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KRZYSZTOF JASIECKI
University of Warsaw

A Reconfiguration of the Interest Representation System in the European Union

Abstract: Interest groups are one of the main types of representation which mediate between public opinion and decision-making processes in the EU. The crisis of global capitalism and the crisis of liberal democracy as well as the accumulation of crises in the EU have shaped system of representing interests in a new way. The article features the latest changes in this system including the intermediary institutions activity conditions in the Member States and in the EU. Since the 2008 crisis, populist and authoritarian politicians, both "right-wing" and "left-wing," have questioned the current system. In this context key aspects of the weakness of representation of interests in Central and Eastern Europe are presented. They result from the overlap of the global crises into the specific problems of the post-communist "dependent market economies." In conclusion, some theoretical limitations of research on the representation of interests in the EU and the possibility of overcoming them are being discussed.

Keywords: global capitalism crisis, erosion of liberal democracy, redefining the representation of interests in the EU, weakness of organized interests in Central and Eastern Europe

Introduction

In the European Union, interest groups together with political parties form one of the most important types of organizations that mediate between the public opinion and EU decision-making processes. Interest groups defined as voluntary associations of citizens in trade unions, employers' associations, women's organizations, ecological and regional movements, etc., aim to promote and protect their own interests in the political process. In the EU they play a similar role as in any democratic system (Hix 2005). At the domestic level, they try to influence governments, or approach the EU institutions directly, join forces in the member states to jointly lobby the Commission, EU Council working groups or the European Parliament and other EU institutions, such as the Economic and Social Committee or the Committee of the Regions. They participate in working out a compromise with civil servants, support political parties to ensure representation of interests in national and European politics, and enter legal proceedings in domestic and EU courts. Interest groups are among the main political actors in the EU system, along with the governments of the Member States, supranational institutions, political parties, national administrations and voters. By extending the regulations, the Union redefines the preferences of the national interest groups towards their "Europeanisation." As a result, European integration in a new way strengthens the links between interest groups and national institutions. Interest groups

can, to a greater extent, control the public policy in the Member States and at the same time (often) give it a more "European" character. The influence of European integration on the relations of interest groups with national governments proceeds according to different patterns, which results mainly from the different models of democracy and representation systems in the Member States.

In debates on the EU, interest groups have often been perceived as a significant remedy for the "deficit of democracy" at the supranational level, including the manifestation of the participation of European civil society. The thesis has been formulated that they strengthen democracy and create new channels and resources for the legitimacy of EU institutions (Eising 2007: 219; Greenwood 2007: 177–211; Van Schendelen 2002). However, in the situation determined by the crisis of liberal democracy, the euro area crisis, the migration crisis and Brexit, fundamental political changes in the member states and in the Union, several questions arise. Accumulation of crises and the conditions of the system of interest groups in the EU, the reasons for criticizing this system and its redefining and the new position of CEE countries in representing interests in the EU are becoming particularly important.

The Erosion of Liberal Democracy

Although democracy functions in many variants, its common denominator is the acceptance of plurality of interests. For this reason, the following terms: liberal democracy, representative democracy or pluralist democracy are often treated interchangeably, and the theory of representation as an essential element of the social contract has become the basis for the legitimacy of the modern state (Held 2006; Saward 2003). The theory of representation referring to the concept of people's sovereignty is also an instrument of power: the state arises as a product of its own collectivity, and its organs are a legal sovereign, independent of any religious or institutional authority; as a result, the state is treated as a sovereign representative of its citizens' interests, functioning on the basis of their authority, and the actions of its representatives have binding consequences.

A significant increase in civic activity and political participation in democratic countries after World War II, analogically to the processes of globalization and European integration, gave further meanings to the concept of representation. It obtained new political and transnational dimensions resulting from the activity of various interest groups, also related to the complexity of issues of a borderline nature—financial risk, environmental protection, mass migration, terrorism, etc. An important aspect of this phenomenon is the development of non-governmental organizations, global social movements, transnational advocacy networks, such as Greenpeace or Oxfam, obtain support of the media and public figures, including celebrities. The Internet forums, festivals, mass rallies, protest marches or new urban movements (e.g. Castells 2012) have become manifestations of such activities.

However, the global financial crisis, triggered by the collapse of Lehman Brothers in 2008, fundamentally changed the context of pursuing politics, including representation of interests. Due to the close links between the United States and the EU, it was quickly transferred to the euro area, which was also reflected in the occurrence of other trends eroding international relations. The crisis made the third wave of democratization, characterized by

Samuel Huntington in the early 1990s, enter the phase of stagnation, and later regress. Particularly significant manifestations of this tendency were the attack on the World Trade Centre (2001), the war in Afghanistan (from 2001) or the occupation of Iraq (2003–2011). They opened new opportunities for the expansion of Islamist terrorism, the rise of China's power, and aggressive policy of Russia, coexisting with the aftermaths of the "Arab Spring" 2010–2012, linked with armed conflicts, humanitarian catastrophes and mass migration to the EU.

Such events coexist with structural and civilizational changes involving the shift of the centre of gravity of the global economic and political life to Asia. These changes are considered a symptom of downfall of the, initiated in the 16th century, global domination of the Western world, including Europe (Ferguson 2012; Zakaria 2009; Wallerstein 2003; Ferguson 2005). One of the consequences of this change is the increase in the role of those states which, like China, Russia or Turkey, are carriers of systems of values and interests defined differently from Western traditions. The effects of the global financial crisis in 2008 led to a situation in which liberal democracy, which until recently was considered the ultimate form of government, began to lose its appeal in the face of populist, nationalistic, xenophobic and authoritarian tendencies, also in the EU. The most significant distinguishing feature of such tendencies in 2016 was the Brexit, and later the presidential victory of Donald Trump in the United States.

