

Bachelor Thesis (B.A./B.Sc.)

Debating on the EU:

To what extent does the European Citizens' Initiative lead to public deliberation?

Written by

Anna Overbeck

Public Administration (Special Emphasis: European Studies) Supervision by

Prof. Dr. Bas Denters Department of Public Administration, University of Twente

Dr. Matthias Freise Institute of Political Science, University of Münster

Abstract

It is widely acknowledged that the EU faces a problem of democratic legitimacy. To find out how this could improve, this thesis views the most recent participatory instruments set up by the EU, the European Citizens' Initiative (ECI). It is analyzed if this instrument leads to public debate on EU policies. The promotion of public debate triggered by the ECI has been one of the aims of EU decision-makers in order to support the building of a European public sphere, which is assumed to enhance EU legitimacy. Public debate is regarded with deliberation theory. Criteria for its measurement are retrieved by referring to mediated public deliberation as framed by Jürgen Habermas and Benjamin Page. A case study on the ECI 'Right2Water' is conducted through the collection of factual information and by carrying out a qualitative content analysis on the press coverage of the leading German quality newspaper 'Süddeutsche Zeitung'. It is found that the ECI does not seem to contribute to the deliberative quality of public debate on EU policies.

Keywords: EU · European Citizens' Initiative · Right2Water · Legitimacy · Deliberation · Public debate · Qualitative newspaper analysis · European public sphere · Germany · Süddeutsche Zeitung

Die demokratische Legitimität der EU wird oft in Frage gestellt. Um herauszufinden, wie das Legitimitätsproblem behoben werden kann, betrachtet diese Arbeit das neuste partizipative Instrument der EU, die Europäische Bürgerinitiative (EBI). Es wird analysiert, ob dieses Instrument zu einer Debatte in der Öffentlichkeit führt. Dies war eines der Ziele von EU-Entscheidungsträgern, um das Entstehen einer Europäischen Öffentlichkeit zu fördern, von welcher angenommen wird, dass sie die Legitimität der EU stärken könnte. Die Legitimationsproblematik und die Frage nach einer öffentlichen Debatte zu Themen der EBI werden aus der Perspektive der Deliberationstheorie beleuchtet. Kriterien für die Messung der öffentlichen Debatte werden von Jürgen Habermas und Benjamin Page hergeleitet. Anhand einer Sachanalyse sowie einer qualitativen Inhaltsanalyse von Zeitungsartikeln des deutschen Leitmediums "Süddeutsche Zeitung" wird eine Fallstudie zur EBI "Right2Water" durchgeführt. Die Resultate legen nahe, dass die EBI die deliberative Qualität öffentlicher Debatten zu EU-Themen nicht fördert.

Schlagwörter: EU · Europäische Bürgerinitiative · Right2Water · Legitimität · Deliberation · Debatte · Qualitative Zeitungsanalyse · Europäische Öffentlichkeit · Deutschland · Süddeutsche Zeitung

Contents

1.	Introduction	-1-
2.	Deliberation Theory Perspective on Public Debate	- 3 -
	2.1 Delineation of Democratic Deliberative Theory	- 3 -
	2.2 Different Approaches	- 3 -
	2.3 Deliberation in the Public Sphere/Mediated deliberation	- 4 -
	2.4 Public Debate in the EU	- 6 -
3.	Research Methodology	- 7-
	3.1 General Research Approach	- 7 -
	3.2 Sub-questions	- 8 -
	3.3 Scientific Evaluation of the Approach	- 15 -
4.	Data and Analysis	- 17 -
	4.1 Factual Analysis	- 17 -
	4.1.1 The European Citizens' Initiative	- 17 -
	4.1.2 Performance of the ECI	- 20 -
	4.1.3 Right2Water: the Different Actors and Views	- 20 -
	4.1.4 Scientific Research on the Generation of Public Debate on the ECI	- 22 -
	4.1.5 Summary of the Factual analysis	- 22 -
	4.2 Content Analysis	- 23 -
	4.2.1 Description of the Data	- 23 -
	4.2.2 Discussion of the Findings	- 23 -
	4.2.3 Summary of the Content analysis	- 28 -
5.	Conclusion	- 28 -

