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EU CIVIL SERVANTS AND EUROPEAN POLITICAL IDENTITY

Abstract: The paper analyses the possible longitudinal impact of the EU civil servants ethics on constructing the common political identity as a desired outcome of the supranational political community. Since the late 1980s, the concept of European political identity has shaped academic debates and public discourse, being conceived as a final product of successful integration process that promises to serve as a plausible solution of the current institutional problems in the EU, such as: the democratic accountability of the EU, the legitimacy deficit, the distance between decision-makers and demos and the lack of public support. Being professional career bureaucrats, both the supranational civil servants and the delegated national public servants have an important role in providing day-to-day administrative routine in the EU institutions, as well as in drafting and implementing the EU policies; indirectly, they enhance European political identity via shared values and goals on which is based the process of building the European political community through gradual sectoral integration. The author examines the mutual dependence between ethical behaviour of the EU civil servants in exercising supranational powers, their loyalty to European ideas, democratic legitimacy, public trust in supranational institutions, and the construction of the common political identity. The author concludes that, regardless of the future constitutional design of the European political community, only civil servants of strong moral and professional integrity, and being true Europeans, are capable of contributing to the construction of European political identity, as well as of being a model for citizens how to be a good European "constitutional patriot".

Key words: EU civil servants, European political identity, public service integrity, democratic legitimacy, supranationality.

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The imbalance between the embryo of the European demos and the elitist nature of the supranational project

The process of European integration, begun on the stunted remains of Europe after total war, has contributed to the establishment of lasting peace and security, the protection of common values in the face of expanding Communist influence, the rebuilding of destroyed infrastructure, the revitalisation of economic flows and the connecting of once warring countries into a single family of peoples. The ensuing decades saw national competencies in various areas of public policy transferred bit by bit, in order to provide an efficient response to the weakened ability of the nation-state to independently resolve social problems caused by the processes of globalisation in the form of a significant increase of cross-border social and economic transactions. The most fitting solution was the establishment of supranational institutions. Once their competencies started expanding, so did the direct influence of Common policies of the EU onto the public policies of individual member states, as well as their political and administrative structures.[2]

Although the initial idea of a constitutional European Federation was transformed into a technocratic-functionalist approach of "small steps" — so-called spillover incentives for supranational integration from one public policy sector to another — the European Union could today hardly be described simply as an institutional framework for the reduction of transaction costs, the free flow of goods, services, and people, i.e. an efficient solution to cross-border problems, and conflict management. The increasing influence on the everyday life of citizens in the last fifteen years raises the fundamental paradox of the political system of the Union, stemming from the shared sovereignty and transferred national competencies. The paradox is that although governance, on the one hand, takes place on several levels through complex institutional actions with regional, national, and transnational actors, on the other, representation, loyalty, and identity remain stubbornly entrenched in traditional institutions of the nation-state.[3] It seems that the European Union has still not transformed the political life of nation-states to the extent that we can speak of a new supranational political community. Rather, it has simply adjusted old political forms to new circumstances.

The root cause of the aforementioned paradox lies in the elitist essence of the European integrationist project. Not unlike the plans for the unification of the continent thought up occasionally by advisers of certain medieval and more recent West European rulers, the modern project of integration, both in the functionalist and federalist version,

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[2] For more, see: Anne Stevens, "Europeanisation and the Administration of the EU: a Comparative Perspective", *Queen's Papers on Europeanisation*, No. 4, 2002, www.qub.ac.uk/schools/Schoolof Politics InternationalStudiesandPhilosophy/FileStore/EuropeanisationFiles/Filetoupload,5279,en.pdf.

[3] For more, see: Peter Kraus, *A Union of Diversity: Language, Identity and Polity-Building in Europe*, University of Cambridge Press, Cambridge, 2008, pp. 1–36; Simon Hix, *The Political System of the European Union*, Palgrave, Basingstoke, 2005.

has been the result of the consideration and effort of a small number of influential people who belonged or belong to the political and/or social elite of developed European countries. The initiation of debate around the drawing up of the Convention on the Future of Europe in 2002 was the first attempt at informing the public regarding further integration and the broadening of supranational competencies, as well as an attempt to offer a clear picture about who gains, and what, when, and how, in the political system of the Union. Still, the unexpected initial rejection of the constitutional plans from the "old" members of the EU, Holland and France, which occurred at the 2005 referendums, was partially an expression of revolt against the reduction to a passive role of circling "yes" and accepting, like several times prior, documents already drawn up in "corridors of power" by the ruling elites and influential social and political circles. The referendum was accepted in Spain, but the small turn out (around 42 percent) put the acceptance of the plans for a constitution in question in this populous member state.[4]

A shift in the basis of legitimisation of the European Union from international treaties to a European constitution is unlikely because there is no unified *demos*, a European political people, which would be the subject of the process of constitutionalisation, and would be able to establish itself as a civic nation.[5] The implementation of EU policies cannot in itself create the conditions for the development and reproduction of a mutual political and ethical understanding of citizenry. According to Joseph H. Weiler, the constitutionalist doctrine assumes the existence of a *demos*, and, yet, legally speaking, a constitution itself establishes a *demos*; thus, the integrity of constitutionalist norms is not only important in the context of law and political power, but as a question of moral attachment and identity.[6] Constitutions contain the fundamental values of polities, an expression of collective identity, and therefore it can be said that so far, the European integration represents a constitutional act without the traditionally present polity. According to widely accepted theoretical understandings, the demos, as the bearer of sovereignty and democratic legitimacy of governance, must be rooted in the cultural, linguistic, and historical collectivity of its members, and the common political discourse arising from these elements. The adoption of a democratic system of governance presupposes not only the existence of a practical need to make decisions regarding given questions of public policy, but also a broadly accepted understanding that it is precisely within the right of a political community to do so.[7] The European Union is made up of ethnically-based nation-states, with specific histories, languages, media, interpretations and understandings of modern democratic ideas and values. European citizenry lacks

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4 "EU constitution: Where member states stand", *BBC News*, 25 March 2007, http://news. bbc.co.uk/2/hi/europe/ 3954327.stm, 05/05/2012.

5 Jürgen Habermas, "Why Europe needs a Constitution", in: Ralf Rogowski and Charles Turner (eds), *The Shape of the New Europe*, Cambridge University Press, Cambridge, 2006, pp. 25–45.

6 Joseph H. Weiler, "In defence of the status quo: Europe's constitutional *Sonderweg*", in: Joseph H. Weiler and Marlene Wind (eds), *European Constitutionalism Beyond the State*, Cambridge University Press, Cambridge, 2003, pp. 7–23.

the empathic connections mediated by a collective political identity, which would bring the nations closer to one another, as well as to supranational institutions. Identity cannot be only understood narrowly as *being*, that is, a process of identifying that gives a sense of belonging, but must in its notion include the two further aspects of doing and speaking.[8] *Doing* something together is a necessary element of the process of identifying, and is followed by *saying* about what the citizens are doing together. Only a realisation of all three aspects of identity in political arena can lead to the acceptance of the supranational political community as one's own.

