>Intrusiveness of REO law:</p> <ul style="list-style-type: none"> Agreements or case law establishing bindingness and superiority of supranational law 	<ul style="list-style-type: none"> Low: REO laws are both binding <i>and</i> superior Medium: REO laws are binding <i>but not</i> superior High: REO laws are neither binding nor superior

a primary role in both legislative initiation and approval. Medium cases are those where there is a significant presence of elected officials at the REO level with limited powers (consultative, co-initiation, or co-approval) or a small presence of those officials in REO legislative bodies (i.e., those officials are a minority among non-elected officials in those bodies) but with a primary role in both initiation and approval.

Throughput legitimacy concerns the democratic quality of the governance process, requiring transparent decision-making and balanced opportunities for interest group participation in policy-making. Following EU scholars (Cook 2014), we operationalise the transparency mechanism in two ways: first, whether agendas and minutes for meetings central to the legislative process, i.e. those that relate to the initiation or approval of laws, are publicly accessible, that is, available online or easily accessible as printed materials; second, we assess the number of institutional actors involved in REO decision-making, i.e. those that have initiation, approval, or consultative rights. Low legitimacy occurs when meeting agendas and minutes are seldom, if ever, public, independent of the number of actors involved. High legitimacy is characterised by routine publicness of meeting agendas and minutes, and when two or fewer institutional actors are involved in the process. Our cut-off point is two because EU scholars and observers base their criticism on the fact that the EU does not mirror national legislative processes where parliaments, with the collaboration of government officials (i.e., the executive branch), are the key legislative actors. Those critics have expressed confusion at the involvement of the Commission, Council of Ministers, and Parliament. Medium legitimacy cases are characterised by publicness but also as involving more than two institutional actors.

We operationalise the second mechanism – the inclusiveness and openness of the policy process – in terms of the composition of and opportunities for participation of the two main sets of private interest groups in economic integration: business and labour (see Blagescu and Lloyd 2006: 220). In some organisations, such actors are overwhelmingly appointed by governments rather than the groups' own constituents – something that seriously undermines their inde-

pendence and therefore damages democratic legitimacy. In other REOs, interest groups select their members themselves. We code interest groups as being able to participate in policy-making when they have formal consultative competences – that is, when they enjoy a codified right to access key REO decision-making organs to present recommendations. Absent formal access, they are at the 'mercy' of governments, rendering inclusive and open policy-making largely impossible. Three democratic legitimacy levels can be discerned. Low legitimacy occurs when the groups' members are appointed by the REOs. It may also be defined by the lack of codified access, regardless of how group members are selected. High legitimacy is instead found in REOs where both business and labour have self-selected representatives who have codified access to decision-making processes in REOs. Medium cases happen by contrast when groups are self-selected but only one (for instance business) group has access to the process. We recognise that some scholars of the EU also consider as important the participation of other interest groups – such as environmentalists and consumer organisations (Greenwood 2003) – but limited our analysis, for practical purposes, to the two groups most commonly analysed.

Output legitimacy refers to the ability of democratic governments to provide public goods in line with the expectations of their citizens. Of concern to EU observers have been the growing scope of supranational legislation and its intrusiveness into the domestic legislative space. Scope can be operationalised as the number of issue areas (trade, environment, health, etc.) affected by REO law. Here, we draw on a measure developed by Lenz *et al.* (2014), who gauge the policy breadth of international organisations (including the EU) in light of 26 issue areas. We adapted the list to account for the fact that we are interested in economic integration only (see Appendix 2 for the list). Thus only areas formally tied to the process of economic integration (either because they are substantively economic in nature or because officials explicitly justify their legislative activity there as advancing the objectives of economic integration) were counted. Each policy area represents a potentially significant

realm of legislative activity for any nation state. We therefore determined that REOs with a policy breadth of 1-4 fall in the high legitimacy category, those with 5-8 policies fall in the medium category, and organisations with more than 8 policies fall in the low category. Following the writing on EU law (Alter 2001), we operationalise the second institutional mechanism, intrusiveness, by measuring the presence or absence of agreements or case law establishing the binding nature of REO law and its superiority over national law. Where REO law is neither binding nor superior to national law, governments face few constraints on enacting national legislation that is in the public interest. Binding and superior laws therefore generate low levels of legitimacy. REOs with laws that are neither binding nor superior enjoy higher legitimacy. Instances where REO law is binding but not superior constitute the medium category. REO law cannot be superior without being binding: we therefore do not consider this combination as a possibility.

To assess each REO in light of the above operationalisation scheme, we embarked on a close reading of all relevant supranational treaties, official documents, and policies as well as national constitutions of member states. To supplement that information, we also consulted secondary sources, all of which are listed in Table 3 below.

Evidence and discussion

In this section, we present and discuss the comparative evidence on levels of democratic legitimacy in REOs around the world. To reiterate, we assessed whether the six institutional mechanisms purportedly affecting democratic legitimacy in the EU negatively are also having the same effect elsewhere. Our analysis is not a comprehensive evaluation of whether those REOs are democratic or not. Table 3 below summarises our findings; we include the EU for reference purposes.

The first notable result is that all REOs suffer from low levels of legitimacy, at least on some dimensions of legitimacy. Not a single REO scores high on all, or almost all, six institutional mechanisms; at most, we see organisations with high scores on two mecha-

nisms. All but one organisation have substantial weaknesses in their democratic legitimacy in *each* of the three dimensions – input, throughput, and output –, scoring at least one ‘medium’ on the two mechanisms in each dimension; the sole exception is EFTA on throughput. Even though the six mechanisms may not comprehensively capture democratic legitimacy, and even if one questions (as some scholars do, as we noted at the outset) whether REOs should be held to these (or other) democratic standards, these results do suggest that REOs lack democratic legitimacy to a substantial degree.

The main reason is, in our view, that these REOs have started to depart from the ‘classical’ model of intergovernmental cooperation towards varying degrees of supranationalism, without re-establishing sufficient democratic oversight at the regional level (see Zürn 2000). The democratic legitimacy of intergovernmental organisations was traditionally secured by resting on classical international law: decisions were taken by consensus among directly elected Heads of State, had to be ratified by elected national parliaments, and their implementation was left to the discretion of national governments – something that allowed all those actors to retain the freedom to advance the public interest in a democratic fashion. Many of the REOs in this analysis, however, depart from this model in three main ways: (1) decisions are taken not by directly elected but appointed state representatives, (2) decisions do not require national parliamentary ratification, and (3) decisions are formally binding on member states once adopted and sometimes even superior to national law. In such a changing context of regional governance where ongoing decision-making processes are removed from the traditional oversight of national policymakers and interest groups, REOs lack, or face serious limitations when it comes to, the institutional mechanisms that promote democratic governance.