These events are the manifestation of a radical reversal of the way of thinking about political issues, as well as the direction of foreign and economic policies of those states which over the past decades have been the strongest promoters of neoliberal globalization. According to Dani Rodrik (2011), such changes can be seen as a consequence of the spreading influence of market hyper-globalization and the weakening national state and the erosion of democratic politics that are losing their ability to cope with domestic developmental challenges. The principles of "corrosive asymmetry" have been formed, which is one of the main reasons for the expansion of modern populism (Rodrik 2018). Timothy Snyder (2016) recognizes the United States, which from democracy with elements of oligarchy evolved into an "oligarchy with elements of democracy," as the archetype of changes defining the principles of such tendencies. On a global scale, the measure of challenges in this area is the rapid concentration of wealth considered as a parameter of the social structure description, and, at the same time, the economic indicator of oligarchic tendencies. Since the publication by Thomas Pikietty the book *Capitalism in the 21st Century* (2013), the increase in such distances and wealth differences has been considered in the public discourse as one of the main reasons for the criticism of neoliberal capitalism, especially of its distribution policy. The financial crisis of 2008 unleashed hopes for correcting the extremes of the neoliberal economic and social policy. However, that did not occur.[1]

By Eurostat definition unemployment rate in 2013, has reached levels not known in Europe for many decades: in Greece—27,5%, Spain—26,1%, Portugal—16,4% and Ireland—13,1% (Farkas 2016). The combination of political and economic forces supporting the neo-liberal direction of economic development has led many Western countries to trans-

[1] According to the Oxfam report (2018: 10), 1 percent of the richest people in the world have more assets than the rest of humanity, and 42 people have such wealth as 3.7 billion people. In the United States, the three richest Americans have wealth comparable to the wealth of 160 million citizens from the lower half of the country's population.

forming irresponsible or fraudulent behaviour of banks—such as Lehman Brothers, HSBC, Credit Suisse, UBS, JP Morgan Chase, Citigroup, Royal Bank of Scotland—into a public debt (inter alia due to the introduction of aid packages for the banking sector). While many employees lose their jobs, and, as part of austerity measures, social benefits are reduced, the wealth of large corporations grows, and salaries of bank presidents return to pre-crisis levels (Crouch 2011). Consequently, as a result of the deprivation of the society, many countries—with highly developed ones at the forefront—began to reject the existing institutions in favour of charismatic, Caesaristic and authoritarian political leadership. Such a reorientation of preferences is usually combined with radical criticism of the liberal-leftist elites, which are contrasted with the people, defined as a homogenous "sovereign," and postulates of the moral rebirth of the society most often, though not only, inspired by conservative values.

An important distinguishing feature of this reorientation is the criticism of the system of representation of interest. It usually refers to anti-systemic resentments and the necessity of making collective decisions by charismatic political leaders with large social support. Undermining the authority of democratic institutions is justified in this narrative by the need to restore power to "ordinary people." The advocates of this position oppose in a simplified way the ties between the "corrupt" elites and the " morally pure " society, whose interests are to be directly represented by politicians considering themselves, and recognized by a significant part of voters, as the sole exponents of its interests. This approach clearly aims to limit the role and importance of autonomous institutions—the system of justice, the media, central banks, regulatory agencies or academic environments.

The dominant representations of interest are often, and not without reason, accused of actions aimed for some social actors, especially elites, large corporations and foreign capital. Political leaders, assigning such a role to them, also use direct forms of communication with citizens, which tend to marginalize organized representatives, through the depreciation of existing forms of representation of interests, using the social media, sending direct information via e-mail or through mass gatherings mobilizing their supporters (Zielonka 2018; Müller 2017). Such activities are fostered by the increasing opacity of the existing principles of representation of interests in the relations among citizens, members of organizations and politicians at various levels of power. In the mosaic of entities active in the public sphere and in the processes of political decision-making, it is often difficult to say who represents whom, on what basis and how effectively. The internal principles of dialogue in organizations, as well as the holding the authorities accountable for the actions undertaken, have become problematic. The complexity of decision-making processes and the multiplicity of stakeholders in the EU have led to the emergence of trends, also occurring in the Member States, to favour dialogue with organizations which are most representative and have the broadest membership base. In such circumstances, civil society organizations play small socialization and participatory roles, and their structures become too elitist to engage their members in the actual shaping of politics.

As a result, the deinstitutionalisation process, understood as a weakening or disappearance of many key principles, including those serving the democratic articulation and representation of interests, continues to progress. Such situations, typical of crises, open new policy paths that diverge from the established standards. Contradictions and the double face

of Western democracy have been revealed, which provides its populist critics with strong arguments. On the one hand, modern liberalism has expanded the principles and guarantees of protection of individual rights against the tyranny of the majority within the system of checks and balances. However, at the same time, liberal elites, using democratic institutions, exclude a large part of citizens from participating in strategic decisions concerning, inter alia, the economy, the welfare state and immigration, which they most often justify citing the principles of global competition (Grosse 2015; Czachór 2015).