The European political identity as the foundation of the supranational political community

Identity, as the social construction of being, belonging, and existing, is important equally for the self-determination of the individual, as it is for the seeking of connection with other members of a political community. Globalisation sparked the awakening of existing identities by strengthening the sense of belonging to old nation-states. At the same time, it increased the number of national identities due to the invigorated demands for a political and institutional circumscribing of territory for native and minority peoples who up to that point had no independent state. Technological progress in communication strengthened connections of emigrants with their countries and cultures of origin. Along with that, globalisation has encouraged the creation and reinforcement of deterritorialised identities through the self-identifying with humanity, global religious communities, gender movements, other members of a race (usually discriminated against), youth subcultures, or communities constituted through sexual orientation.[9]

As opposed to the singular fixation on the nation as the primordial and natural basis of group identity, or on territory as the dominant structure of social space, both of which typify traditional identity, we can see that postmodern identity is marked by a hybrid of characteristics.[10] Few people live today with an unidimensional identity based in the nation of their belonging, since due to globalisation's more tightly connected and shrunk world, a single person can experience several identities at the same time. The postmodern self is formed less by the abilities and will of the nation state to control upbringing and education of new generations. Rather, it is socialised through the influence of the Internet and globalised media which channel supposedly acceptable forms of youth behavior and that of other subcultures.[11] The contemporary individual

[8] Vivien A. Schmidt, "The European Union in Search of Political Identity and Legitimacy: Is more Politics the Answer", *Working Papers Series of Institute for European Integration Research*, No. 5, September 2010, www.eif.oeaw.ac.at/downloads/workingpapers/wp2010-05.pdf, pp. 9–10.

[9] For more, see: Jan Aart Scholte, *Globalization: A Critical Introduction*, Palgrave, Basingstoke, 2005.

[10] Ibid., p. 225.

[11] For more, see: John R. Gibbins and Bo Reimer, *The Politics of Postmodernity: An Introduction to Contemporary Politics and Culture*, SAGE Publications, London and Thousand Oaks, 1999.

can cobble together a postmodern identity through myriad diverse and often scattered sources, thus creating the conditions for self-expression, understood as the desire and ability to actualise the construction of the self and one's own identity, and for it to be externalised in a clear and forceful way. *Expressivism* is the name of the concept that explains the intention of the postmodern individual to externalise his/her identity and state in a clear fashion what it is and what it wants to be, without mimicking or imitating socially acceptable models. We are dealing with a position, an approach, an action — a conscious choice to live in one's own way, to make one's own life worthwhile and meaningful by understanding it and living it as a journey in which, and through which, one discovers and creates the narrative of one's own self.[12] Thanks to new technologies' immense and constant flow of knowledge, the identity of the individual is displaced outside traditional social structures and loyalties, giving it the power to constitute itself on a foundation of new reflexivity. The postmodern member of the political community is a more active supporter of democracy, confident of his influence on political life, and he leans towards less conventional political activities and methods of representing his interests.

The starting premise of this paper is the constructivists thesis that a European political identity is an achievable long-term product of the process of supranational integration. However, it is understood not as a replacement of national identity, but rather its superstructure or complement. The social processes and circumstances described in the previous section seem to open the possibility of gradual birth of a supranational identity. Appearing in the last two decades in academic discussion and public discourse, the concept of a European political identity is the intended successful goal of integration, and a potential solution to several current problems of the institutional development of the Union: the weak point of accountability of supranational institutions to the citizens of the EU, the deficit of democratic legitimacy, the alienation of supranational decision-makers from citizens, and the consistently low level of public trust in the institutions of the Union.[13] Since the 1990s, the European Commission has been developing a politics of shaping identities in citizens, based on the idea of the necessity of the existence of a pan-European consciousness of collective purpose, which is supposed to insure the Union against tendencies of political, military, economic, and social fragmentation and conflict.[14] Although the Treaty of the European Union does not give an exact meaning of the adjective "European", according to the interpretation of the European Commission, it is

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[12] Ibid., pp. 64–5.

[13] More about the conceptualisation of a European identity, see: Heiko Walkenhorst, "The Conceptual Spectrum of European Identity: From Missing Link to Unnecessary Evil", *Limerick Papers in Politics and Public Administration*, No. 3, 2009, www.ul.ie/ppa/content/files/Walkenhorst_conceptual.pdf, pp. 2–18; Tom Bryder, "European Political Identity: An Attempt at Conceptual Clarification", *Psicologia Politica*, No. 31, Noviembre 2005, www.uv.es/garzon/psicologia%20politica/N31-3.pdf, pp. 38–45.

[14] Peter Kraus, *A Union of Diversity: Language, Identity and Polity-Building in Europe*, op. cit., pp. 43–50.

a term that encompasses geographic, historical, and cultural elements of collective identity. With the construction of a collective identity, such as the one that already exists on the national level, the missing social consensus and national narrative would appear for the supranational creation. The way in which the European Commission is going about this task can be called "Official Supranationalism", given that it resembles the process of creation of big European national states during the nineteenth century, such as Great Britain, France, Austria-Hungary, Russia, etc., whose nationalisms later grew into politics of Empire and acquired new, broader identities. An apt characterisation comes from the Italian nationalist of the nineteenth century, Massimo d'Azeglio: "Now that Italy has been made, the order of the day would have to be to make Italians".[15]

In his model of creation of political identity that follows the nation and nation-state, Stein Rokkan considers political and societal elites as the most important actors in a process developing from top to bottom.[16] The model foresees three phases: state-building, nation-building, and the consolidation of systems of political institutions, with public administration taking an important role in all three phases. In the first phase, the elite founds the state organisation, and with the help of the bureaucratic apparatus establishes the public order, collects state revenues, and manages public affairs; in the second phase, the bureaucracy conducts educational and social policies, and institutionalises political symbols and rituals, and also ensures the rule of law and institutions; in the third phase, public services ensure the implementation of social justice and the equalisation of regional development. Based on Rokkan's model, Walkenhorst develops a model of supranational community-building in which civil servants are also the practical agents of construction and consolidation.[17] Seeing how the civil service was a strong factor in cultural standardisation during the process of creation of national political identities, we will direct our analysis to the potential role of supranational civil servants of the Union in the context of the creation of a European political identity.

The EU supranational civil servants as the natural European Avant-garde

The first association the public has with the development of supranational institutional frameworks of governance are the great strides made in the last few decades: decisive summits that brought to life and deepened the integration,

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[15] Ibid., p. 50.

[16] Stein Rokkan, "Dimensions of State Formation and Nation Building: A Possible Paradigm for Research on Variations within Europe", in: Charles Tilly (ed.), *The Formation of National States in Western Europe*, Princeton University Press, Princeton, 1975. Cited in: Heiko Walkenhorst, "Constructing the European Identity: Trap or Gap?", *Limerick Papers in Politics and Public Administration*, No. 1, 2008, http://ulir.ul.ie/bitstream/handle/ 10344/495/Walkenhorst_constructing.pdf?sequence=2, pp. 6–9.

[17] Ibid., pp. 10–3..

conferences with high ranking government officials which resolved disputes regarding important questions and saw the adoption of founding documents. On the surface, it seems that the only expression of the existence of a European identity within the Union were historic decisions, and that they formed a picture of a unified Europe intended for the rest of the world. This idea of the average citizen about European integration is a logical outcome of the media attention that follows significant political events. Once the lights of the political stage are turned out, the "boring" part of the process of supranational integration takes place. Due to it being less attractive to the media, it is much less visible. More tedious, but no less important. Supranational civil servants, as career bureaucrats, ensure the normal everyday functioning of the institutions of the EU, participate in the creation and implementation of the Community policies, programmes, and decisions. Through the practical achievement of adopted values and goals as directives for the construction of the European political community through a gradual, sector by sector integration, the officers of the Union contribute to the legitimacy of the supranational project, and so indirectly strengthen a common political identity.

Who are the Eurocrats?

Of cognitive value for the theoretical postulates of this paper is the generally accepted position that the European Union represents neither a typical international organisation, nor an emerging supra-nation, but rather a "political-administrative system *sui generis*" in constant development.[18] The Union can be thought of as an example of post-parliamentary governance based on the predominance of a "sovereignty of experts" over national sovereignty, expressed in representative democracy.[19] Although it does not possess the typical attributes of statehood, the European Union has the basic elements of a political system, and accordingly an organisation of the executive branch of government similar to the one in states.[20] Still, as opposed to the national, the legislative and executive powers on the EU level have not been consistently differentiated, which begs the question of where in the institutional structure of the Union is supranational public administration "located."