NAFTA, we should note, marks an exception. It rests largely on classical international law. Yet even this treaty is formally binding, thereby constraining domestic legislative freedom. Moreover, even REOs resting on closed contracts might suffer from a democratic legitimacy deficit defined in different

Table 3: Levels of democratic legitimacy in 10 REOs

	Input Legitimacy		Throughput Legitimacy		Output Legitimacy	
	National Parliaments (NPs)' Composition and Role in Law Production	Democratically elected REO decision-makers	Transparency	Private interest participation	Scope of REO laws ¹	Intrusiveness of REO Law
CAN	High: Legislators <u>elected</u> in all four member states; national legislators can <u>initiate</u> legislation (through their presence in CAN Parliament) but NPs have <u>no approval</u> rights. ²	Low: Officials are <u>appointed</u> to lawmaking bodies (Ministerial Council and Commission); elected officials in CAN Parliament have <u>no</u> initiation or approval powers.	Medium: Minutes of the meetings are generally <u>public</u> ³ but <u>3 institutional actors</u> involved (Ministerial Council and Commission, ⁴ with CAN Parliament having consultative powers). ⁵	High: Business and Labour Advisory Councils composed of <u>self-selected</u> officials have <u>codified access</u> .	Low: <u>15</u> issue areas ranging from energy, to welfare, to telecoms.	Low: Legislation is <u>binding</u> and (through the CAN Court of Justice) <u>superior</u> . ⁶
Mercosur	Low: Legislators <u>elected</u> in all five member states (with Venezuela in practice not democratic); but NPs have <u>no</u> initiation or approval rights.	Low: Officials are <u>appointed</u> to lawmaking bodies (Common Market Group, Common Market Council, Trade Commission); elected officials in Mercosur Parliament have <u>no</u> initiation or approval powers.	Medium: the minutes of the meetings are generally <u>public</u> ⁷ but there are 3+ <u>institutional decision making organs</u> (Council of the Common Market ⁸ , Common Market Group ⁹ , Trade Commission ¹⁰). Mercosur Parliament with mostly advisory functions.	High: Both labor and business <u>self-selected</u> representatives have <u>codified access</u> (Economic and Social Consultative Forum).	Low: <u>14</u> issue areas ranging from education, to migration, and to environment.	Medium: Legislation is <u>binding</u> , ¹¹ but <u>superiority varies</u> by country (not superior in Brazil and Uruguay; superior in Argentina and Paraguay, where international treaties and the 'community law' are above national law). ¹²

¹ See Appendix 2 for the coding of issue areas covered by REO laws.² Protocol Adicional al Tratado Constitutivo Del Parlamento Andino.³ See: <http://www.comunidadandina.org/Documentos.aspx?GruDoc=RR&Am bito=1>.⁴ Cartagena Agreement.⁵ Treaty of La Paz.⁶ Alter and Helfer (2010: 565).⁷ See: <http://gd.mercosur.int/SAM/GestDoc/pubweb.nsf/EstructuraInstitucionalMercosur.htm>.⁸ Treaty of Asuncion.⁹ Protocol of Ouro Preto.¹⁰ Protocol of Ouro Preto (proposes new trade and customs regulations to the Common Market Group).¹¹ Protocol of Ouro Preto, article 9.¹² Pont, Mariana Luna (2011) and Rowat et al. (1997: 17).

Table 3: Levels of democratic legitimacy in 10 REOs

	Input Legitimacy		Throughput Legitimacy		Output Legitimacy	
	National Parliaments (NPs)' Composition and Role in Law Production	Democratically elected REO decision-makers	Transparency	Private interest participation	Scope of REO laws ¹	Intrusiveness of REO Law
NAFTA	N/A: NAFTA is a closed contract.	N/A: NAFTA is a closed contract.	N/A: NAFTA is a closed contract.	N/A: NAFTA is a closed contract. [Note: Low deficit for initial treaty: <u>both</u> business and unions had <u>codified access</u> to negotiations ¹³]	N/A: NAFTA is a closed contract. [Note: Low for initial treaty, since the focus was on trade only.	N/A: NAFTA is a closed contract. [Note: NAFTA Treaty itself, once ratified, became <u>binding</u> ; its content <u>is superior</u> in some of the member states]. ¹⁴
EFTA (including EEA)	Medium: Legislators <u>elected</u> in all four member states; NPs have <u>limited approval</u> rights vis-a-vis decisions (decisions incorporate EU law; the apply to all member states except Switzerland). ¹⁵	Low: Officials are <u>appointed</u> to law-making body (EFTA Council); EFTA Parliamentary Committee has no initiation or approval powers	High: the minutes and agendas of the meetings are generally <u>public</u> ; ¹⁶ <u>2 institutional actors</u> (EFTA Council, with EFTA Parliamentary Committee with advisory role only). ¹⁷	High: Both labor and business <u>self-selected</u> representatives have <u>codified access</u> (Consultative Committee).	Low: Partly because of EEA, <u>13</u> issue areas covered ranging from fisheries to industrial policy to research.	Medium: Decisions formally <u>binding</u> , but superiority <u>partial</u> and varies by country. ¹⁸

¹³ Cameron and Tomlin (2002).

¹⁴ Warleigh-Lack (2010: 49).

¹⁵ Bull (2014).

¹⁶ See: <http://register.efta.int/> (per Decision of the EFTA Council No. 6 of 2007).

¹⁷ Vaduz Convention Agreement.

¹⁸ Bull (2014).

Table 3: Levels of democratic legitimacy in 10 REOs

	Input Legitimacy		Throughput Legitimacy		Output Legitimacy	
	National Parliaments (NPs) ^a Composition and Role in Law Production	Democratically elected REO decision-makers	Transparency	Private interest participation	Scope of REO laws ¹	Intrusiveness of REO Law
COMESA	Low: Legislators <u>not elected</u> in every NPs; NPs have <u>no</u> initiation or approval rights.	Medium: Some <u>elected</u> officials (depending on member states' democratic profile) present in key lawmaking body (Authority), with <u>appointed</u> officials in organs with <u>initiation</u> rights (Council of Ministers and relevant committees)	High: agendas and minutes for decision-making bodies are partially <u>public</u> ; ¹⁹ there are <u>2 main institutional actors</u> (the Authority, the Council of Ministers) ²⁰	Medium: Business with <u>self-selected</u> (elected) representatives (COMESA Business Council) with <u>codified access</u> (and right to recommend legislation); ²¹ labor <u>without codified</u> access.	Low: 15 issue areas ranging from regional policy to transport to data collection.	Low: Secondary law is <u>binding</u> and (through the COMESA Court of Justice) <u>superior</u> ²³ to national laws.
SADC	Low: Legislators <u>not elected</u> in every NPs; NPs have <u>no</u> initiation or approval rights	Medium: Some <u>elected</u> officials (depending on member states' democratic profile) present in key law-making body (Summit), with <u>appointed</u> officials in organs with <u>initiation</u> rights (Council of Ministers); <u>elected</u> officials in SADC Parliamentary Forum but with <u>no</u> initiation or approval powers	Low: Minutes and agendas are <u>secretive</u> ; ²⁴ <u>3 institutional actors</u> (Summit, the Council of Ministers, ²⁵ with SADC Parliamentary Forum with consultative role ²⁶)	High: <u>Self-selected</u> representatives (SADC National Committees) from various interest groups with <u>codified access</u> . ²⁷	Low: <u>13</u> issue areas ranging from currency to environment to welfare.	Medium: SADC law is <u>binding</u> when ratified, but <u>not superior</u> . ²⁸