Amid the accumulation of crises, politics became an area of struggle between opposing tendencies of: 1) "undemocratic liberalism," observing the law on which citizens have less and less influence; and 2) "illiberal democracy," questioning, on behalf of "the people," the law in force, including minority rights and individual rights. Influential is the view that the ruling elites use in their interest a mix of power and lobbying influences, personal connections and expert knowledge. Indicated as examples of such, are, among others, public aid for banks and some industrial enterprises, or tax reliefs granted—as in the USA or France—to individuals with the highest income to finance the economic growth. After 2008 the clash of the supporters of "undemocratic liberalism" with advocates of "illiberal democracy" led to the most serious crisis in the West since the 1930s (Mounk 2018).

Researchers referencing Karl Polany's counter-movement concept compare the post-crisis global transformation to the 'fascist situation' of the 1930s, when the global crisis sharpened the fundamental contradictions in the development of capitalism (Nölke 2017; Bohle, Greskovits 2012, also Albright 2018, in another approach). Other scholars juxtapose the consequences of the crisis tendencies that have been going on for over a decade against the collapse of the world order shaped by the Congress of Vienna in 1815 (Hass 2018). Regardless of the accuracy of these comparisons, which requires a separate discussion, the current confrontation of the proponents of "undemocratic liberalism" with advocates of "illiberal democracy" undermines the integrity of the Euro-Atlantic system in the sphere of balance between its values, structures and processes.

The political legitimacy of this system in individual countries as well as in the EU and NATO is under question. What can be indicated in this regard are, among others, Donald Trump's unpredictable presidency undermining Washington's credibility, rejecting the transatlantic partnership in trade and investment (TTIP), unprecedented political tensions in American relations with the EU, the withdrawal of the USA from the Trans-Pacific Partnership with Asian countries (TTP), the revision of the NAFTA agreements, and unilateral termination of the agreement with Iran or negotiations with North Korea (Yarhi-Milo 2018). Another manifestation of the erosion of global principles are "customs wars" conducted by the administration of President Trump both with American allies, as well as with China and the violation of the WTO standards. Such actions undermine the normative and institutional framework of world order that functioned after the end of the Cold War.

Redefining the Representation of Interests in the EU

The processes of de-institutionalization and erosion of political and economic ties, including their integral part of the interest representation system, exist both in the Member States

and at the EU level. On the wave of criticism of the inefficiency of the democratic system, the crisis of the main political parties and the pathology of representative politics, the groups that Pierre Rosanvallon calls the expressers of "negative democracy" or "counter-democracy" became influential. Their leaders and supporters show lack of trust toward various forms of representation along with preferences for the creation of new interest groups based on the resentment policy and social protests (Runciman, Vieira 2008). During the domination of neo-liberal ideology and economic policy after the collapse of the Soviet Union and other communist regimes in Central and Eastern Europe (CEE), convergence strengthened among moderate left-wing and right-wing parties, social democrats, liberals, Christian Democrats and conservatives.

This phenomenon—criticized in democratic countries as exchange of governments, but not the policies pursued—has opened up space for new actors in the public sphere to mobilize poorly represented groups of dissatisfied voters. Further crises prove that the European Union, in its current political and institutional shape, has a rather limited capacity to face new challenges. Their overlap and accumulation have revealed the weakness of not only several European economies, but also that of the configuration of the euro and the EU. Certain countries and social groups have benefitted from the European turmoil, but the EU as a whole did not belong to the group of such beneficiaries (Zielonka 2014). Due to large differences of interests at various EU levels, the adoption of one variety of reforms, let alone their implementation requiring the adoption of a common position, seems unlikely. Particular adaptive responses have already emerged, which both within the Member States and at the European Union level operate in different political directions, rarely resulting in widely accepted concepts for solving problems.

In the EU, as in the US, the regress of political institutions is visible: crisis, decline or collapse of major parties contested by new social movements, growing wealth inequalities and social gaps, corruption and incompetence of leaders, heavy budget debt, dysfunctional regulations, excessively complicated laws and disappearing civic activity (Ferguson 2012). In Southern Europe, the symptoms of such tendencies are new social movements and parties of protest, which in this region more often tend to be left-wing, such as Podemos in Spain or Syriza in Greece, and in other EU countries are mainly anti-immigration, right-wing, conservative, Eurosceptic or anti-EU, expressed by the Northern League in Italy, the National Union in France, the Freedom Party in the Netherlands and the AfD in Germany. On the other hand, in Central Europe, particular influences are played by right and statist political parties, distancing themselves from the EU mainstream. Their most significant examples are the Fidesz in Hungary and the Law and Justice party in Poland (Zielonka 2018; Müller 2017; Inglehart, Norris 2016).[2]

On the wave of Islamic terrorist threats and fears related to the influx of migrants, various forms of populism and radicalism also gain significant support in countries that were considered to be the mainstay of stable democracies—in Germany, Austria, France, Benelux and Scandinavia, which additionally contributes to undermining the principles of operation of the EU. Qualitative changes on the political scene of member countries also lead to a critical review of views regarding the system of representation of interests. The

[2] Regarding the varieties of European populism, its national specificity and distribution of influence among voters in the EU, see The Economist (2018a: 11–12 and 17–19, as well as *The Economist* 2018b: 85).

financial crisis in the European Union revealed the limitations and contradictions of the neoliberal economic development strategy, differentiating the "clout" of various interest groups, including those that grant the greatest benefits to large businesses and cross-border corporations. It exposed the weakness of mechanisms correcting the asymmetries of influence among the representations of interests in the political and economic dimensions. The course of the crisis, to a large extent, has confirmed the warning that societies may perceive the EU as a field of domination of lobbying groups supported by various institutions and organizations, which favours civic passivity (Van Schendelen 2002).