In a broader sense, the notion of the EU administration encompasses all the departments in charge of providing expert, administrative, and logistical support

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[18] Sandro Gozi, *Il governo dell'Europa*, Il Mulino, Bologna, 2006 (Serbian edition: *Evropska vlada*, BMG, Belgrade, 2003, p. 11).

[19] Carol Harlow, "Citizen Access to Political Power in the European Union", *Working Paper RSC*, No. 99/2, European University Institute, 1999, www.iue.it/RSCAS/WP-Texts/99_2t.html.

[20] For more on this thesis, see: Simon Hix, *The Political System of the European Union*, op. cit., pp. 1–71.

[21] A broader understanding of the EU administration is put forth in: Anne Stevens and Handley Stevens, *Brussels Bureaucrats?: The Administration of the European Union*, op. cit., pp. 4–15.

necessary for the normal everyday functioning of the institutions and bodies of the Union. Understood in this way, the administration of the Union represents an ensemble of several autonomous bureaucratic apparatuses (most often called Secretariats) that function within each institution: the European Parliament, European Commission, Council of the EU, European Court of Justice, Court of Auditors, European Ombudsman, European Data Protection Supervisor, European Economic and Social Committee, Committee of the Regions, European Central Bank, European Investment Bank.[21]

In the more narrow sense, the EU administration means the bureaucratic apparatus that acts under the auspices of the European Commission, tasked with helping and executing its competencies regarding the initiation of integration, as well as preparation, implementation, and oversight of the execution European public policies, programs, decisions, and budgets.[22] More than 33,000 European civil servants are employed in 26 Directorates-General, covering various aspects of the EU policy, each of which has at its head a Commissioner, in general and internal departments, in Representations of the European Commission in member states, and in more than 130 delegations (embassies) in non-member states and international organisations.[23] The narrower definition should certainly encompass the Executive and Community Agencies. The Executive Agencies are bodies under direct control of the Commission, whence their authority to manage particular community programmes or projects, since they are able to execute them more efficiently than the existing administrative body, burdened with numerous tasks it normally deals with.[24] The Community Agencies perform special governing, scientific, and technical tasks under the auspices of the so-called first pillar of integration.[25]

The subject of analysis of this paper will be only the European Union civil servants who work in a supranational capacity, because they can naturally be expected to consistently and loyally represent Community interests. The EU Council, as an institution of intergovernmental character represents positions of member states,

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[22] Compare the narrower definition of the EU administration in: Liesbet Hooghe and Neill Nugent, "The Commission's Services", in: John Peterson and Michael Shackleton (eds), Institutions of the European Union, Oxford University Press, Oxford, 2006, p. 154.

[23] How the European Union works, The European Commission, Bruxelles, 2007, pp. 21–5; A list of Directorates General and departments of the European Commission is available on its official internet site: http://ec.europa.eu /dgs_en.htm. Information on the number and distribution of employees can be found in: "Distribution of Staff by Statutory links and Dgs", Directorate-General for Personnel and Administration, The European Commission, 2 October 2008, http://ec.europa.eu/civil_service/docs/bs_fonct_ext_ dg_en.pdf.

[24] The Agencies of the EU represent a response to the increased number of legal or technical tasks and/or tasks of a scientific nature, faced by the European Commission and other institutions of the Union, due to to the broadening of the community areas of public policy. For more on Executive Agencies of the EU, see: http://europa.eu/agencies/ executive_agencies/index_en.htm.

[25] For more on Community Agencies see: http://europa.eu/agencies/community_agencies/index_ en.htm.

thus its Secretariat and accompanying departments and bodies are made up of bureaucrats delegated from national administrations. It can be expected that the civil servants of the Secretariat represent the positions resulting from a complex sum of national interests, in most cases arrived at through consensus-building decisions, else in anticipation of future concessions, in accordance with the principle *do ut des*. Civil servants delegated from national administrations for a limited period can hardly be expected to overcome the interests of their particular governments in cases which significantly deviate from common interests. Their main task is to act in accordance with an entrusted, usually clearly formulated mandate, and so represent national interests. Primarily motivated by achieving success in their personal career, delegated servants are naturally tied to their parent government, and cannot be expected to represent the European common good. The history of European integration has heretofore witnessed more than once the incompatibility of Community goals inherent in the basic treaties of the Union with national programmatic documents issued at a given historical moment by one member state, or even a majority of member states. Despite the fact that through work with their colleagues from other member states they are partially socialised in a multinational environment and that to an extent they accept the supranational perspective of public questions, delegated national servants cannot be taken as a clear exemplar of commitment to the idea of a European political community.

Supranational civil servants: Between European heroism and bureaucratic cynicism

The intention of the initiators of European integration was to establish an elite supranational administration independent of member states, or as Jacques Rueff, a judge on the European Court of Justice, put it in 1953, a civil service which would be "supranational".[26] The starting premise was that only pro-European career servants, chosen through open competition, independent of the influence of parent governments, would be truly committed to the exclusive interests and goals of the common European project. The first supranational civil servants were indeed true advocates of a unified Europe, and can be reasonably said to have accepted a European political identity. These are persons in whom Jean Monnet, the first President of the High Authority of the European Coal and Steel Community, trusted personally. The small volume of the administration at the time allowed a high level of informal communication between officials and civil servants, including socializing outside of work, leading to the creation of an atmosphere of mutual trust between "allies".[27] Today's administration of the European Union represents a complex conjunction of multiple models and traditions of

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[26] Michel Dumoulin (ed.), *The European Commission 1958–72: History and Memories*, The European Commission, Luxembourg, 2007, p. 253.

[27] Neill Nugent, *The European Commission*, Palgrave, Basingstoke, 2001, p. 20.

governance (French, German, British, and Scandinavian), while the entry of post-communist countries into the membership has brought in an element of risk, given that these are states with dysfunctional governing apparatuses burdened with a totalitarian heritage. The idyll of the initial pan-European avant-garde is tainted by the reality of various (sometimes contradictory) national interests and personal ambitions, as well as pragmatic calculations of the officials and civil servants themselves.

Once in Brussels, Strasbourg, Luxembourg, etc., each civil servant brings with himself specific modes of behaviour, habits formed by a collective identity, and a system of social and cultural values hardened by the differences in characteristics of local political and administrative culture. The heroic days of the first supranational institutions being built by a handful of enthusiasts have given way to cynical times in which we have seen the creation and strengthening of nationally-based networks of social contacts between civil servants, with each group having its own place of gathering and socialising. The situation confirms the ironic claim made by Richard Bellamy that "the new bottles of supranational institutions are filled with the old wine of nation-state politics".[28]

Research conducted in the mid-nineties by Liesbet Hooghe regarding the views of high-ranking supranational servants on the process of integration showed a shared sense that the role of Eurocracy is to "build Europe". This shared view, however, was divided into a stream that was more committed to supranationalism, and one which tended to see the states as the main actors in the political system of the Union well into the future.[29] The interviewed supranational civil servants thought that the primary goal of their professional engagement in the European Commission is the deepening of the integration, as well as that the political leadership in that process should be taken precisely by this body of the Union. A modest majority of officials queried were in favour of a supranational model of organisation of authority and competency over the inter-governmental one. However, a quarter of those asked were also aware that the latter possibility was more realistic to accomplish in practice. When it comes to the question of identity, supranational civil servants admit to carrying a split sense of belonging between the nation from which they originate, and a new abstract community, emerging from the changing ways of thinking brought about by the socialisation with colleagues from other European nations and cultures.[30] While most of the civil servants see their careers in EU institutions as long

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[28] Richard Bellamy, "The Challenge of European Union", op. cit., p. 257.