References Appendices

List of Abbreviations

- DGs Commission Directorate-Generates
- ECI European Citizens' Initiative
- **EP** European Parliament
- EU European Union
- MEPs Members of European Parliament
- SZ Süddeutsche Zeitung

List of Figures and Tables

Figure 1: Lengths of articles in columns	- 23 -
Table 1: Criteria for mediated deliberation according to Page (1996)	- 11 -
Table 2: Item 1: Categories and Sub-categories	- 12 -
Table 3: Right2Water Proposals	- 13 -
Table 4: Alignment of Arguments	- 14 -
Table 5: Summary of Methodology for the Measurement of Mediated Deliberation	- 14 -
of Right2Water	
Table 6: Additional Items	- 15 -
Table 7: Actors in Newspaper Articles	- 23 -
Table 8: Right2Water and EU actors	- 24 -
Table 9: Hits of Right2Water Proposals	- 25 -
Table 10: Diversity of Views	- 26 -
Table 11: Views in newspaper articles (numbers of proposals)	- 26 -
Table 12: Frequency of affirmative and negative arguments	- 26 -
Table A1: Categories (units of context and units of coding)	
Table B1: Findings in EU Newsroom	

Table B2: Findings in Süddeutsche Zeitung

1. Introduction

According to many, the EU is facing a crisis of legitimacy. In modern democracies legitimacy is based on the sovereignty of the people. It can be spoken of a crisis of legitimacy if considerable parts of the population doubt the basic principles or the rightfulness of the action of the ruler. (Schubert & Klein, 2011) There is abundant literature such as Eriksen and Fossum (2003); Kohler-Koch and Rittberger (2007) and debate¹ on the question whether there is a lack of democratic legitimacy in the European Union as well as on possible improvements meaning efforts of democratization.

This discourse on EU legitimacy which has evolved since the 1990s² is the starting point of this thesis. To tackle the uproar it started, the European Commission among other actors had demanded 'a Union closer to the citizens'³. There have been many contributions with a new focus on 'participation' and 'civil society' ever since. (Kohler-Koch, 2007) In 2005, the rejection of the Constitutional Treaty by referenda in the Netherlands and in France came as a shock to many. In consequence the focus has been shifted to participatory instruments for citizens instead of civil society organizations - with for instance the Plan D for Democracy, Dialogue and Debate (European Commission, 2005). Phrased in words of participation theory, this means citizen participation instead of associational participation. (Hüller, 2010, p. 80) As the outcome of the debate on how to bring Union and citizens closer together, several instruments have been set up aiming at democratization.

Especially the most recent one, the European citizens' initiative (ECI), has raised high hopes in terms of making the people feel heard within the EU. The ECI is meant to give at least one million EU citizens the possibility to set a topic on the EU's political agenda. Concretely, a citizens' committee of a minimum of seven EU citizens from at least seven different EU member states can write a legislative proposal. If not less than one million EU citizens support this initiative by giving their signatures, the proposed policy is set on the political agenda in so far as the EU Commission being the executive body needs to consider if it takes action.

Because one of 500 million EU citizens is not many, EU decision-makers expect a public debate to take place on the topics of the initiatives. (European Commission, 2010) This claim follows the EU's ambition to promote the emergence of a European Public Sphere. (European Commission, 2005) In this thesis I work on the question: *To what extent do ECIs contribute to a public debate on EU policy issues?*

To be able to judge on the promotion of legitimacy by public debate, as well as to define which criteria are needed to evaluate on the question to what extent a public debate on the ECIs occurs, a democratic theory is used. This thesis takes on the view of deliberation theory which deals with the question if legitimacy can be achieved through deliberation i.e. debate following certain criteria.