However, new types of mobility and political activity have also emerged. Nationalistic, national and centrifugal tendencies, including regional ones, are becoming stronger, challenging the existing philosophy of the integration process and the transnational nature of the European Union. In this context, the crisis of party systems and dominant political parties is to a large extent transferred to the sphere of representing interests—both at the domestic level and in the EU institutions. Former parties and interest groups are growing weak, and new political parties and movements, especially those populist and radical ones, hardly create social resources and channels of articulation that strengthen the legitimacy of EU institutions. Due to the diverse nature of political concepts, the "parties of protest" with movements and social organizations related to them are rather negative in the role of intermediaries between the public opinion and the EU decision-making process shaped earlier in the European integration. In such circumstances, the system of representing interests becomes more dysfunctional when faced with the challenges of European integration. Especially that against the hopes, the interest groups policy has not become a significant remedy for the "democratic deficit" in supranational institutions. It has strengthened the political and procedural alienation of the EU elites from representatives of the societies of the member countries, which are difficult to navigate in the environment of specialized, professional interest groups closely cooperating with political institutions and the public administration within the "domestic" and "EU" decision channels.

The EU is the most institutionalized international organization in the modern world that has created a complex system of intergovernmental and supranational institutions with specific decision-making procedures, sources of law and principles for their application, such as co-decision, comitology and judicial decisions. Due to the features of decision-making processes in the European Union, effective participation strengthened especially the influence of well-organized interest groups with significant economic and political resources at their disposal (Varoufakis 2017).[3] Such practices disseminated the view that the European Union is governed by a narrow group of elites, with little participation of citizens with access to the changing arrangements, but without the opportunity to have a say concerning their scope and shape (Zielonka 2014). In recent years major conflicts and political divisions have also occurred in the sphere of civic participation, which at the EU level leads more often to fragmentation and weakening than to strengthening the European *demos*.

[3] After the rejection of the European constitution in referendums in France and in the Netherlands in 2005, it was stressed that in the EU, the political elite, bureaucrats, corporate executives and lobbyists have the greatest influence and power, resulting in the loss of confidence in EU institutions of EU citizens. The hermeticity of decision-making processes and the lack of mechanisms for accountability of political responsibility, as well as selective self-agency were among the reasons for this phenomenon.

This kind of social sentiments strengthen a clear cohesion and confidence crisis both among the Member States and in their relations with the EU. They radically change the functioning of EU institutions, which also determine the capabilities of the interest representation system. Before the Euro area crisis, several specific features of this system were distinguished: 1) high dynamics resulting from the multiplicity of participants; 2) comprehensiveness and horizontal and vertical diversity; 3) dominance of agreement and consensus seeking; 4) fragility of EU legitimacy (Eising 2007: 203). Most of them have been subject to significant modifications in recent years. The dynamics of the system participants, resulting from structural changes, increases as many associations represent only part of the interests of individual communities. They delegate their activity to higher levels of industrial or regional organizations, which leads to the fragmentation of interests and organizations, as well as to the growing asymmetry of the influence of different representations (Kohler-Koch at al. 2013: 8).

At the EU level, there are formed new representations of employers, trade unions, large corporations, the NGO sector, professional and industry groups, regions or lobbying, legal and other firms. Their activities recall certain problems such as limited transparency of action, increase of organization's independence from the core participation membership and controversies related to representativeness. The significance of this type of phenomena and tendencies increases with the complexity of organizational forms that alienate the elites, as well as with transferring their activities to the transnational level, favouring the creation of new models of representation, adapting to a different environment and institutional milieu (Runciman, Vieira 2008: 123).[4]

A certain paradoxical consequence of the development of the EU system of representation are also its institutional changes. As the results of the "EUROLOB II" study show, the policy of openness and inclusiveness towards interest groups not only increases the possibility of easy and quick access to the decision-making process, but also increases competition and rivalry between stakeholders, including the downgrading of until recently privileged organizations (Kurczewska 2016: 46). In turn, horizontal and vertical variations deepen differences of interests among various EU countries and regions, strengthened by centrifugal forces (Scotland, Catalonia, Northern Italy, Belgium etc.) and protectionist tendencies and competitive regulatory proposals, in the field of macroeconomic policy, energy and environmental policies, tax harmonization, social systems and labour law, among others.

Across the EU, the crisis has strengthened asymmetries in the EU political process, whose principles strengthen the goals and interests of some actors, especially those with surplus exports and big corporate business, and weaken others—including national institutions and less competitive economies.[5] Such circumstances narrow the application of the consensus principles. A manifestation of this tendency is the progressing renationali-

[4] Researchers carry out a synthetic review of representation theories and their limitations. They also emphasize that representation can be in opposition to democracy and can justify autocratic governments or revolutions. Representations are also subject to alienation processes. In the theory of the elite, the "iron law of the oligarchy" is known (formulated by R. Michels) which describes the mechanisms of the alienation of leadership elites from the member masses of the organization.

[5] There are two types of institutional asymmetry in the EU: the first, favouring neoliberal policy, is referred to as "negative integration" abolishing market restrictions, and the other, strengthening the policy of "positive inte-

sation of politics in the EU institutions and the unprecedented growth of the role of some states, Germany in particular. At the same time, the crisis in the euro area has significantly strengthened the role of technocratic institutions, primarily the European Central Bank (ECB), and limited the use of the community method, including the authority and power of the European Commission. This direction of change manifests itself, among others, in the establishment of the "Troika" (IMF, ECB, EC) that periodically subordinate the Southern European states and Ireland to the creditor states. Another example of one-sidedness is the construction of the Nord Stream 2 gas pipeline in the Baltic Sea or the decision of August 2015 by Chancellor Angela Merkel regarding the admission of migrants from the Middle East.