[29] For detailed results of the study, see: Liesbet Hooghe, "Images of Europe: Orientations to European Integration among Senior Officials of the Commission", *British Journal of Political Science*, Vol. 29, No. 2, April 1999, pp. 345–67; Liesbet Hooghe, "Images of Europe: How Commission officials conceive their institution's role in the EU", *Arena Working Papers*, No. 8, September 2010, www.sv.uio.no/arena/english/research/publications/arena-publications/workingpapers/working-papers2010/wp_08_10.pdf, pp. 1–21.

[30] Liesbet Hooghe, "Images of Europe: Orientations to European Integration among Senior Officials of the Commission", op. cit., p. 363.

term employment, very few wish for themselves and their families to be assimilated in the host country.[31] The preponderance of national political preference can also be seen in the practice of supranational civil servants standing for national or European parliamentary elections and taking unpaid sabbaticals when elected.

Nationally inherited cultural forms of behaviour are not an inalterable constant of social life, but do require a long time to change. Thus the question of strengthening the European identity in supranational civil servants is intimately tied with the process of institutionalisation. Such a process allows an organisation to become more complex by adopting informal norms and practices, and grow into a true institution by developing its own system of values.[32] The basic problem is that the European Commission and other supranational institutions do not have access to mechanisms of socialisation to effectively shape the desired orientations of its employees.

The supranational servant as model
for the European political identity: The ethical aspect

The reality of contemporary democratic systems conclusively shows that the result of the "neutral" personal stance of the civil servant is not necessarily a humanism and understanding of the needs of the rest of the members of the political community. Therefore the achievement of the ideal of a decent society is tied to the attainment of standards of good governance — a concept that encompasses processes of management of affairs based in rule of law, such that transparency, accountability, equal opportunity, and participation of all stakeholders are ensured, as well as arriving at a consensus, efficiency and effectiveness.[33] It is not enough for the civil servant to avoid illegal activity, he/she must also posses the awareness that he/she serves the citizens and public interest; the desired goals of laws, public policies, and programmes must be implemented in an entirely morally acceptable way. For that reason the work of civil servants must primarily be based in widely accepted moral principles of contemporary civil society, systematised in the public service ethics. Integrity is one of the fundamental values of contemporary public service ethics and can be defined as the practice of executing professional duties derived from the entrusted public service in accordance with the public good, ethical codex, and general moral norms, as well as the respect of basic human rights and democratic principles.[34]

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[31] Anne Stevens and Handley Stevens, *Brussels Bureaucrats?: The Administration of the European Union*, op. cit., p. 131.

[32] Morten Egeberg, "The European Commission — the evolving EU executive", *ARENA Working Papers*, No. 30,

[33] "What is Good Governance?", The United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), 24 December 2006, www.unescap.org/huset/gg/governance.htm. September 2002, www.arena.uio.no/ publications/working-papers2002/papers/wp02_30.htm, p. 7.

[34] Srđan Korać, *Integrity of the EU supranational servant*, (in Serbian: *Integritet nadnacionalnog službenika Evropske unije*, Institut za međunarodnu politiku i privredu, Beograd, 2010, p. 53).

Seen from the point of view of democratic legitimisation of the integrationist project, the transfer of significant levels of competency of public policy from the state to the European level only makes sense if it improves the well being of citizens (in the sense of quality of life), and if it implements the previously agreed upon values of substantial importance for the members of the political community. True democratic legitimacy of the supranational institutional framework is a necessary precondition for the creation of a European political identity. Only real influence on the political process and the running of supranational affairs can encourage in citizens a gradual sense of belonging and loyalty, such as currently exists within the nation-state, to the supranational political community. Members' trust in those who conduct public policy is one of the building blocks of a democratic political community. Without the trust of the public, democracy cannot operate and looses its meaning — just like the project of a united Europe itself. Since the potential European community will not be organic in nature, but rather abstract (imagined), it is quite possible that the public will demand far more rigorous evidence of a democratic system on a supranational level in order to gain trust in its institutions. Trust in the purposefulness of supranational institutions is dictated by the trust in the public services of the European Union.

The work of supranational civil servants is one of citizens' basic ways of assessing whether the Union is taking good care of the public good, whether its existence is legitimate in the context of the production of public goods and services. The importance of ethical conduct of supranational civil servants in executing entrusted professional tasks comes to light because Weberian concept of the bureaucrat-technocrat who rules public affairs neutrally, driven only by knowledge and a sense of public good, is difficult to achieve in the patchwork of national administrative cultures, supposedly held together by a vague vision of a pan-European future. For that reason we will examine the ethical behaviour of supranational civil servants in executing their entrusted tasks in the context and with the goal of building a common political identity, but also as one of the pillars for the European Union to become a true political community.

"The tradition" of breach of ethics in running supranational affairs

The first two decades of the supranational administration of the European Coal and Steel Community, and then the European Economic Community showed several weaknesses in keeping the integrity of its officials. The first problem appeared in the context of preventing the "washing" of biographies of members of the former Nazi state apparatus. As the process of punishment and lustration was not all-encompassing and complete in Germany and Italy, there were a few cases of persons with a Nazi past admitted into the supranational administration.[35] Such civil servants were removed as

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[35] Sicco Mansholt, the president of the Commission from 1972 to 1973, also withdrew from his position when his role in the occupation regime in Belgium was revealed.

soon as evidence appeared of their engagement on the defeated side in World War II. When it came to recruitment of new career civil servants, the principles of expertise, professionalism, and merit were followed inconsistently. The long-term Executive Secretary of the Commission, Émile Noël had no formal competence over departments of the EC, but his *de facto* influence was so strong that his colleagues called him the 10th Commissioner, and "No. 2 in the Commission".[3] Noël's influence ensured that civil servants were accepted into service based only on the subjective consideration of their commitment to the project of European unification. The practice of parachuting further undermined the ranking and advancement system of career clerks. "Parachuters" were heads or members of cabinets of European Commissioners, initially chosen based on criteria of political affiliation or personal connections, but were then after a while named into positions of Director or Director General, outside set procedures for advancement in the administration of the EC.[37] Even when this was not the case, cabinet heads had an overall significant influence over the operations of Directorates-General, certainly to the extent that it brought into question the leadership of the, nominally superior, Commissioner.

By the late sixties, poor organisation within certain Directorates and the practice of parachuting started eroding the integrationist elation and created visible discontent among the career supranational civil servants. This demotivating atmosphere was caused by unevenly divided work, rigid personnel policy, and the patronising behaviour of officials. The multinational character of the supranational administration required the equitable employment of citizens of all member states, such that each organisational unit be truly multinational. Over time, this only caused the "national key" to become more important than competency and quality of work in the advancement of servants. In the words of a supranational servants of the time, success in one's career often meant "possessing the right citizenship at the right time".[38] The exhilaration of building a federalist Europe retreated before the spread of cynicism and careerism.[39] When it came to integrity, a big weakness inherited from the era of the High Authority by the supranational administration was the absence of control of budget management. Although accounting was kept, there was no check for irregularities or ways in which budget funds were spent in the context of implementing adopted European programs. Fraud in justifying everyday expenses was therefore common, especially when it came to paying fees to outside consultants for services, the number of which surpassed real needs.

Towards the end of the 1970s, the institutional development of the EC became sluggish, caused by the energy and economic crisis, and the consequences of the first

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[36] Michel Dumoulin (ed.), *The European Commission 1958–72: History and Memories*, op. cit., p. 213.

[37] Ibid., p. 196.

[38] Ibid., p. 260.