¹⁹ See the limited documents available on <http://www.comesa.int/summit2015/documents/> and <http://www.comesa.int/summit2015/council-decisions/>.

²⁰ See: <http://www.comesa.int/summit2015/about-us/>.

²¹ See:

http://www.comesabusinesscouncil.org/attachments/article/3/110527_CB%20Constitution.pdf.

²² As stated in

http://about.comesa.int/index.php?option=com_content&view=article&id=83&Itemid=133. See in particular *Polytol v Mauritius* (August 2013) where the COMESA Court of Justice confirmed the binding nature of COMESA law regardless of domestic processes of incorporation.

²³ As stated in

http://about.comesa.int/index.php?option=com_content&view=article&id=83&Itemid=133. See also Drexel et al. (2012: 219).

²⁴ See depository on SADC's website: <http://www.sadc.int/news-events/speeches-communications/>.

²⁵ SADC Treaty.

²⁶ See the Constitution of the SADC Parliamentary Forum: http://www.sadcpf.org/index.php?option=com_content&view=article&id=73&Itemid=118.

²⁷ SADC Treaty, article 16A.13.

²⁸ Chisadza (2014: 78); Ebobrah and Nkhata (2010).

Table 3: Levels of democratic legitimacy in 10 REOs

	Input Legitimacy		Throughput Legitimacy		Output Legitimacy	
	National Parliaments (NPs)' Composition and Role in Law Production	Democratically elected REO decision-makers	Transparency	Private interest participation	Scope of REO laws ¹	Intrusiveness of REO Law
EAC	Low: Legislators <u>not elected</u> in every NPs; NPs have no initiation or approval rights.	Medium: <u>Partly-elected</u> officials (Summit) and <u>appointed</u> officials (Council) adopt decisions; <u>non-elected</u> officials initiate decisions (Council and Secretariat); <u>Non-elected</u> officials (Summit) and <u>partly elected</u> officials (in Legislative Assembly,) adopt bills and acts, with <u>partly elected</u> officials (Legislative Assembly) able to <u>initiate</u> laws.	<u>Low</u> : agendas and minutes are <u>secretive</u> ; <u>4 institutional actors</u> (the Summit, the Secretariat, the Council of Ministers, ²⁹ and the Legislative Assembly).	<u>Low</u> : <u>Self-selected</u> representatives (East African Trade Union Council and East African Business Council) <u>without codified access</u> .	Low: <u>12</u> issue areas ranging from agriculture to energy to transportation.	Low: Both decisions and bills and acts are both <u>binding</u> and <u>superior</u> to national law. ³⁰
ASEAN's AFTA & Associated Agreements	Medium: Majority of NPs are <u>elected</u> ; NPs, depending on country and nature of agreement, have <u>initiation</u> rights. ³¹	Medium: <u>Partly-elected</u> officials (Summit) and <u>appointed</u> officials (Free Trade Area Council and other councils depending on area) initiate proposals; <u>non-elected</u> officials (Free Trade Area Council and other councils) approve laws. Inter-Parliamentary Assembly with <u>partly elected</u> officials with consultative and selective initiation powers.	Medium: Meetings are summarized as press releases and are accessible online; ³² but <u>multiple organs</u> involved (Free Trade Council and other councils depending on area, Summit, and Inter-Parliamentary Assembly).	Low: Business and other associations (but not labor) of mostly <u>appointed</u> representatives <u>without codified</u> access. ³³	Low: <u>12</u> issue areas ranging from energy to transportation to telecoms	Medium: All decisions taken in ASEAN are <u>binding</u> on member states, but ASEAN law is <u>not superior</u> to national law. ³⁴

²⁹ East African Community (2012); Treaty for the Establishment of the East African Community.

³⁰ EAC Treaty, articles 8(4) and 16; Thorp (2010: 30); Oppong (2011: 47).

³¹ See: http://agreement.asean.org/search/by_pillar/2html.

³² See: <http://www.asean.org/communities/asean-economic-community/category/press-releases-5>.

³³ See Rüländ (2014).

³⁴ See Piris and Woon (2015: 115-116).

Table 3: Levels of democratic legitimacy in 10 REOs

	Input Legitimacy		Throughput Legitimacy		Output Legitimacy	
	National Parliaments (NPs) ⁷ Composition and Role in Law Production	Democratically elected REO decision-makers	Transparency	Private interest participation	Scope of REO laws ¹	Intrusiveness of REO Law
SAFTA	Low: Majority of NPs are <u>elected</u> ; but NPs have no initiation or approval rights.	Low: <u>Appointed</u> officials (Ministerial Council) <u>initiate</u> and <u>approve</u> decisions.	Low: Agendas and minutes are <u>secretive</u> ; ³⁵ <u>one</u> institutional actor (Ministerial Council). ³⁶	Low: No representative groups interfacing with process of economic integration.	Medium: 8 issue areas ranging from data collection to transportation to industrial policy.	Medium: All decisions taken in SAFTA are <u>binding</u> (with some exceptions ³⁷) on member states, but <u>no indication</u> that SAFTA laws are <u>superior</u> to national law.
EU	High: All NPs are <u>elected</u> and have <u>approval</u> rights.	Medium: European Parliament composed of <u>elected</u> officials with <u>approval</u> rights.	Medium: Agendas and minutes are <u>available online</u> ; but there are 3 <u>institutional actors in the co-decision procedure</u> (European commission, European parliament, and Council of Ministers). ³⁸	High: Business and labor, with <u>self-appointed</u> representatives, have <u>codified access</u> .	Low: 18 issue areas from trade to environment to health.	Low: EU laws are both <u>binding</u> and <u>superior to national law</u> .