Similarly, the absence of a permanent coalition may be considered when electing the President of the European Parliament (EP) in 2017; the circumstances of electing A. Tajani indicate a departure from the principle of consensus in the filling of posts, which may indicate lower predictability of EP votes after the 2019 elections. This option is indicated, among others, by attempts to create an EU forum for cooperation between populist and nationalist parties before the elections to the European Union, undertaken by Steve Bannon (former adviser to Donald Trump), which are to contribute to the increased presence of the "protest parties" in Brussels. For decades, the EP was the most pro-integrative EU body. Under the new circumstances, it is not clear what the role of this institution will be in the future. Similarly, the ability of the European Commission to effectively operate becomes an open question (Rachman 2018).

The scale of challenges in this respect is illustrated by the accumulation of various crises, which are of a fundamental nature and, in extreme cases, may lead to the disintegration or fall of the EU. Tensions are visible between the major states that make up policy, *the decision makers*, and countries that adapt to the decisions the key actors, *the decision takers*, the debtors and the creditors in the euro area, the members of the euro area and the states outside of it, those who accept migrants from the Middle East and Africa, and those separating themselves from such a policy. Such reactions are sometimes interpreted as an announcement of the evolution of the global order towards new forms of "organized capitalism" within the framework of a nation-state. According to Andreas Nölke (2017: 10), "in historical perspective, this movement is part of long-term cycles between liberal and organized capitalism and represents a new phase of organized capitalism. Similar to the developments in the 1930s, this phase can both take a progressive or a reactionary direction."

States such as Hungary and Poland emerged and, under the slogans of "cultural counterrevolution," referred to different axiological values, including their own interpretation of national sovereignty and state system, and the system of balance of powers and principles of the rule of law dissimilar to the EU standards (Bluhm, Varga 2019). As a result, the phenomenon of de-constitutionalisation is taking place, manifested by the waning implementation of the *aquis communitaire*, compared to the legitimacy crisis of the Weimar Republic, due to the low problem-solving capacity of the EU institutions and the falling accountability of various levels of European governance (Scharpf 2016). In addition, the legitimacy of the Union is reduced by doubts about the conflict of interest and the principle

gration" that protects the integrity and diversification of national institutions from excessive pressure of economic competition. So far EU actions have supported mainly the principles of "negative integration" (Scharpf 2009).

of "revolving doors" at the interface between the elites of national states and the EU institutions. Especially that they concern the persons holding the highest positions in the EU.

Their manifestation is, among other things, a controversy over successive presidents of the European Commission (EC) and other politicians closely associated with EU institutions, including: J. C. Juncker, EC president since 2014, formerly Prime Minister of Luxembourg between 1995 and 2013, who was accused of creating in his a country tax evasion system advantageous for large corporations (the so-called LuxLeaks affair); Jose Manuel Barroso, chairman of the European Commission in the period between 2004 and 2014, who transferred to the position of the head of the European department in Goldmann Sachs, the New York bank; leading national politicians, very significant also within the EU structures, including Gerhard Schroeder and Tony Blair, who, having left the state posts, began working for controversial principals in non-European countries. The principle of "revolving door," identified with the transfer of politicians to the private sector, has also gained new dimensions in the EU, involving prime ministers in member countries (e.g. Silvio Berlusconi, Andrej Babisz) who, as entrepreneurs, were accused of breaking the law.

Such career patterns adversely affect the ethical standards and social perception of the EU system of representation of interests.[6] As Jan Zielonka (2018) notes, as a result of the above tendencies, the view that Europe needs integration is gaining importance; not the kind of integration offered to us today by the EU, but one that has the character of alternative solutions and developing new forms of cooperation. It is difficult to say unequivocally how the changes taking place translate, or may translate, into a system of representing interests, whose rules in the EU remain formally unchanged. However, it can be assumed that, according to the EC announcements, in the foreseeable future they will be adapted to decisions within the framework of the choice between "the Union of many speeds" or "the hard core."

An indicator of the direction of changes are provisions regarding the regulation of a low-emission economy, the banking union, posted workers, as well as proposals for a new EU budget, including combining the amount of support in cohesion policy with the monitoring of the rule of law in the Member States or the creation of a separate budget for the countries of the euro area. Announcements of this kind of activities are perceived in Poland, Hungary and Romania as building instruments to pressure the state authorities which, in the opinion of the EU institutions, violate the principles of the rule of law (Bluhm, Varga 2019; Albright 2018; Zielonka 2018; Müller 2017; Pakulski 2016). These actions are aimed at changing the "clout" of representation of interests of countries with different status in the EU, determined in particular by membership in the euro area. The consequences of Brexit will probably accelerate this process by defining the new institutional shape of the Union.