The criteria retrieved from deliberation theory are applied in a case study on the first successful ECI: Right2Water, an initiative inviting the Commission "to propose legislation implementing the human right to water and sanitation, as recognized by the United Nations, and promoting the provision of water and sanitation as essential public services for all" (European Commission, 2012a). The specific research question reads as follows:

To what extent did the ECI Right2Water lead to public deliberation on the underlying policy issue?

In order to answer the main question, the following sub-questions (q1, q2) are replied to:

q1) How will ECIs improve the EU's democratic legitimacy and how were the regulations for this implemented in the case of the Right2Water initiative?

q2) To what extent did the Right2Water initiative result in a public debate in the leading German quality newspaper?

By replying to the first sub-question, relevant context information is provided. Therefor, I have consulted primary sources such as EU documents as well as built on existing scientific research. For answering the second question, a qualitative content analysis has been conducted to empirically investigate if public deliberation on the proposals of Right2Water has taken place.

This work adds to existing political theory research (Fiket, Olsen, and Trenz (2014); Fossum and Schlesinger (2007) and others) arguing that the yardstick against which to measure, not only the success of a participatory instrument, but also the legitimacy of a political system, is the public. This conceptualization for instance goes along with the 'communicative logic' phrased by Eriksen and Fossum (2003) as one of three strategies to improve legitimacy in the EU. (Eriksen & Fossum, 2003, p. 438) As the ECI is a new instrument, the existing research mainly stems from the time before the initiation. Empirical research especially regarding the effects of the ECI on the public sphere is still largely lacking.

The social relevance of the research interest grounds in the fact that it questions the democratic legitimacy of the EU. All EU citizens who are old enough to vote could potentially take part in EU politics (European Commission, 2012), but many of them do not choose to do so or do not even know about their possibilities. (Berg & Thomson, 2014b, p. 122) Possibly, a public debate that occurs on EU policies could compensate this lack by informing and activating citizens. These aspects make the question a problem of real-world significance. Research on this instrument is of great relevance as a revision of the ECI is foreseen for 2015. The reply to the research question can be a valuable source of information for the approaching revision of the instrument as it can provide empirical support for its evaluation.

Succeeding this introductory chapter, the second one delves into deliberation theory and leads to a perspective on public debate. The close-up chapter elaborates the research methodology. Chapter four is the place of the actual research and the discussion of the findings. The final conclusion draws inferences on the question if there is public debate on an EU policy by means of the ECI. It furthermore concludes on the doubt whether this enhances the legitimacy of the EU and comments on the future of the ECI.

2. Deliberation Theory Perspective on Public Debate

The term 'deliberation' is used in different contexts. In this thesis, the theory of deliberative democracy is perceived as one of several contemporary democratic theories (the word 'democratic' might be omitted at times in the following) that attempt to work on a just political order. It assumes that if deliberation is done properly, this will generate democratic legitimacy. Eriksen and Neyer summarize the opinion of many authors by explaining the appeal of the deliberative approach as trying to combine normative and positive theory. (Eriksen & Neyer, 2003, p. 1) What is more for this thesis, deliberation theory emphasizes opinion formation and will formulation – which is what the ECI processes. Remarkably, deliberation theory is viewed from that many different angles that some argue the concept might be stretched.⁴ It is said that deliberative theory might lack critical assessment. (Halpin & Cintula, 2014, p. 80) To start, democratic deliberative theory is delineated. Different approaches of deliberation theory are then outlined and in the succeeding two sections are driven into a workable perspective on public debate on the EU.