[39] Desmond Dinan, *Europe Recast: A History of European Union*, Palgrave, Basingstoke, 2004, p. 117.

enlargement.[40] In 1978, as part of the discussion on possible ways to reform the European institutional framework, the Commission granted a group of experts and former supranational official led by Dirk Spierenburg, the former president of the High Authority, a mandate to draft recommendations for the improvement of the Commission and its departments. The basic findings of Spierenburg's group were published in 1979, and showed that there were several factors that undermined the integrity of civil servants: insufficient coordination between higher officials, specialisations too narrow to allow for a general picture of European policies, inequitable distribution of day to day work due to a poor distribution of man power through the units, and a poor work ethic caused by careless leadership of entrusted organisational units.[41] Cabinet heads abused their power and controlled the daily communication of the commissioners with the directors and the directors general, disputed suggested decisions without consulting their superior officers and civil servants, and showed preference for compatriots in appointing officials.[42] The Spierenburg report placed special emphasis on the harmful influence on widespread mismanagement of human resources, mostly in processes of filling positions and advancement of officials and civil servants. For example, officials in the rank of Head of Units were often appointed under strong political pressure and through rigged open competitions. In the absence of clear rules, the preferred candidate would be appointed to a position and sign a fixed-term contract; following the announcement of an open competition, the same person would be awarded a permanent position based on having expert experience for precisely that position.[43] The recommendations of the Spierenburg report were implemented sporadically and selectively, and the opportunity for improving the normative and institutional structures for the protection of supranational civil servants' integrity went begging.

Fundamental changes failed to take place throughout the 1980s and 1990s, maintaining mistrust of the political and executive branches of the Commission, and keeping tensions high. This was true even during the ten year mandate of Jacques Delors, considered one of the people to have furthered European integration the most. Going against set procedures, the Head of Delors's cabinet, Pascal Lamy often went outside official hierarchy lines of communication between the College of Commissioners and the Directorates-General. Lamy collaborated directly only with certain officers and administrators, whom he had known a while or else shared positions on certain questions.[44] And while the meddling of the cabinet in the work of the administration could be pragmatically justified in the eyes of the integrationist with achieved results,

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[40] Ibid., pp. 177–80.

[41] "Proposals for Reform of the Commission of the European Communities and its Services", Report made at the request of the Commission by an Independent Review Body under the chairmanship of Mr. Dirk Spierenburg, 24 September 1979, Brussels, http://aei.pitt.edu/993/01/Spirenberg_report.pdf.

[42] Ibid., p. 19.

[43] Ibid., p. 36.

[44] Neill Nugent, *The European Commission*, op. cit., pp. 128–9.

the breaking of the rules, setting demanding tasks on the level of drawing up programatic documents, the conceited and dominating behaviour of Lamy, weakened the professional ethics.

The most severe institutional crisis in the history of European integration was caused by the discovery of serious irregularities in the activities of the supranational administration in Brussels. In December 1998, a member of European Parliament was informed that a European civil servant, Paul van Buitenen had evidence of cases of embezzlement and abuse of power, as well as of an absence of will on the part of the officials in the Commission's service to sanction irregularities by initiating an internal control procedure.[4] The whistle-blowing was swiftly punished: van Buitenen was removed from his post for a duration of four months, with half pay, allegedly for breach of work discipline. Still, the insider information was backed up with evidence and resulted in the European Parliament rejecting to adopt the budget report of the Commission. Under pressure from the media, Santer admitted in January of 1999 that there were cases of malpractice, but stopped short of giving the public any more details regarding the scandal. The European Parliament responded by establishing the Committee of Independent Experts, tasked with examining the procedures of the Commission with view to uncovering and handling cases of fraud, mismanagement, nepotism, as well as the process for awarding financial contracts.[46]

After a two-month investigation, the Committee of Independent Experts concluded that in uncovered cases of abuse, there was no evidence of direct involvement on the part of the European Commissioners, but that the Commission is nevertheless collectively responsible for the loss of control over the work of its administration, the mismanagement of funds, and the spread of favouritism and lack of competence.[47] The report of the Committee pointed to several forms of breach of integrity within the European administration and placed the brunt of the responsibility on individual Commissioners who were poor examples to their subordinates.[48] In one such case of Community affairs being kept out of public view and outside the control of other institutions of the European Union, Santer himself attempted to cover up multiple irregularities in the departments in his direct competence. As president of the

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[45] "Why they had to go", *BBC News*, 16 March 1999, http://news.bbc.co.uk/1/hi/world/europe/ 297594.shtm, 24/04/2012.

[46] "Resolution on improving the financial management of the Commission", B4-0065, 0109 & 0110/99, European Parliament, 14 January 1999, http://europa.eu.int/eur-lex/pri/en/oj/dat/1999/c_ 104/c_10419990414en01060107.pdf.

[47] For details of the finding of the Committee of Independent Experts, see: "First Report on Allegations regarding Fraud, Mismanagement and Nepotism in the European Commission", Committee of Independent Experts, 15 March 1999, www.europarl.eu.int/experts/pdf/reporten.pdf.

[48] The document was characterized in the media as "the report that killed the European Commission" (phrase from an editorial published in the Brussels daily, *La Libre Belgique*, quoted in: "European press hails 'awakening of democracy'", *BBC News,* 16 March 1999, http://news.bbc.co.uk/2/hi/ europe/297575.stm, 24/04/2012).

Commission, Santer tried to hide malpractices appearing in contracting security services, and did not conduct an internal control of the security personnel despite being notified of the existence of misconduct.[49] Emboldened with such "support" from the president of the Commission, the security personnel even took to spying and following officers of the European Anti-fraud Office, in order to successfully prevent an internal investigation.[50]

A large number of uncovered irregularities concerned a conflict of interests, especially in the form of nepotism and cronyism. According to the findings of the Committee of Independent Experts, the responsibility of Edith Cresson, the European Commissioner for Research, Science, and Technology, and the former Prime Minister of France, lay precisely in employing a party colleague and personal dentist, despite his lack of appropriate qualifications.[51] In addition, Cresson was responsible for tolerating years of irregularities in the implementation of a youth training program, "Leonardo", and for allowing close associates to hire relatives to subordinate positions. João de Deus Pinheiro, the Commissioner responsible for relations with African, Caribbean and Pacific countries, was responsible for appointing his wife's brother to the position of main adviser. Manuel Marin, the vice president of the Commission, was criticised for hiring his spouse and for not reacting properly when a multimillion dollar embezzlement of EU funds intended as humanitarian aid to poor Sub-Saharan African countries was discovered.[52] The Commissioner for Regional Politics, Monika Wulf-Mathies, broke protocol and caused a conflict of interests when she hired a business partner in her cabinet.[53]

Biased recruitment policies based on hiring and appointing members of one's own nation significantly undermined the integrity of the European administration.[5] The bias in choice of subordinate civil servants is the result of a distorted understanding of the function of the position of Commissioner, as a sort of national "fiefdom", which can be arbitrarily used to promote national interests, at the expense of Community interests. The dangerous corrosive effect of "nationalisation" on the integrity of European administrators is especially visible in the example of the influence of Commissioner cabinets. In order to maintain regular communication with subordinate administrative departments, each commissioner has a cabinet staffed by close collaborators chosen from the ranks of national administrations or political parties. Problems arise when, in order to establish control, a commissioner appoints members of the cabinet — compatriots or party colleagues — rather than

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[50] John Gillingham, *European Integration 1950–2003*, Cambridge University Press, Cambridge, 2003, p. 322.

[51] "First Report on Allegations regarding Fraud, Mismanagement and Nepotism in the European Commission", op. cit., p. 128.

[52] Ibid., pp. 131–2.

[53] Ibid., pp. 133–4.