³⁵ See: http://saarc-sec.org/areaofcooperation/detail.php?activity_id=5.³⁶ SAFTA Agreement, Art. 10.³⁷ Article 14 of SAFTA.³⁸ See Regulation No. 1049/2001 requiring legislative documents' availability.

terms: arguments could be made about the treaty negotiations themselves, its dispute resolution mechanisms, and, the consequences of the agreement on peoples' lives – as has been done for NAFTA's Chapter 11 and its investments clauses (Liptak 2004).

Beyond this overarching finding, our evidence shows considerable variation across legitimacy dimensions and across REOs. Let us consider legitimacy dimensions first. Maybe most worryingly, input legitimacy seems quite compromised: national parliaments are marginalized and there is insufficient democratic representation at the regional level. In some REOs (COMESA, SADC, and EAC), the majority of national parliaments are not elected and cannot, therefore, be vehicles for democratic representation. More generally, in most REOs national parliaments play no role in regional legislative processes. CAN, EFTA, and AFTA are partial exceptions: in each case, national parliamentarians have some initiation or approval rights. In parallel, when it comes to REO bodies, only in a few REOs do elected officials play a meaningful – even if partial – role in legislative processes. We also note that in several REOs there seems to be some balancing between national parliaments and elected officials in REOs: when the former play a role in REO legislative processes, the latter enjoy no real rights (CAN and EFTA); when, on the other hand, national parliaments play no role, elected officials at the REO level appear to have more legislative rights (COMESA, SADC, EAC).

Concerning throughput legitimacy, the picture is more mixed. While in most REOs legislative processes are not transparent, interest group representation in many REOs is fairly inclusive. In terms of transparency, three REOs (SADC, EAC, and SAFTA) suffer both from information secrecy and the involvement of multiple REO bodies. Three more REOs (CAN, AFTA, and Mercosur) have relatively open information but again have a high number of REO organs involved. Only EFTA and COMESA are transparent. When it comes to business and labour representation, however, the picture improves. In four REOs (CAN, Mercosur, EFTA, and SADC), business and labour groups are composed of self-appointed members who, in turn, have codified access to REO

legislative processes. In COMESA, membership is also self-appointed; here, however, only business has codified access. Only three REOs (SAFTA, AFTA, and EAC) perform poorly. We recognise that these results might need revisiting if additional interest groups (environmentalists, for instance) are included. The overall higher level of democratic legitimacy in throughput compared to input is not too surprising insofar as the institutional prerequisites for throughput legitimacy (at least as defined in this investigation) are easier to achieve.

In the case of output legitimacy, as with input, the evidence points to overall low levels of democratic legitimacy, though again we recognise that the focus of the analysis was on institutional measures and not, say, on the quality of output per se. With regards to breadth, REO law typically affects a high number of domestic policy areas. Indeed, in all REOs law affects between 12 and 15 issue areas – a remarkable point of similarity. The exception is SAFTA, where only 8 issue areas are impacted. Overall, REO law reaches into areas as diverse as fisheries, telecoms, social welfare, the environment, and, of course, trade. When it comes to intrusiveness, those laws are binding in every REO but not superior to national law in every case. Specifically, in three cases (AFTA, SADC, and EFTA) REO law is not considered superior to national law. In Mercosur and EFTA, the superiority of law varies by country. And in three REOs regional law is explicitly established as superior to national law: in COMESA and CAN this was established through the court system, while in EAC it is stated in primary legislation (and is recognised as such by legal scholars). The situation may change with time, of course: superiority may be asserted through the court system in most REOs. For the moment, however, one of the primary objections raised against EU law – that it is undemocratic because it supersedes democratically and domestically produced national laws – applies only to some of the REOs examined. Nevertheless, if we consider the combination of breadth and intrusiveness (which includes bindingness and superiority), the output dimension is overall compromised from a democratic legitimacy perspective, indicating that REO law formally constrains domestic legislative

activity to a considerable extent.

Several caveats about the above observations are in order. Our analysis does not differentiate, in terms of importance for democratic legitimacy, the mechanisms from each other. Is superiority to national law equally detrimental to democracy as breadth of REO law? Is the public availability of information as important as a legislative process that relies on two or fewer organs (so as to resemble national processes)? We did not 'weigh', in other words, the democratic importance of each mechanism. This would require considerable discussion and analysis – something that is beyond the remit of this paper but should certainly inform future research. It is also quite possible that there exist implicit trade-offs between mechanisms. For instance, REO officials may compensate for limited participation by national parliaments by empowering REO-level elected officials with legislative rights, though some scholars might object to the notion that sound throughput can 'compensate' for weak input (e.g. Schmidt 2013). Weakness in one area, in other words, might be a catalyst for improvement in another. Scoring positively on all dimensions might therefore be impossible and perhaps not necessary for the advancement of democracy. If so, our overall assessment of democratic legitimacy levels in any given REO might need additional calibration. Third, as noted earlier, there certainly exist additional possible elements of democratic legitimacy that we have not considered, given our focus on the six mechanisms purportedly causing a deficit in the EU context.

With the above in mind, we proceed to consider differences across REOs. Judged purely in terms of institutional mechanisms that are compromised, EAC and SAFTA are the least democratically legitimate. In all but one mechanism, EAC received 'low' legitimacy ratings. SAFTA has four mechanisms with 'low' legitimacy ratings (with only output receiving medium scores). No mechanism in either REO was rated as 'high'. These two REOs stand out as certainly suffering from a democratic legitimacy deficit. At the other end of the spectrum, EFTA and CAN have the highest levels of legitimacy. EFTA only has two mechanisms rated as 'low'. The rest were 'high' (both throughput mechanisms) and 'medium' (one for

input and one for output). CAN has three mechanisms rated as 'low', but also two as 'high' (with throughput having the least deficit). In both REOs, throughput in particular seems to benefit from sound democratic processes. The remaining REOs can be considered in the middle range. Mercosur, COMESA, and SADC have three mechanisms rated as 'low' and one as 'high' – with input and output showing the greatest deficit. AFTA only has two mechanisms rated as 'low' and none as 'high' – with input in this case being the area with the least deficit, and throughput legitimacy showing more deficiencies (see Rüländ 2014). There seems to be considerable heterogeneity, then, in this group. Overall, the analysis suggests that the most important REOs in the world generally suffer from a deficit of input legitimacy. Democratic legitimacy fares a little better when it comes to throughput and output, the latter largely because REO law is only rarely superior to national law, as in the EU case. The concerns expressed over time for the EU, then, apply to a good extent to other REOs.