2.1 Delineation of Democratic Deliberative Theory

One of the many different definitions⁵ of democratic deliberation is: "un-coerced, other-regarding, reasoned, inclusive and equal debate" (Chappell, 2012, p. 7). This minimal example says that it is about a certain kind of debate, yet it does not say anything about the democratic significance of deliberation. Chambers gives another definition: "deliberation is debate and discussion aimed at producing reasonable, well-informed opinions in which participants are willing to revise preferences in light of discussion, new information, and claims made by fellow participants" (Chambers, 2003, p. 308). Thus, what distinguishes deliberation theory from other approaches is the fact that preferences of the participants can change during the process. The principle aim of deliberation is not only to reach a decision. Instead of opinion aggregation in the form of voting⁶, deliberation theory concentrates on the process that proceeds voting which is opinion and will formation meaning talk-centric democracy. Deliberative democrats are of the opinion that there is no need for a 'pre-political identity' (Fossum & Schlesinger, 2007, p. 7) as preferences are endogenously generated (to the political process), not exogenously (Kohler-Koch & Rittberger, 2007, p. 18). Participation can be called 'intrinsic'. than (only) 'instrumental' (Kohler-Koch & Rittberger, 2007, p. 16) and it is widely argued that as such, deliberation leads to 'enlightened understanding' (Gastil, 2008, p. 7)^{\prime}. Thus, deliberation through the process itself strives for an outcome that everyone can accept, that is a legitimizing outcome. Deliberation theory assumes that democratic legitimacy is generated through this specified kind of debate.

2.2 Different Approaches

The preceding explanations should be agreed on by all deliberative democrats. This chapter draws a clearer picture of differing views. It will help to frame the perspective taken in this thesis and to find criteria on how a public debate that strengthens the democratic legitimacy i.e. deliberation can be measured. The historical development of deliberative approaches is shortly retraced ending with the current state of play and a proposal for sorting the differing views.

The so called first generation deliberative democrats of the 1970s and 1980s like Jürgen Habermas and John Rawls, developed the normative and theoretical framework for deliberative democracy.

They expressed that consensus could only be achieved by communication in form of the exchange of reason. (Elstub, 2014, pp. 5–7) The second generation scientists⁸ refined the developed ideas against the background of the problems of their time, e.g. exclusion from public deliberation due to social inequalities (Elstub, 2010, p. 293), to combine theory and reality. Deliberation theory nowadays is said to have matured (Elstub, 2014, p. 1) as third generation scientists⁹ are trying to put the thoughts of the earlier generations into practice and have directed towards empiricism. (Elstub, 2014, p. 1) For instance Ackermann and Fishkin have proposed the idea of a Deliberation Day preceding presidential elections. (Steiner, 2014, p. 145) Recently, Carolyn Hendriks (2006) has tried to shed light on differences in perspective (regarding 'scale' and 'formality' of deliberation) by formulating two divergent streams of thought: micro and macro perspective on deliberation. (Hendriks, 2006, p. 491) In her regard, "micro theories of deliberative democracy concentrate on defining and discussing the nature of a deliberative procedure and its ideal conditions" (Hendriks, 2006, p. 491). To put it in a nutshell, micro approaches say that ideally, deliberation is limited to a certain amount of people. Theorists often focus on decision making and deliberation in public institutions. (Hendriks, 2006, pp. 492, 493) According to Hendriks, the micro steam is seen as taking the deliberative (prioritizing deliberation over participation), whereas macro as taking the discursive account of deliberative democracy. (Hendriks, 2006, pp. 492, 493) Macro theories deal with deliberation in the public sphere, the matter "how informal, open and unstructured deliberation in civil society can shape public opinion and, in turn, political institutions" (Hendriks, 2006, p. 491). Hence, it is directed rather at opinion than at will formation. (Hendriks, 2006, p. 493) It can include face-to-face discussions or protests. The macro perspective can be seen as more inclusive than the micro view. (Hendriks, 2006, p. 494) At the same time, macro theories are criticized e.g. by Eley (1992) and Fraser (1992) for lacking deliberative quality e.g. for inequalities in communication. (Hendriks, 2006, p. 495)