[54] "Second Report on Reform of the Commission", Volume I, Committee of Independent Experts, 10 September 1999, www.europarl.eu.int/experts/pdf/rep2-1en.pdf, p. 255.

career civil servants, to leading positions in subordinate departments.[55] This in turn causes politicisation of posts, which, in the long run, leads to the breakdown of the system of advancement based on merit and allows for the possibility of manipulation of the actions of officials appointed by the Commissioner.

A big blow to the integrity resulted from widespread mismanagement of budget funds intended for salaries of civil servants, awarding of profitable contracts, and the distribution of various forms of financial help. According to the findings of the Second Report of the Committee of Independent Experts, which came out in 1999, the main causes of the spread of corruption in the Union administration were the absence of an efficient mechanism for the control of legality of decisions, and a far too strong dependence on outside consultants for administrative and technical support. Illegal practices were further encouraged by insufficient control of spending of funds collected through tariffs, as well as funds for regional and agriculture support, which make up around 80 percent of the EU budget.[56] Improper use or the misuse of the Community budget is not only proof of dishonesty in the administrators of the EU, but also the greatest argument of Eurosceptics against membership to the Union. According to the estimates made by British Eurosceptics, each year, around five percent of the total EU budget is siphoned off through various forms of fraud, for anything from the financing of fictitious fields of tobacco, to imaginary plans for relieving the consequences of the Chernobyl disaster. While another five percent simply never gets used for intended projects.[57]

After the "calm" during the mandate of Romano Prodi, the issue of integrity became subject of political debate again when, in 2004, on the first day of the functioning of the José Manuel Barroso Commission, the European Parliament brought up the question of suspension of the vice president and Commissioner of Transport, Jacques Barrot. Members of the European Parliament found out only after the fact that the Commissioner had not let known that in 2000 he was convicted for embezzlement of party funds, and then granted amnesty by the French president, Jacques Chirac.[58] The initiative to replace Barrot failed, so it remained unclear what qualified a man convicted of fraud to a position requiring strong integrity. It seems that a Commissioner freed of a prison sentence thanks to political connections could hardly be a model for doing public work in the European Union; indeed, much more likely is that he will have a conciliatory attitude towards potential abuses of subordinates. Even stranger was the decision of Barroso in his second mandate to appoint Barrot to position of Vice President of the Commission in charge of the important area of Justice, Freedom, and Security.

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[55] Sandro Gozi, *Il governo dell'Europa* (Serbian edition: *Evropska vlada*, op. cit., p. 41).

[56] "Second Report on Reform of the Commission", Volume I, op. cit., p. 147.

[57] "Corruption and Fraud in European Union", *The Eurosceptic Portal*, www.eurosceptic.com/channels/ hidden_eu/ faq_corruption.htm, 07/05/2012.

[58] "Profile: Jacques Barrot", *BBC News*, UK Edition, 22 November 2004,http://news.bbc.co.uk/1/hi/world /europe/ 4032113.stm, 23/04/2012.

The acquaintance of politicians in high public positions with wealthy business people only arouses suspicion in the objectivity of decision-making when running public affairs, and blurs the line between the public and private spheres. Biased decisions at the top of the institutional structure that regulates relations within a Single European market, comprised of almost half a billion people, have far greater consequences than those on a national level, because the preferred companies stand to gain hugely. For that reason, in April 2005, the Socialist Parliamentary Group of the European Parliament sent a request to the president of the European Commission, Barroso, to explain why he spent vacation in August of 2004 on the yacht owned by the Greek billionaire, Spiros Latsis, free of charge. The suspicion of the members of European Parliament that there might be a potential conflict of interest was spurred by the information coming from the European Commission according to which *EFG Eurobank*, also owned by the Greek billionaire, won the 1998 tender for the distribution some of EU funds to Greece for the period from 1999 to 2004. The bank distributed twenty-eight billion euros, but the contract was not renewed after running out due to high commission fee. Barroso's contacts can be seen in the context of possible favouritism of Latsis's bank in a new call for bids for the following five year period.[59] Similar dilemmas were cause by the recent discovery of the British media regarding the years-long association of the former European Commissioner for Trade, Lord Peter Mendelson with the Russian oligarch Oleg Deripaska, followed by clumsy attempts on the part of spokespersons of the European Commission to hide the truth.[60] The fact that the acquaintance began in 2004 does not in itself mean anything, but in conjunction with the fact that at the time Lord Mendelson was in charge of the development of a new directive on tax of aluminium goods, it is not difficult to guess that Deripaska's hospitality towards the European Commissioner was motivated by his wish to save millions by influencing the EU tariff system.

The daily functioning of the institutions of the Union requires the purchase of goods, orders of services, and the carrying out of various kinds of work. The vast volume of funds of the Community budget intended for the execution of public purchases is in itself an area of operation of the supranational administration subject to a great risk of corruption. Evidenced by the corruption scandal discovered in March 2007, when one official of the European Commission and one administrative assistant of a Member of European Parliament were arrested and tried for rigging the bids for public purchases.[61]

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[59] Katrin Bennhold, "Commission chief's trip raises EU ethics questions", *The New York Times*, online version, 19 April 2005, www.nytimes.com/2005/04/18/world/europe/18ihtunion.html?pagewanted =all; "Barroso rebuffs yacht questions", *BBC News*, online version, 25 May 2005, http://news. bbc.co.uk/2/hi/europe/4578261.stm, 28/04/2012.

[60] Alia Papageorgiou, "Beware of friends with yachts", *New Europe*, Issue 805, 27 October 2008, www.neurope.eu/ articles/90308.php, 21/04/2012.

[61] For more on this corruption scandal, see: Dan Bilefsky, "Police conduct raids in EU corruption investigation", *International Herald Tribune*, 27 March 2007, www.iht.com/articles/2007/03/27/news/ eu.php, 12/04/2012; "Police launch EU anti-corruption raids in 4 countries", *EU Business*, 20 June 2007, www.eubusiness.com/Institutions/corruption.35, 12/04/2012.

The damage to the budget of the Union was in the tens of millions of euros, and could have grown to much larger sums in the following years had the abuses not been discovered. Even though the budget of the Union represents only a little over one percent of the GDP of its members, its worth is around one hundred billion euros a year. Six percent of that, around six billion euros, is set aside for the work of the EU administration, while the European Commission disposes with one fifth of the budget, around twenty billion euros.[62] Aside from public purchases, abuses appear in the awarding various forms of subsidies and humanitarian help to the citizenry of the Third World affected by natural disasters or armed conflict.[63] Large amounts of money or goods and equipment of high value are sent urgently to places where bodies of the government have no jurisdiction, so it becomes difficult to oversee the work of the EU civil servants, or indeed control the final destiny of the shipments. Therefore it is hardly surprising that the uncovered cases of fraud were committed by citizens of two or more member states, connected in criminal networks with citizens of Third World countries that have projects financed from the Community budget.

The erosion of integrity of supranational officials and civil servants can also be linked to the workings of so-called mid-level corruption which operates within the informal structure of exchange of resources, and appears primarily in the area of interaction of the state and the private sector. In the contemporary state, as well as on the level of the Community market, economic actors are limited in their activity with myriad administrative regulations. If the work of civil servants is subject to the challenge of corruption, inevitably there is a problem of impartiality in the implementation of the Community regulations. Favourable conditions for the appearance of mid-level corruption, at the expense of impartiality, emerge when discretionary powers are broadly defined, and when for practical purposes they are in the hands of one official or civil servant. In September of 2008, the European Anti-Fraud Office began an investigation against Fritz-Harald Wenig, the second ranking official in the Directorate-General for Trade in the European Commission, on the suspicion of abuse of classified information about the changes of customs tariffs on the import of industrial products from the Third World into the EU, and about which producers will be exempt from the tariffs. In his capacity as director in charge of conducting investigations into attempts at dumping from Third World companies, Wenig had the discretionary power to determine the implementation of tariffs on goods from foreign companies suspected to use subsidies from their government to penetrate a new market with low prices. Journalists of the London *Sunday Times*, who worked for six months undercover as lobbyists for an imaginary Chinese company, got Wenig to agree to give them information, which he did in August of 2008, regarding future customs tariffs for the import of shoes and candles.