Weakness in the Representation of Central and Eastern Europe

The organization of representation of interests is not one of the strengths of political activity in Central and Eastern Europe (CEE). This situation results from many historical, structural,

[6] Doubts about the activities of lobbyists are reported by the Politico website in Brussels. This problem is dealt with by the organization of ALTER UE, which initiates actions for changes in the EU lobbying regulations criticized as a corporate capture instrument.

institutional and cultural occurrences. After a long period of communist rule, the states of this region are characterized by a relatively weak organization of societies and limited awareness of the importance of representation of interests on the forum of the European Union. Even before the Second World War, with the exception of Czechoslovakia, the CEE countries were ruled by dictatorships or authoritarian governments. At the same time, due to the lower level of economic development, they have smaller material resources and fewer opportunities to promote their positions in the EU, measured by, among other things, the volume of funds earmarked for this purpose, the number of representations, and their staff, in Brussels, or the frequency of maintaining contacts with EU institutions (Kurczewska, Jasiecki 2017: 27–51; Kurczewska 2016).[7]

The findings of various studies lead to the conclusion that important distinguishing features of post-communist countries' political systems include the weaknesses of civic society, which limit not only social participation, but also the activity of representing interests and lobbying in the EU. Various forms and instruments for supporting external interests related to the activity of public, civic or self-government diplomacy at an early stage of development there.[8] The shape and forms of the revival of the system of representation of interests have also been significantly determined by the circumstances of the post-communist transition, in particular the type of transformations of the political system and market economy. In the countries of the region, the creation of new system solutions coincided with the rapid institutionalization of the political interactions of entities of highly technocratic and expert character.

Among such entities, apart from EU institutions, there were very influential transnational economic actors: e.g. private banks, large corporations, consulting, legal and auditing companies, as well as constitutional tribunals, central banks and media networks, operating in a new systemic formula. The increase in their influence did make the public space become pluralistic and complex, but the legitimacy of politics was shaped to a large extent by external standards, related to the direction of political reforms and the requirements of the accession to the European Union, and to a lesser extent, by national patterns of political behaviour. In CEE, this tendency was confirmed by the large role of liberal media, as well as by politicians, publicists and experts, usually using the language and technocratic criteria transferred from the capital markets, EU directives etc.

The patterns of pursuing politics shaped in new circumstances turned out to be closer to new forms of "post-national democracy" than to traditional national and democratic institutions that inspired and mobilized dissidents, opposition movements and social awareness towards the end of the communist system. The dominance of these patterns, as part of the "Europeanisation" process, meant that the states of the region were becoming similar to Western countries in their ways of thinking and acting. However, in the conditions of a weakly rooted "democracy after communism," the social base of pro-EU parties was rel-

[7] Data in this area is provided by, among other things, research results of the international project "EUROLOB II." It covered national employers' associations in Germany, France, Poland and the UK, European business organizations as well as other European non-governmental organizations representing social interests and enterprises (Kurczewska, Jasiecki 2017; Kohler-Koch at al. 2013).

[8] See analysis of civic participation in the Visegrad Group countries, which are considered taking into account empirical indicators regarding participation in referenda, public consultations, civic participation, budget participation, etc. (Marczewska-Rytko at al. 2018).

atively limited, due to, among other things, the critical social reception of the balance of costs and benefits of the political changes or the association of the new language of description of the society with the discourse of new elites. During political or economic crises, such restrictions began to be politically capitalized by populist and anti-system groups, which in their rhetoric are often nationalistic, Eurosceptic or anti-European.

Such trends were strengthened after the accession to the EU of most states of the region. Partially, they can be explained by the recovery from difficult conditions of post-communist economic reforms and joining the EU and related adjustment costs: deindustrialisation and collapse of state enterprises, unemployment unknown for decades, deterioration of working conditions, radical budget cuts or significant social exclusion (Jasiecki 2008). These costs were only selectively compensated by the effects of the high economic growth between 2004 and 2008; the euro area crisis demonstrated the limitations of the development model based on the inflow of foreign investment and EU cohesion funds. This crisis hit the post-communist countries of the region with great force, especially in the Baltic republics, Slovenia, Romania and Hungary (Gorzelak, Goh 2010). The EU, membership in which had for long been treated in the CEE states as a guarantee of stabilization and development, began to be perceived by the people of the CEE region as a source of instability and threats, financial and economic crises, as well as a security crisis, resulting from migration and potential transfer of Islamist terrorism. The crises also revealed new dependencies and internal divisions within the EU: those among the euro area states, the peripheral states of Southern Europe and Central and Eastern Europe, and those of the North Development Centre concentrated around Germany, Benelux and Scandinavia as well as states open to migration from North Africa and the Middle East and those opposing this migration (such as the Visegrad Group). What became clear then were the institutional and economic weaknesses of many CEE countries as well as rising restrictions of the political economy of the region based on imitative modernization, compliance with the EU regulations, the inflow of foreign investment and exports to the West.

Researchers referring to the concept of Peter Hall and David Soskice (2001), influential in the literature of diversity of capitalism (*Varieties of Capitalism, VoC*), often emphasize that the strategies for systemic transformation in most CEE countries in the 1990s implemented neoliberal principles of the market economy. The distinguishing feature of these strategies was a radical transition to the coordination of economic activity mainly through the market, prices and contractual relations based on cost calculation. In such a variant of economic development, representations of interests are usually fragmented and dispersed, oriented more towards competition and short-term actions than towards social dialogue, consensus and long-term cooperation, characterized by continental models of the coordinated economy—such as that of Germany, Austria, Benelux or Scandinavia. Some researchers, using the VoC perspective to CEE in their location analysis in comparison with Western countries, formulated the concept of the region's development as primarily based on direct foreign investments. They described this development as liberal capitalism (King, Szelenyi 2005), dependent market economy (Nölke, Vliegenthart 2009) or regional transnational capitalism (Bohle, Greskovits 2012).[9]

[9] See the special issue of the French journal *Revue de la regulation* (2018), comparing the development of capitalism in CEE and in Latin America.

The common denominator is the thesis that the economies of most CEE countries, in the process of European integration, were subjected to the principles that prioritize the interests of Western corporations taking control of the main sectors of the economy and enterprises—in finance, telecommunications, trade and exports (Myant, Drahokoupil 2011). The consequence is, among other things, the dominant role of foreign investors in the most significant and profitable segments of the region's economies, which limits the possibility of their more dynamic development (Myant 2018; Farkas 2016: 373–469; and Jasiecki 2016: 51–72). Structural dependencies of this kind significantly affect both the national interest representation systems and the effectiveness of EU actions.