Concluding, it is micro deliberation that could explain will formation among a small-scale citizens' initiative, but macro deliberation – as for example dealt with by first generation theorist Jürgen Habermas – that deals with public opinion formation. (Hendriks, 2006, pp. 493–495)

2.3 Deliberation in the Public Sphere/ Mediated deliberation

The philosopher and sociologist Jürgen Habermas has significantly shaped democratic deliberation theory although having started to use the term 'deliberation' rather late. (Fossum & Schlesinger, 2007, p. 3) The contributions of Habermas are highly valued for being a theory of society (Gesell-schaftstheorie) that includes interdisciplinary perspectives and as such potentially bridge the gap between normative and empirical theory. (Yang, 2012, p. 44)

According to Jürgen Habermas, the will is formed outside the political system that is the 'formal' public. (Habermas, 1996, pp. 307, 308) Instead, he says, it needs to be inserted from the 'informal' public. The public opinion is formed in the public sphere. (Habermas, 1996, pp. 307, 308) It was Habermas (1996) who shaped the most important demarcation: "The public sphere can best be described as a network for communicating information and points of view (i.e., opinions expressing affirmative or negative attitudes); the streams of communication are, in the process, filtered and synthesized in such a way that they coalesce into bundles of topically specified public opinions." (Habermas, 1996, p. 360) His conception has been understood as "non-coercive, secular and rational" (Fossum & Schlesinger, 2007, p. 3). Rationality is seen in the sense of public reason giving. lit is argued that reasons make a difference for legitimacy.

Citizens are endowed with individual rights against the state. (Eriksen & Fossum, 2003, p. 438) Habermas stresses that public sphere refers "to the social space generated in communicative action" (Habermas, 1996, p. 360) Thus it has a 'reflexive' character. Responses work like a test, ideally only 'considered opinions' pass. (Habermas, 2006, pp. 417, 418) Therefore, public opinion should generally not be confused with polls like Eurobarometer reflecting an aggregation of opinions. (Habermas, 1996, p. 362) In this 'social space', he assigns an important role to civil society (defined in Habermas, 1996, pp. 367). For Habermas, the political system and civil society need to complement one another to reach legitimate political decisions. (Habermas, 1996, p. 368) In line with Cohen & Arato (1992), he views civil society actors in the role of actively introducing new topics but additionally promoting political public as space for civic engagement. (Habermas, 1996, p. 370) Mass media are supposed to preserve the level of public discussions. Habermas demands them not to misuse their power, but to be independent and impartial, to inform their audience critically about political problems, social wrongs and their causes and thus enlighten the public. (Habermas, 1996, p. 378) Moreover, mass media shall "augment criticisms, and confront the political process with articulate demand for legitimation". (Habermas, 1996, p. 378)

The ideas of Habermas have been reconsidered and rephrased with the center-periphery scheme of Bernhard Peters (Peters, 2008), 'strong' and 'weak' publics of Nancy Fraser (Fraser, 1992) 'silent' and 'speaking' publics of Klaus Eder (Eder, 2003). There has been extensive debate on the question, which publics deliberate. Hendriks recently has talked of "mixed discursive spheres that combine formal and informal modes of deliberation" (Hendriks, 2006, p. 501). Some thoughts have also been taken up by Habermas. The focus of this thesis shall lie on functions of deliberation in the public sphere and how these are performed.

Habermas (2006) argues that deliberation "is expected to fulfill three functions: to mobilize and pool relevant issues and required information, and to specify interpretations; to process such contributions discursively by means of proper arguments for and against; and to generate rationally motivated yes and no attitudes that are expected to determine the outcome of procedurally correct decisions" (Habermas, 2006, p. 416). He specifies the public sphere "as an intermediary system of communication between formally organized and informal face-to-face deliberations in arenas at both the top and the bottom of the political system" (Habermas, 2006, p. 415). Regarding the provision of legitimacy, he says that the public sphere shall primarily fulfill the first function and "ensure the formation of a plurality of considered public opinions" (Habermas, 2006, p. 416).