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[62] The funds intended for the operation of the administration are part of the twenty billion euros.

[63] Siim Kallas, "The European Union: An Eldorado of corruption?", Speech/06/637, Conference on corruption at Deutsche Hochschule für Verwaltungswissenschaften, Speyer (Germany), 27 October 2006, http://edbl.drapc.min-agricultura.pt/base/documentos/comissao_europeia/27-10-2006%20kallas.pdf, p. 3.

In return, the director was offered a well-paid position in an imaginary company after his service to the Commission was over, and a "fee" in the sum of EUR 100,000. Wenig suggested a deposit into a frozen bank account, which he could access upon his retirement in the near future. *The Sunday Times* published the contents of the six months long lobbying in September, along with photos of Wenig in a restaurant where negotiations about the corrupt "exchange" took place. The indicted director defended himself with the claim that he had not taken the money and that the publication of classified information was actually immanent.[64]

As part of the mid-level corruption mechanism, companies accept the rules of the "game," and become part of the system of exchange in order to avoid risks built into market competition, so as to gain as great a profit as possible with minimal investment. Corrupt engagements are hard to prove since they are secret by their very nature; but on the other hand, inconsistent implementation of regulations always arouses suspicion of irregularities due to decision-making that is biased and damages public interest. The public was especially interested in the obvious difference of treatment from the European Commission when punishing companies that put the functioning of the Community market in jeopardy. In November of 2008, the European Commission fined companies that make windshields and vehicle windows EUR 1.3 billion in total for breaking the rules of competitive practices; also in October of the same year, it fined the companies that make paraffin — used in certain car parts — a total of six hundred seventy-six million euros.[65] On the other hand, the European Commission did not react in accordance with the duties ensuing from basic treaties and other Community documents to protect the competitiveness of the Single market in the case of the largest infraction: when telecommunication companies in EU member states charged citizens unjustifiably high prices for roaming services. The prices were later reduced to a reasonable level, but to this day no case has been brought against the telecommunications sector, even though millions were made in illegal revenue at citizens' expense. The question of why the European Commission did not defend the Community interest in this case only, remains open.

We can further apprehend the content of actual forms of breach of integrity of supranational civil servants through an analysis of complaints submitted to the European Ombudsman.[66] In the period from 2000 to 2012, the majority of inquiries regard precisely

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[64] For more on the case, see: Jonathan Calvert, Claire Newell and Nicola Smith, "Revealed: how Eurocrat leaked trade secrets over lavish dinners", *The Sunday Times*, Online edition, 7 September 2008, www.timesonline.co.uk/ tol/news/politics/article4692906.ece, 01/05/2012.

[65] "A Crime Committed in the Past is Still a Crime", *New Europe*, Issue 808, 17 November 2008, www.neurope.eu/articles/90593.php, 20/05/2012.

[66] Reports of the European Ombudsman are available at: www.ombudsman.europa.eu/en/ activities/annualreports. faces.

[67] Facts derived from statistical analysis of data in the European Ombudsman's annual reports for the indicated period.

the conduct of officials of the European Commission, making up three quarters of the total number of complaints brought against institutions of the Union.[67] According to annual and special reports of the European Ombudsman, the most frequent forms of maladministration are the lack of transparency, refusing the requests for information and public access to documents, extension of reasonable time limits for taking decisions, incorrect application of substantive, and/or procedural rules and unfairness. Posing the greatest danger to the integrity of the administration of the Union are the lack of transparency and the abuse of authority, since there is a strong possibility that these are motived by personal or private gain at the expense of Community interests. According to statistics contained in annual reports of the European Ombudsman, in the period from 2000 to 2012, complaints of lack of transparency and abuse of authority make up an average of 40 to 45 percent of the total.[68] Other maladministrations noticed are usually a consequence unprofessionalism, incompetence, or carelessness, and not related to potential corruption.

An analysis of publicly known aspects of the conduct of groups, associations, and lobby agencies that represent the interests of the largest corporations operating in the Community market, also points to a distortion of the purpose of the supranational political process. In the long run, the goals and effects of corporate lobbying hinder the accomplishment of European public interests, declared democratic values and guaranteed human and civil rights. Preferential treatment of corporate interests primarily by the officials and civil servants of the Commission is noticeable, and finds support in the tradition of pragmatic philosophy based in analyses and studies that come out of so-called communities of knowledge.[69] Lobbying groups that represent corporate interests undermine an already weakened democratic legitimacy of the supranational process with their attempts to make their influence the predominant, if not the only, factor in the Community decision-making process, thus closing the door to other stakeholders. Such insider interest groups, sometimes along with supranational officials and civil servants who give uncritical support to corporate interests at the expense of other social interests, create a Community policy network cartel in a given area, barring access to stakeholders with different positions regarding relevant policy questions. The financial supremacy of corporate lobbies over other stakeholders allows them influence on supranational decision-makers in a greater number of "small" questions of EU public policy, such as regulatory measures and technical standards, while civil society organisations, having limited resources, only mobilise around the most important questions.

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[68] Facts derived from statistical analysis of data in the European Ombudsman's annual reports for the indicated period.

[69] For more on mechanisms of lobbying and forms of networks of corrupt conduct of supranational civil servants of the Union, see: David Coen and Jeremy Richardson (eds), *Lobbying the European Union: Institutions, Actors, and Issues*, Oxford University Press, Oxford, 2009.

Conclusion

The idea of European integration is based in the belief that supranational institutions are better equipped to handle problems faced by post-industrial societies at the dawn of the new millennium. Throughout the history of the integrationist project, efficiency and usefulness were the main arguments in favour of strengthening authority and broadening competencies of Community institutions. In accordance with declared values of democracy, rule of law, human rights, the purpose of supranational institutions is the fulfilment of common interests — giving citizens a dignified and high quality life. Since everyday life in member states is ever more influenced by the content and form of decisions made on the Community level, citizens measure the value of the Union partly through the quality of work of supranational public services. Efficiency and effectiveness of the EU administration depend to a significant extent on the integrity of their civil servants. In turn, the ultimate measure of success for this "corner stone" in the organisation of public services, is its improvement of the quality of life of citizens.

Numerous accomplishments in the economic sphere, as well as others, have proven the pragmatic value of the functionalist-technocratic approach — based on cost/benefit calculations — in comparison to the idealism of the federalist vision that sees a Europe constructed through a constituent assembly, and as the direct expression of citizens gathered in the supranational political community. The prevailing of the pragmatic spirit sustained with good results — measured in quantifiable, statistical categories, such as efficiency, budgeting, optimality, effectiveness — meant the marginalisation of the values dimension of the integration project. Neglect of ethics in development of the supranational service was justified by necessary expertise, and administrative and technical support for staff in the midst of constructing single market, economic and monetary union, as well as other community policies. It was not important whether a means was used ethically, as long as it lead to the accomplishment of set goals. The relatively low level of trust in European institutions expressed in public opinion polls conducted in the last few years, is perhaps an expression of resignation on the part of citizens caused precisely by a careless relationship of national politicians and the Eurocratic elite towards the ethical aspect of the project of integration.

It seems that habits conditioned by particular national administrative cultures, which have taken prevalence over pro-European convictions, possibly on a subconscious level, undermine the loyalty to ethical standards of supranational civil servants. Lurking behind the respect for professional standards is the commitment to national identities, at the expense of a European one, containing an "us-them" division. There is a kind of "nationalisation" of supranational offices (according to the "national key"), whereby a civil servant uses the entrusted position to promote mostly national and private interests — sort of conduct well-known from history of the state apparatus of post-World War II Yugoslavia.