Given the above, how does the EU itself fare in comparative perspective? The somewhat counter-intuitive finding is this: not so bad after all. This tailors with other recent studies that compare the EU not to other REOs but to model democratic nations (Zweifel 2002). Comparing the EU to the average legitimacy levels of the other REOs across mechanisms, the EU often fares better and generally does not fare worse. No other REO performs better than the EU in terms of input legitimacy. After the Treaty of Lisbon, national parliaments, all of which are elected, assumed an important role in policy-making, and the EU continues to be the only REO in our sample that features a directly elected supranational parliament with extensive legislative functions. While there is room for improvement, in particular regarding the electoral accountability of the European Commission (see Follesdahl and Hix 2006), electoral representation in the EU tends to be much better than elsewhere. Regarding throughput, the EU also fares better than most other REOs. With the exception of EFTA, no other REO features a more democratically legitimate governance process than the EU, even though some REOs are similar in terms of quality according to our

criteria (COMESA, Mercosur, CAN). Again, despite room for improvement that pertains specifically to the transparency of the policy process. We should note, however, that the EU has improved on many of these issues only recently. National parliaments, for instance, gained some real clout with the Treaty of Lisbon of 2007. The same can be said of the role of elected officials at the REO level, where the European Parliament has gradually gained a co-legislative role equal to the Council only over time.

The most problematic dimension in the EU is output. Even though output legitimacy is the most problematic dimension in most REOs, the EU appears to fare particularly poorly in comparative terms. Its policy scope, as it relates to economic integration, is by far the broadest (18 issue areas) and the superiority of EU law is generally more firmly established than elsewhere. Its laws appear to be, by far, the most intrusive when compared to other REOs. If input and throughput legitimacy have partially improved, the EU continues to face challenges in terms of its ultimate interface with society and the public (we are again agnostic here when it comes to the quality of that output, and reserve that consideration for further studies). There are possible connections, of course, between the first two dimensions and output: improvements in input and throughput (such as awareness that the European Parliament can, in fact, stop EU legislation) could perhaps make output more widely democratically acceptable. But the EU continues to face important challenges in democratic output legitimacy – ones that in our view merit more scholarly (and public) attention than they have hitherto received. Moreover, it is in the output dimension that the specific standard of democratic legitimacy, as opposed to legitimacy more broadly conceived, leads to the most counter-intuitive comparative finding: even though extant research shows that the EU ‘is by far the best-performing’ among REOs (Gray and Slapin 2012: 325), this does not coincide with an assessment of output from a democratic legitimacy perspective. In fact, some of the institutional features that are likely to contribute to the good performance record, such as binding and superior supranational law, undermine its democratic output legitimacy, as we op-

erationise it.

Our overall findings raise the question why the EU has tended to face stiffer criticism for its lack of democratic legitimacy than other REOs. At least two reasons appear relevant. The first reason is consequentialist. Given the EU’s greater intrusiveness into the daily life of citizens, as expressed in low legitimacy levels in the output dimension, the question of its democratic legitimacy is simply more salient, and therefore more widely voiced. The second reason is substantive. Given that, unlike in any of the other REOs considered in our analysis, democracy is a *prerequisite* for membership, the EU is held to higher standards of democratic legitimacy than are other REOs. In organisations largely composed of authoritarian countries, it would be surprising if vocal criticism of a democratic legitimacy deficit *of the organisation* were voiced.

Agenda for future research

This analysis is only a first step towards a more systematic understanding of the democratic legitimacy of REOs. In particular, it raises three intriguing questions that underpin a promising agenda for future research. We discuss these questions and potential initial answers in the remainder of this paper.

First, our findings, in line with the EU’s own experience, invite us to think about democratic legitimacy deficits not as a static condition, but one that might change over time. Have these organisations exhibited low levels of legitimacy from the beginning, or have they evolved over time? We know that many REOs, including most of the ones considered in our analysis, are institutionally dynamic entities (Lenz *et al.* 2014). Judged by the institutional mechanisms we identify, many changes in organisations can be expected to affect democratic legitimacy levels. Enhancing the participation of organized interest groups or creating a supranational parliamentary body, for example, tends to improve democratic legitimacy, whereas expanding the number of non-elected bodies in legislative production or extending the organisation’s remit into new policy areas tend to decrease it. Which of these dynamics, if any, dominate? Do we observe legitimacy *cycles*, where, somewhat akin to the

EU trajectory, institutional changes that are supposed to improve the efficiency of cooperation compromise legitimacy, which policy-makers subsequently seek to mitigate through further institutional reform? Or, instead, do we witness largely *unidirectional trajectories*, either because policy-makers care little about democratic legitimacy or because they eventually become concerned about growing legitimacy deficits and seek to address them? Future research might therefore seek to identify distinct types of deficit trajectories and cycles. In so doing, it could also discern how the efficiency- and the legitimacy-oriented logics of institutional change vary across time and contexts.

A second line for future research could focus on the relationship between levels of democratic legitimacy deficit as diagnosed by the application of normative institutional standards (as we did in this paper) and deficits as *perceived* by policy-makers and/or citizens themselves. The literature conventionally draws a distinction between an objective, or normative, understanding of democratic legitimacy, and a subjective, or sociological, one that centres on actual perceptions. Is there a systematic relationship between these two dimensions? Research on the European Parliament and the politicisation literature would answer this question in the affirmative. This literature stipulates a mechanism – politicisation – that connects an objective, institutionally oriented understanding of legitimacy with a subjective one that triggers political action. It could therefore also offer plausible hypotheses on the evolution of legitimacy deficits over time. But recent empirical research on EU and REO perceptions might suggest otherwise. It shows that such sociological understandings are largely unrelated to objective institutional conditions in the REO itself, and tend to hinge on individual level factors, such as economic and ideational perceptions or trust in domestic political actors (Schlipphak 2015).

A third set of questions thus concerns the drivers of democratic legitimacy levels. We could pose this as a question: why are there differences in levels of legitimacy across dimensions and across REOs, as we have seen in this article? We put forth here three plausible hypotheses. We do so by drawing on the EU and the wider International Relations literature. We turn first

to the nature of the domestic political systems of member states. It seems reasonable to assume that democratic member states are more concerned with advancing the principles of democracy in their international endeavours than non-democratic ones (and that non-democratic states have little interest in advancing democratic principles at the international level). The former group of member states has accordingly taken institutional steps to improve democratic legitimacy in their respective REOs, while the latter has been more hesitant.

At the same time, the nature of the REO itself might play a role. As REOs move important domestic functions towards the regional level – i.e., they increase the level of supranationalism by delegating and pooling sovereignty – public demand for democratic control has the potential to grow. Politicisation can then occur. This can lead to legitimacy-promoting institutional change (Zürn 2012; Schimmelfennig and Ritterberger 2006). Officials, in other words, can take steps to mitigate democratic legitimacy deficits in response to public concerns about the design of REOs. This appears to have happened in the EU (Duina 2015; Ritterberger 2012; Schimmelfennig 2000). And, importantly, it may happen more in one dimension of legitimacy than in another (input, for instance, rather than output). Thus, we can posit that increasing supranationalisation can lead to initial increases in democratic legitimacy deficits and, later, to selective steps toward the reduction of those deficits. This might explain some of the differences in legitimacy levels we observe across REOs, and, possibly, across dimensions of legitimacy.