For example, in Poland the significant presence of foreign corporations in some sectors makes it difficult to develop a strategy of domestic capital in terms of competitiveness and innovation of enterprises, balancing the development of domestic and foreign companies, promotion of brands, services and goods, consolidation of domestic business or export expansion. In domestic associations of employers, transnational corporations' branches, whose interests are often different from the preferences of local business or state authorities, play an important, often crucial, role. This system of representation of interests distinguishes between conflicting pluralism, weakness, decentralization and organizational dispersion, including the lowest in the EU membership in employers' associations and trade unions (Welz at al. 2016; Trappmann et al. 2014). These are systemic features that reduce the effectiveness of articulating national interests on the EU forum. Their consequence is, among other things, intra-organizational transformations of interest groups in response to Poland's accession to the European Union; domestic organizations are mostly oriented towards domestic activity. Some have seen opportunities in activities at the EU level. However, the dominance of confrontational strategies and the weakness of interest groups means that their functioning has relatively low effectiveness. As empirical research shows, European representation strategies in comparison with the strategies of Polish employers' associations are less developed and less intense. They are firmly rooted in the local context and political culture, different from EU standards aimed at seeking a consensus. They are based more often on direct interpersonal contacts than on the use of institutionalized forms of action, such as participation in social consultations, systematic contacts with EU bodies or cooperation with other European stakeholders (Kurczewska 2016).

Poland is not an exception in CEE. The weakness of organized interest groups in the region additionally adversely strengthens such tendencies. Especially that, as a result of introducing anti-crisis regulations in the EU, the less developed and smaller countries find it more difficult to have any impact on their formation, let alone enforcement. The consequence is the progressive erosion of the principles of cohesion, solidarity and EU community policies, which is contradictory to the original assumptions of European integration (Jasiecki 2016). In turn, the response to the crisis in the euro area and its consequences in CEE was the growing polarization within the power elite and the departure from the liberal-democratic consensus formed in the 1990s, which enabled cooperation between various political environments.

As in many Western countries, the 2008+ crisis reinforced in the post-communist countries the processes of destabilization and fragmentation taking place in the political elite and in societies (especially in the younger generation), which are radicalizing under patriotic,

nationalist, authoritarian, populist, Eurosceptic and anti-European tendencies.[10] The most significant examples of changes are Hungary since 2010 and Poland since 2015, perceived as an indication of the collapse of the elite agreement previously considered a political model in the region, as well as symbols of regress of democracy (Albright 2018; Zielonka 2018; Müller 2017; Tomšič 2017; Pakulski 2016). Although similar trends are present in many countries, especially in Western states, in CEE they have their own specificity. In comparison with mature democracies in which the institutions of division and balance of power, the rule of law, freedom of expression and social participation are more strongly rooted, in the post-communist countries there is greater susceptibility to the influence of populist and authoritarian parties that do not have a strong counterweight in internally divided societies of "winners" and "losers" of the transformation.[11]

A manifestation of political changes in CEE are new and modified concepts of regional cooperation. The first of them, as part of the Visegrad Four Group (V-4), since the migration crisis of 2015, has been built on the level of cooperation and coordination of interests of those states that oppose the concept, announced by the European Commission, of reallocation of migrants arriving in the EU. At the same time, the governments of Hungary and of Poland are trying to use the V-4 actions to challenge the so-called Copenhagen criteria in the CEE countries that joined the EU and to promote "non-liberal democracy" (Inotai 2017; Góralczyk 2015). The second concept, the Three Seas Initiative (TSI), which was initiated by Croatia and Poland in 2016, assumes closer cooperation between the Adriatic, Baltic and Black Sea countries. The TSI was joined by Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Lithuania, Latvia, Poland, Romania, Slovakia, Slovenia and Hungary. At the summit in Bucharest in December 2018, Germany also declared its accession. The main task of the TSI is to strengthen the economic cooperation of the countries of the region in the area of transport and energy infrastructure. The initiative received political support from President Trump who was a special guest at the TSI summit in Warsaw in July 2017.

However, the future of these projects is uncertain. It is not known to what extent they will integrate, or divide, the CEE countries. Especially that the basic political contradictions among the participants are visible; for example, Poland prefers closer ties with the USA, but Hungary prefers tighter relations with Russia. It is not clear to what extent these initiatives can counterbalance German-French interests (which is suggested, inter alia, by inviting President Trump to the TSI summit in Warsaw, but not extending the invitation to EU representatives), or they will be equivalent to other EU regional initiatives, such as Benelux or the Nordic Council. Will the projects be more economic, or more political? Some countries in the region, such as Hungary and Poland, want to use them for the promotion of "non-liberal democracy" in the EU, while others—for example the Czech Republic, Slovakia and the Baltic republics—see in them mainly the opportunity to pursue economic objectives (Stępniewski 2018; Ukielski 2018).

[10] The causes and consequences of mainstream rejection by the young generation in the Czech Republic, Poland, Slovakia and Hungary are characterized by articles in *Aspen Review Central Europe* (2017).

[11] In the comparative studies of the Nations in Transit, based on the annual Freedom House surveys conducted since 2004, the quality of democracy has improved only in two countries—in Latvia and in the Czech Republic; however, in these countries it has also been deteriorating since 2008. The largest regress occurs in Hungary, Poland and Slovakia (Tomšič 2017: 163–165).