The lack of collective administrative culture and identity produces a warped perception of the EU budget as everyone's, meaning no one's money. The widespread misuse of entrusted authority, aside from the short-term material damages, calls into question the ability of the European Commission and its subordinate bodies to properly concern themselves with the well being of citizens, even though in their very role of the "Guardian of Contract" and representative of interests of the Community they have contributed to the embodiment of the integration project. The history of politics, in a variety of civilisational moments, shows over and over that the egoism drive in human nature, spurred by the temptations on offer in public work, easily overcomes morality and the sense of the common good, especially when the risk of being caught committing illegal acts is minimal. In order to achieve a robust integrity it is not enough to improve on mechanisms for the suppression and prevention of abuses of public authority on a community level, but rather a further step is required: the active approach of civil servants themselves, in the form of a willingness to consistently comply with ethical standards. Integrity is not a goal in itself, but rather the inner moral strength that allows us to remain truly committed to communal values built into the personal system of values.

With the creation of a common cultural identity, as the ultimate step in the process of European integration, citizens will see themselves primarily as Europeans, with a European way of life and outlook. Problems arise because this "mental" step of recognition of the "European" as one's self still does not have support in the public sphere, since the persistent practices of unethical conduct on the part of supranational officials and civil servants call seriously into question the model according to which the operations of supranational affairs are supposed to be run by individuals with integrity based in loyalty to the European idea — the true "bureaucrats without a country".[70] The process of gradual appearance of a European identity (cautiously accepting the assumption that it has indeed begun) is quite uncertain. What is certain is that the supranational elite can willingly influence the direction and content of further reforms of the Union and its institutions, while the European political community will form and equally be formed by its supranational administration. Whatever the constitutional framework of a future European political community, an unalienable factor in its success and in the citizens' investment of trust in the eschatological purpose of the integration project will be a good administration with civil servants — committed Europeans — embodying strong moral and professional integrity.

References

- Bryder, Tom, "European Political Identity: An Attempt at Conceptual Clarification", *Psicologia Politica*, No. 31, Noviembre 2005, www.uv.es/garzon/psicologia%20politica/N31-3.pdf.
- Checkel, Jeffrey T., and Katzenstein, Peter J. (eds), *European Identity*, Cambridge University Press, Cambridge, 2009.

- Coen, David, and Richardson, Jeremy (eds), *Lobbying the European Union: Institutions, Actors, and Issues*, Oxford University Press, Oxford, 2009.
- Dinan, Desmond, *Europe Recast: A History of European Union*, Palgrave, Basingstoke, 2004.
- Dryzek, John S., Honig, Bonnie, and Phillips, Anne (eds), *The Oxford Handbook of Political Theory*, Oxford University Press, Oxford, 2006.
- Dumoulin, Michel (ed.), *The European Commission 1958–72: History and Memories*, The European Commission, Luxembourg, 2007.
- Egeberg, Morten, "The European Commission — the evolving EU executive", *ARENA Working Papers*, No. 30, September 2002, www.arena.uio.no/publications/working-papers2002/papers/wp02_30.htm.
- "First Report on Allegations regarding Fraud, Mismanagement and Nepotism in the European Commission", Committee of Independent Experts, 15 March 1999, www.europarl.eu.int/experts/pdf/ reporten.pdf.
- Harlow, Carol, "Citizen Access to Political Power in the European Union", *Working Paper RSC*, No. 99/2, European University Institute, 1999, www.iue.it/RSCAS/WP-Texts/99_2t.html.
- Hix, Simon, *The Political System of the European Union*, Palgrave, Basingstoke, 2005.
- Hooghe, Liesbet, "Images of Europe: Orientations to European Integration among Senior Officials of the Commission", *British Journal of Political Science*, Vol. 29, No. 2, April 1999.
- Hooghe, Liesbet, "Images of Europe: How Commission officials conceive their institution's role in the EU", *Arena Working Papers*, No. 8, September 2010, www.sv.uio.no/arena /english/research/publications/arena-publications/workingpapers/working-papers2010/wp_08_10.pdf.
- *How the European Union works*, The European Commission, Bruxelles, 2007.
- Gibbins, John R., and Reimer, Bo, *The Politics of Postmodernity: An Introduction to Contemporary Politics and Culture*, SAGE Publications, London and Thousand Oaks, 1999.
- Gillingham, John, *European Integration 1950–2003*, Cambridge University Press, Cambridge, 2003.
- Gozi, Sandro, *Il governo dell'Europa*, Il Mulino, Bologna, 2006.
- Korać, Srđan, *Integritet nadnacionalnog službenika Evropske unije*, Institut za međunarodnu politiku i privredu, Beograd, 2010.
- Kraus, Peter, *A Union of Diversity: Language, Identity and Polity-Building in Europe*, University of Cambridge Press, Cambridge, 2008.
- Nugent, Neill, *The European Commission*, Palgrave, Basingstoke, 2001.
- Nugent, Neill, *The Government and Politics of the European Union*, Palgrave, Basingstoke, 2002.
- Peterson, John, and Shackleton, Michael (eds), *Institutions of the European Union*, Oxford University Press, Oxford, 2006.
- "Proposals for Reform of the Commission of the European Communities and its Services", Report made at the request of the Commission by an Independent Review Body under the

chairmanship of Mr. Dirk Spierenburg, 24 September 1979, Brussels, http://aei. pitt.edu/993/01/Spirenberg_report.pdf.

- "Resolution on improving the financial management of the Commission", B4-0065, 0109 & 0110/99, European Parliament, 14 January 1999, http://europa.eu.int/eur-lex/pri/en/ oj/dat/1999/c_104/c_ 10419990414en01060107.pdf.
- Rogowski, Ralf, and Turner, Charles (eds), *The Shape of the New Europe*, Cambridge University Press, Cambridge, 2006.
- Scheuer, Angelika, and Schmitt, Hermann, "Dynamics in European Political Identity", paper presented at the Spring Conference 2006, Institute for Social Sciences, University of Lisbon, 12–13 May 2006, Lisbon.
- Schmidt, Vivien A., "The European Union in Search of Political Identity and Legitimacy: Is more Politics the Answer", *Working Papers Series of Institute for European Integration Research*, No. 5, September 2010, www.eif.oeaw.ac.at/downloads/workingpapers/wp2010-05.pdf.
- Scholte, Jan Aart, *Globalization: A Critical Introduction*, Palgrave, Basingstoke, 2005.
- Stevens, Anne, "Europeanisation and the Administration of the EU: a Comparative Perspective", *Queen's Papers on Europeanisation*, No. 4, 2002, www.qub.ac.uk/schools/SchoolofPolitics InternationalStudies andPhilosophy/FileStore/EuropeanisationFiles/Filetoupload,5279,en.pdf.
- Stevens, Anne, and Stevens, Handley, *Brussels Bureaucrats?: The Administration of the European Union*, Palgrave, Basingstoke, 2001.
- Walkenhorst, Heiko, "Constructing the European Identity: Trap or Gap?", *Limerick Papers in Politics and Public Administration*, No. 1, 2008, http://ulir.ul.ie/bitstream/handle/10344 /495/Walkenhorst_ constructing.pdf?sequence=2.
- Walkenhorst, Heiko, "The Conceptual Spectrum of European Identity: From Missing Link to Unnecessary Evil", *Limerick Papers in Politics and Public Administration*, No. 3, 2009, www.ul.ie/ppa/content/files/Walkenhorst_conceptual.pdf.
- Warner, Carolyn M., "Creating a Common Market for Fraud in the European Union", *The Independent Review*, Vol. 8, No. 2, 2003.