A third factor may be the diffusion of democratic principles, and related institutional solutions, from democratic to non-democratic REOs. We know that REOs are ‘inter-connected’ in various ways, which facilitates processes of diffusion along various stages of the decision-making process. Thus, not only specific institutional remedies to problems can diffuse, but also the recognition of something as a political problem, as well as the understanding of that problem and potential solutions (see Jetschke and Lenz 2013; Duina and Lenz 2015). One plausible hypothesis, then, is that the recognition of a lack of democratic legitimacy in REOs

as a problem that requires determined political action might have diffused from democratic to non-democratic REOs. Relatedly, it is quite possible that elements of democratic (and non-democratic) design have travelled from one or more REOs to other REOs. Along these lines, for instance, Lenz (2013: 216) has argued that exchanges of expertise, knowledge, and resources

from the EU to Mercosur can explain why officials in the latter recently moved to establish a parliamentary body. Such diffusion may determine in part which REOs have the least or most deficits, and, as well, which dimensions of legitimacy may suffer from a democratic legitimacy deficit.

Appendix 1. Selected REOs in the Americas, Europe, Africa, and Asia

	REO (agreement date - GDP in 2013 US\$, est.)	Members (founding members if not on current member list)	Economic Objectives
America	CAN (1969 – \$900 billion)	Bolivia, Columbia, Ecuador, Peru, (Chile)	Common market: goods, services, capital, and labor with common external tariff
	Mercosur (1991 – \$2.9 trillion)	Argentina, Brazil, Paraguay, Uruguay, Venezuela	Common market: goods, services, capital, and labor with common external tariff
	NAFTA (1993 – \$19 trillion) & Side Agreements on Labor and the Environment	Canada, Mexico, United States	Free trade area: goods, selected services, all capital, no labor
Europe	EFTA (1960 – \$1.3 trillion), including participation in European Economic Area (EEA)	Iceland, Liechtenstein, Norway, Switzerland, (United Kingdom)	Free trade area: most goods and (after 2001) services, capital, and labor
Africa	COMESA (1994 - \$800 billion)	Burundi, Comoros, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, Zimbabwe	Common market: goods, services, capital, and labor with common external tariff
	SADC (2000 – \$296 billion)	Botswana, Lesotho, Namibia, Mauritius, Madagascar, Malawi, Mozambique, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe	Free trade area: goods and services
	EAC (2004 – \$100 billion)	Burundi, Kenya, Rwanda, Tanzania, and Uganda	Customs union and potentially common market
Asia	AFTA (1992 – \$2.3 trillion) & Associated Agreements	Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, Vietnam	Free trade area: most goods, most services, and most capital
	SAFTA (2004 – \$2.3 trillion)	Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka	Free trade area: most goods

Appendix 2. Coding policy scope

The policy scope of each REO was assessed with a list of 22 policy areas in hand. This list was adapted from a classification scheme used by Lenz et al. (2014) by retaining only policy areas that could potentially be tied to the process of economic integration (either because they are substantively economic in nature or because officials could conceivably justify legislative activity there as advancing the objectives of economic integration).

1. Agriculture
2. Competition policy, mergers, state aid, antitrust
3. Culture and media
4. Education (primary, secondary, tertiary), vocational training, youth
5. Development, aid to poor countries
6. Financial regulation, banking regulation, monetary policy, currency
7. Welfare state services, employment policy, social affairs, pension systems
8. Energy (coal, oil, nuclear, wind, solar)
9. Environment: pollution, natural habitat, endangered species
10. Financial stabilization, lending to countries in difficulty
11. Fisheries and maritime affairs
12. Health: public health, food safety, nutrition
13. Industrial policy (including manufacturing, SMEs, tourism)
14. Culture and Media
15. Migration, immigration, asylum, refugees
16. Regional policy, regional development, poverty reduction
17. Research policy, research programming, science
18. Taxation, fiscal policy coordination
19. Telecommunications, internet, postal services
20. Trade, customs, tariffs, intellectual property rights/ patents
21. Transport: railways, air traffic, shipping, roads
22. Data collection, statistics, reports

Notes

¹ Primary law, even in the EU, is generated through the 'traditional' procedures of international law: every member state holds a veto over the decision, national

ratification is required, and supranational institutions play no formal role.

² It should be noted also that, at the national level, it is common practice to derive normative standards from a model of liberal democracy and using these to judge countries' democratic credentials. Consider democracy indicators such as *Polity*.

³ The presence of delegated acts (per the Treaty of Lisbon of 2009 and, with it, Articles 288-292 of the Treaty on the Functioning of the European Union) is said to further compromise democracy, in that the Commission is in charge of those acts. Scholarship is only starting to discuss the implications of these acts for democracy (Georgiev 2013).

References

- Alter, K.J. (2001), *Establishing the Supremacy of European Law: The Making of an International Rule of Law in Europe* (Oxford: Oxford University Press).
- Alter, K.J. and Helfer, L. (2010), 'Nature or Nurture: Judicial Law-making in the European Court of Justice and the Andean Tribunal of Justice', *International Organisation*, 64 (4), pp. 563-592.
- Archibugi, D., Koenig-Archibugi, M. and Marchetti, R. (eds) (2011), *Global Democracy: Normative and Empirical Perspectives* (Cambridge: Cambridge University Press).
- Blagescu, M. and Lloyd, R. (2006), 'Assessing Accountability of Global and Regional Organisations', in P. De Lombaerde (ed.), *Assessment and Measurement of Regional Integration* (London and New York: Routledge), pp. 215-23.
- Bull, H. (2014), 'Shall Be Made Part of the Internal Legal Order: The Legislative Approaches', in EFTA Court (ed.), *The EEA and the EFTA Court: Decentred Integration* (Oxford: Hart Publishing), pp. 203-215.
- Cameron, M.A. and Tomlin, B.W. (2002), *The Making of NAFTA: How the Deal Was Done* (Ithaca, NY: Cornell University Press).
- Cheneval, F. and Schimmelfennig, F. (2013), 'The Case of Democracy in the European Union', *Journal of Common Market Studies*, 51 (2), pp. 334-350.
- Cheneval, F., Lavenex, S. and Schimmelfennig, F. (2015), 'Democracy in the European Union: Principles, Institutions, Policies', *Journal of*