In some countries of the region, xenophobic, nationalist, authoritarian, centralist and statist tendencies are also very important. They are particularly strong in Hungary and Poland, where the state's share in the economy is increasing (including in the ownership of enterprises). The growing role of the state has important consequences also for the representation of interests. It strengthens the importance of the political factor in these countries, reduces the importance of the private sector and the representation of autonomous social interests, like non-governmental organizations and independent media, that the ruling party is trying to control. Hungary has been an example of such a scenario since 2010, and to a lesser extent also Poland since 2015. In a new way they create the rules of "state captures," which a decade ago were referred to as *Rebuilding Leviathan*, exploitation of the state by the ruling parties (Bluhm, Varga 2019; Chapman 2017; Grzymała-Busse 2007). Such initiatives and challenges pose a risk of further deepening of divisions within the EU.

This is a problem of nominal and real convergence, the importance of which keeps growing with each subsequent enlargement, first within the EEC (the Southern enlargement) and later the EU (the Eastern enlargement). These processes strengthen the heterogeneity and regionalization of European integration. If the European Union is to survive, its dysfunctions cannot be overcome without strong community institutions capable of strengthening the development potential of the weaker member states (Farkas 2016: 503–504). Interest groups have an important role to play in creating such a potential. The current state of discussion, however, allows us to formulate a hypothesis that their significance will be secondary to political decisions regarding the new shape of the European Union. Especially that the accumulation of crises exemplifies the influence of neorealist theories to a greater extent. They reflect the dominance of strong states, which strengthens the influence of intergovernmental theories at the expense of the assumption of the key role of groups of interest particularly influential in the neo-functionalist theories of European integration.

Conclusions

Policy development in the EU and the system of representing interests are characterized by such concepts as the theories of policies pursued by pressure groups, the participation of civic society in EU policies or the Europeanisation of public affairs. The multidimensional crisis, however, creates the need to revise the fundamental categories of theoretical European studies (including the EU Member State and EU institutions), as well as the characteristics of its causes. It is a situation that opens new areas of research, going beyond the established conceptualizations, which is manifested, among other things, in the discussion on the "spillover" concept (the spread of a community policy into other areas)—the key to the neo-functionalist theory of European integration. The domination of the executive over the legislative since the euro area crisis, the growing importance of European summits and of the European Central Bank in comparison with the decreasing role of the Parliament and democratic procedures generate changes important also for the system of interest groups and lobbying in the EU (Gagatek 2015). The relations between high politics and low politics are changing in such a way that the policies of the governments of the member states become again more important than the activities of political parties, national and transna-

tional pressure groups or EU institutions. At present, it is difficult to prejudge the durability of this trend and its consequences for the representation of interests in the European Union. Brexit challenges the linear logic of integration processes, and also confirms the value of research categories focusing on phenomena different from the mainstream of European studies, such as the "disintegration of the European Union."

As some researchers suggest, such disintegration can be described as a situation in which the following is going to occur: 1) reducing the policies implemented by the EU, 2) reducing the number of Member States, or 3) reducing the European Union's ability to make decisions in opposition to individual Member States (Webber 2014). The centrifugal tendencies in some CEE countries may be considered similarly, since they indicate the possibility of implementing failure scenarios of "Europeanisation" also in other regions of the EU, e.g. by stopping integration, regress understood as a return to previous organizational logic, or replacing integration with an alternative model. The turbulences revealed during the euro area crisis verify many assumptions regarding interest groups in the EU, including those related to their overly prescriptive character, asymmetric "clout" of participants, functions and methods of lobbying, etc. The euro area crisis and the division into the core and the peripheries of the European Union also generate the search for alternative forms of cooperation and representation.

The scenarios of the "hard core" or "several speeds" of the EU development increase the probability of further differentiation of the states and the strengthening of the division into "stronger" and "weaker" participants of the interest representation system (e.g. according to the criterion of participation in the euro area). The question remains about the role and place of CEE countries in these changes, what strategies for "escaping from the periphery" they can implement and to what effect. A stimulating inspiration for reflection in this area are, among other things, publications on geopolitical dimensions of the centre-periphery relations in the EU, economic, legal and institutional consequences of the crisis in the euro area and the transformation of models of capitalism in the EU (Nölke 2017; Farkas 2016).

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Biographical Note: Krzysztof Jasiecki, Ph.D., Professor of Sociology at the University of Warsaw, Poland, specializing in economic sociology, institutions of capitalism, political and business elites, wealth, interest groups and lobbying, European integration and globalization. His current research focuses mainly on institutional and economic changes in recent years in Poland and other Central and Eastern European countries, the representation of interests in the European Union and the problems of research on wealth. Author of books *Kapitalizm po polsku. Między modernizacją a peryferiami Unii Europejskiej* (*Capitalism Polish Style: Between Modernization and the Periphery of the European Union*, Polish Academy of Science, 2013) and *Elita biznesu w Polsce. Drugie narodziny kapitalizmu* (*Business elite in Poland. The second birth of capitalism*, Polish Academy of Science, 2002). His latest publications include a chapter *"Conservative modernization" and the rise of Law and Justice in Poland* in a book edited by Katharina Bluhm and Mihai Varga, *New Conservatives in Russia and East Central Europe* (Routledge 2019) and the co-edited volume *Reprezentacja interesów ekonomicznych i społecznych w Unii Europejskiej* (*Representation of Economic and Social Interest in the European Union*, University of Warsaw, 2017).

E-mail: k.jasiecki@uw.edu.pl