- European Public Policy*, 22 (1), pp. 1-18.
- Chisadza, M.W. (2014), *Regional Financial Integration in Africa: Cross-listings as a Form of Regional Financial Integration* (Hamburg: Anchor Academic Publishing).
- Cross, J.P. (2014), 'The Seen and the Unseen in Legislative Politics: Explaining Censorship in the Council of Ministers of the European Union', *Journal of European Public Policy*, 21 (2), pp. 268-285.
- Dahl, R. (1994), 'A Democratic Dilemma: System Effectiveness versus Citizen Participation', *Political Science Quarterly*, 109 (1), pp. 23-34.
- Dahl, R. (1999), 'Can International Organisations Be Democratic? A Sceptic's View', in I. Shapiro and C. Hacker-Cordón (eds), *Democracy's Edges* (Cambridge: Cambridge University Press), pp. 19-36.
- Drexler, J., et al. (eds) (2012), *Competition Policy and Regional Integration in Developing Countries* (Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing).
- Duina, F. (2015), 'Making Sense of the Legal and Judicial Architectures of Regional Trade Agreements Worldwide', *Regulation & Governance*. doi: 10.1111/rego.12081.
- Duina, F. and Lenz, T. (2015), 'Regionalism and Diffusion Revisited: From Final Design Towards Stages of Decision-making', *Review of International Studies*, (forthcoming).
- Duina, F. and Raunio, T. (2007), 'The Open Method of Coordination and National Parliaments: Further Marginalisation or New Opportunities?', *Journal of European Public Policy*, 14 (4), pp. 489-506.
- East African Community (2012), *Strengthening Popular Participation in the East African Community: An EAC Guide to EAC Structures and Processes* (Arusha: Tanzania). Available from: http://www.eac.int/news/index.php?option=com_docman&task=doc_view&gid=283&Itemid=73 [accessed 17 June 2015].
- Ebobrah, S.T. and Nkhata, M.J. (2010), 'Is the SADC Tribunal under Judicial Siege in Zimbabwe? Reflections on *Etheredge v Minister of State for National Security Responsible for Lands, Land Reform and Resettlement and Another*', *The Comparative and International Law Journal of Southern Africa*, 43 (1), pp. 81-92.
- Eriksen, E.O. and Fossum, J.E. (2002), 'Democracy Through Strong Publics in the European Union?', *Journal of Common Market Studies*, 40 (3), pp. 401-424.
- Follesdal, A. and Hix, S. (2006), 'Why There is a Democratic Deficit in the EU: A Response to Majone and Moravcsik', *Journal of Common Market Studies*, 44 (3), pp. 533-62.
- Genschel, P. and Jachtenfuchs, M. (2011), 'How The European Union Constrains the State: Multilevel Governance of Taxation', *European Journal of Political Research*, 50 (3), pp. 293-314.
- Georgiev, V. (2013), 'Too Much Executive Power? Delegated Law-making and Comitology in Perspective', *Journal of European Public Policy*, 20 (4), pp. 535-551.
- Goetz, K.H. and Meyer-Sahling, J.H. (2008), 'The Europeanisation of National Political Systems: Parliaments and Executives', *Living Reviews in European Governance*, 3 (2). Available from: <http://www.livingreviews.org/lreg-2008-2> [accessed 30 January 2015].
- Gray, J. and Slapin, J. (2012), 'How Effective Are Preferential Trade Agreements? Ask the Experts', *Review of International Organisations*, 7 (3), pp. 309-333.
- Greenwood, J. (2003), *Interest Representation in the European Union* (Houndmills, Basingstoke, Hampshire: Palgrave Macmillan).
- Greenwood, J. (2007), 'Organised Civil Society and Democratic Legitimacy in the European Union', *British Journal of Political Science*, 37 (2), pp. 333-357.
- Griguresco, A. (2007), 'Transparency of Intergovernmental Organisations: The Roles of Member States, International Bureaucracies and Nongovernmental Organisations', *International Studies Quarterly*, 51 (3), pp. 625-648.
- Héritier, A. (2003), 'Composite Democracy in Europe: The Role of Transparency and Access to Information', *Journal of European Public Policy*, 10 (5), pp. 814-833.
- Hix, S. (2008), *What's Wrong with the European Union and How to Fix It* (London: Polity).
- Hyvärinen, A. and Raunio, T. (2014), 'Who Decides What EU Issues Ministers Talk About? Explaining Governmental EU Policy Coordination in Finland', *Journal of Common Market Studies*, 52 (5), pp. 1019-1034.
- Hurrelmann, A. (2015), 'Demoi-cratism in Europe: An Impossible Ideal?', *Journal of European Public Policy*, 22 (1), pp. 19-36.
- Hurrelmann, A. and DeBardeleben, J. (2009), 'Democratic Dilemmas in EU Multilevel Governance: Untangling the Gordian Knot', *European Political Science Review*, 1 (2), pp. 229-47.
- Jetschke, A. and Lenz, T. (2013), 'Does Regionalism

- Diffuse? A New Research Agenda for the Study of Regional Organisations', *Journal of European Public Policy*, 20 (4), pp. 626-637.
- Kahler, M. (2004), 'Defining Accountability Up: The Global Economic Multilaterals', *Government and Opposition*, 39 (2), pp. 132-58.
- Lenz, T. (2013), 'EU Normative Power and Regionalism: Ideational Diffusion and Its Limits', *Cooperation and Conflict*, 48 (2), pp. 211-228.
- Lenz, T., *et al.* (2014), 'Patterns of International Organisation: General Purpose vs. Task Specific', *Politische Vierteljahresschrift*, 49, pp. 131-156.
- Liptak, A. (2004), 'NAFTA Tribunals Stir US Worries', *New York Times*, 18 April. Available from: <http://www.nytimes.com/2004/04/18/politics/18COUR.html> [accessed 30 June 2015].
- Lodge, J. (1994), 'Transparency and Democratic Legitimacy', *Journal of Common Market Studies*, 32 (3), pp. 343-68.
- Majone, G. (1998), 'Europe's 'Democratic Deficit': The Question of Standards', *European Law Journal*, 4 (1), pp. 5-28.
- Majone, G. (2009), *Dilemmas of European Integration: The Ambiguities and Pitfalls of Integration by Stealth* (Oxford: Oxford University Press).
- Mayntz, R. (2010), 'Legitimacy and Compliance in Transnational Governance', Working Paper 10/5 (Cologne, Germany: Max Planck Institute for the Study of Societies). Available from: <http://www.mpifg.de/pu/workpap/wp10-5.pdf> [accessed 30 June 2015].
- Menon, A. and Weatherill, S. (2008), 'Transnational Legitimacy in a Globalising World', *West European Politics*, 31 (3), pp. 397-416.
- Moravcsik, A. (2002), 'In Defence of the 'Democratic Deficit': Reassessing the Legitimacy of the European Union', *Journal of Common Market Studies*, 40 (4), pp. 603-34.
- Moravcsik, A. (2004), 'Is There a 'Democratic Deficit' in World Politics? A Framework for Analysis', *Government and Opposition*, 39 (2), pp. 336-363.
- Nicolaidis, K., *et al.* (2014), 'From Metropolis to Microcosmos: Europe's New Standards of Civilisation', *Millennium: Journal of International Studies*, 42 (3), pp. 718-745.
- Oppong, R.F. (2011), *Legal Aspects of Economic Integration in Africa* (Cambridge: Cambridge University Press).
- Peter, F. (2010), 'Political legitimacy', *Stanford Encyclopedia of Philosophy*. Available from: <http://plato.stanford.edu/entries/legitimacy/#Aca> [accessed 30 June 2015].
- Piris, J.C. and Woon, W. (2015), *Toward a Rules-Based Community: An ASEAN Legal Service* (Cambridge: Cambridge University Press).
- Pont, M.L. (2013), 'Southern American Common Market', in G. Finizio, L. Levi and N. Vallinoto (eds), *The Democratisation of International Institutions Democracy Report 2011* (Centre of Studies on Federalism).
- Raunio, T. (1999), 'Always One Step Behind? National Legislatures and the European Union', *Government and Opposition*, 34 (2), pp. 180-202.
- Raunio, T. (2009), 'National Parliaments and European Integration: What We Know and Agenda for Future Research', *Journal of Legislative Studies*, 15 (4), pp. 317-334.
- Ribeiro Hoffman, A. and van der Vleuten, A. (eds) (2007), *Closing or Widening the Gap? Legitimacy and Democracy in Regional Integration Organizations* (Burlington, VT: Ashgate).
- Risse, T. (2010), *A Community of Europeans? Transnational Identity and Public Spheres* (Ithaca, NY: Cornell University Press).
- Rittberger, B. (2012), 'Institutionalising Representative Democracy in the European Union', *Journal of Common Market Studies*, 50 (s1), pp. 18-37.
- Rittberger, B. and Schroeder, P. (Forthcoming), 'Legitimacy and Democracy', in T. Börzel and T. Risse (eds), *Oxford Handbook of Comparative Regionalism* (Oxford: Oxford University Press).
- Rodrik, D. (2011), *The Globalization Paradox: Why Global Markets, States, and Democracy Can't Coexist* (Oxford: Oxford University Press).
- Rowat, M., Lubrano, M. and Porrata, R. (1997), *Competition Policy and MERCOSUR* (World Bank Publications), World Bank Technical Paper No. 385, p. 17. Available from: <http://elibrary.worldbank.org/doi/pdf/10.1596/0-8213-4055-7> [accessed 30 June 2015].
- Rüland, J. (2014), 'The Limits of Democratising Interest Representation: ASEAN's Regional Corporatism and Normative Challenges', *European Journal of International Relations*, 20 (1), pp. 237-261.
- Schlipphak, B. (2015), 'Measuring Attitudes toward Regional Organizations Outside Europe', *The Review of International Organizations*, 10 (3), pp. 351-375.
- Schmidt, V.A. (2013), 'Democracy and Legitimacy in the European Union Revisited: Input, Output and 'Throughput'', *Political Studies*, 61 (1), pp. 2-22.

- Stein, E. (2001), 'International Integration and Democracy: No Love at First Sight', *The American Journal of International Law*, 95 (3), pp. 489–534.
- Sbragia, A. (2008), 'Comparative Regionalism: What Might It Be?', *Journal of Common Market Studies*, 46 (s1), pp. 29–49.
- Scharpf, F. (1999), *Governing in Europe: Effective and Democratic?* (Oxford: Oxford University Press).
- Schimmelfennig, F. (2000), 'International Socialisation in the New Europe: Rational Action in an Institutional Environment', *European Journal of International Relations*, 6 (1), pp. 109–139.
- Schimmelfennig, F. and Rittberger, B. (2006), 'Explaining the Constitutionalisation of the European Union', *Journal of European Public Policy*, 13 (8), pp. 1148–1167.
- Steffek, J. (2015), 'The Output Legitimacy of International Organisations and the Global Public Interest', *International Theory*, 7 (2), pp. 263–293.
- Stiglitz, J.E. (2003), 'Democratising the International Monetary Fund and the World Bank: Governance and Accountability', *Governance*, 16 (1), pp. 111–39.
- Thorp, T. (2010), 'Challenges of Incorporating the Economic *Acquis Communautaire* on the East African Community in a New Common Market', Working Paper No. 2010/14 (Society of International Economic Law).
- Voermans, W., Hartmann, J.M.R. and Kaeding, M. (2014), 'The Quest for Legitimacy in EU Secondary Legislation', *Theory & Practice of Legislation*, 2 (1), pp. 5–32.
- Weiler, J.H.H., Haltern, U.R. and Mayer, F. (1995), 'European Democracy and Its Critique', *West European Politics*, 18 (3), pp. 4–39.
- Warleigh, A. (2006), 'Learning from Europe? EU Studies and the Re-thinking of International Relations', *European Journal of International Relations*, 12 (1), pp. 31–51.
- Warleigh-Lack, A. (2010), 'The EU in Comparative Perspective: Comparing the EU and NAFTA', in F. Laursen (ed.), *Comparative Regional Integration: Europe and Beyond* (Burlington, VT: Ashgate Publishing Company), pp. 43–61.
- Warleigh-Lack, A. and Rosamond, B. (2010), 'Across the EU Studies—New Regionalism Frontier: Invitation to a Dialogue', *Journal of Common Market Studies*, 48 (4), pp. 993–1013.
- Winzen, T. (2010), 'Political Integration and National Parliaments in Europe', *Living Reviews in Democracy* 2. Available from: <http://www.livingreviews.org/lrd-2010-5> [accessed 30 January 2015].
- Wolf, K.D. (1999), 'The New *Raison d'État* as a Problem for Democracy in World Society', *European Journal of International Relations*, 5 (3), pp. 333–363.
- Zürn, M. (2000), 'Democratic Governance beyond the Nation-State: The EU and Other International Institutions', *European Journal of International Relations*, 6 (2), pp. 183–221.
- Zürn, M. (2012), 'The Politicisation of World Politics and Its Effects: Eight Propositions', *European Political Science Review*, 6 (1), pp. 47–71.
- Zweifel, T.D. (2002), '... Who is Without Sin Cast the First Stone: The EU's Democratic Deficit in Comparison', *Journal of European Public Policy*, 9 (5), pp. 812–840.

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