Concretizing, the political scientist and public opinion specialist Benjamin Page states that it is widely consented that ideally, deliberation in the public should be face-to-face. (Page, 1996, p. 5) This goes in line with the micro approach formulated by Hendriks (2006). Nevertheless, Page describes two problems which modern societies pose on deliberation: firstly the large amount of citizens and secondly the complexity of political problems. (Page, 1996, p. 5 He concludes that both urge for a "division of labor in political expertise, policymaking, and communication" (Page, 1996, p. 5). Actually, this is the idea of representative democracy, but Pages stresses that to hold the representatives accountable, "[s]ome kind of effective public deliberation is required that involves the citizenry as a whole." (Page, 1996, p. 5)¹⁰ This is why, he explains, in modern societies deliberation is 'mediated' by mass media.

What does this mean for the quality of public deliberation? Page (1996) thinks that political information is provided in the system and will "trickle out through opinion leaders and cue givers to ordinary citizens" (Page, 1996, p. 7). To clarify the term 'mediation', it does not mean citizens talk to each other via mass media, but deliberation is mediated by 'professional communicators'. The communicators are not elected democratically and are mostly employed by private businesses. (Page, 1996, p. 6) Referring to Habermas (2006), there is 'mediated political communication' which is carried out by an elite i.e. professionals of the media system and politicians. (Habermas, 2006, p. 416) Up to a point, they have to rely on political information and ideas. (Page, 1996, p. 2) If these are imprecise, the public may be misled (Page, 1996, p. 2), but a 'rational public' is possible (Page, 1996, p. 5). Although deliberation is mediated, citizens chose the information and discuss some topics (face-to-face) within their smaller groups (micro deliberation). Habermas (2006) presents a 'communication model of deliberative politics' that "highlights two critical conditions: Mediated political communication in the public sphere can facilitate deliberative legitimation processes in complex societies only if a self-regulating media system gains independence from its social environments, and if anonymous audiences grant feedback between an informed elite discourse and a responsive civil society." (Habermas, 2006, pp. 411-412) This thesis deals with the second condition for the enhancement of legitimacy through mediated political communication in the public sphere. It is observed, if citizens consolidated by ECIs that possibly build on civil society actors achieve to set their issues on the agenda of the (elitist) mediated public sphere. The issues of the ECI should be deliberated fulfilling the functions named by Habermas (1996, 2006) as described above – most importantly enlighten the audience.

How can this be analyzed? Page (1996) has done research on quality newspapers. With regards to the New York Times he states: "[i]t is appropriate to assess whether or not the voices and views presented in such a key forum live up to the normative standards we associate with democratic deliberation." (Page, 1996, p. 17) Accordingly, Page confers the criteria for deliberation in newspapers to "voices and views" (Page, 1996, p. 17).

He asks: "To what extent are the authors and viewpoints presented on the editorial and op-ed pages of the Times diverse? Are they balanced? Do they include the most pertinent ideas, the best available expertise, and all major points of view? Are they representative of the American citizenry as a whole?" (Page, 1996, p. 17)

The theoretical expectations derived from deliberation theory then are: finding a public debate on the ECI that presents these 'voices' and 'views'. Before these criteria can be worked into a precise list of operationalization in chapter three, it needs to be determined if the criteria can be applied to the EU, if there is mediated public deliberation on EU policy issues.

2.4 Public Debate in the EU

Regarding the EU, there is a broad range of opinions expressed by scholars if a (unitary) European public sphere currently exists. For deliberation theory, this is important as political decisions are taken by EU actors that would need to be deliberated in the public sphere to be legitimate. It has frequently been asserted that democratic legitimacy is confined by the nonexistence of a common European public sphere "that guarantees a certain degree of uniformity of public opinion and will formation". (Fiket et al., 2014, p. 58) Reasons for not believing in the mere possibility of a European public sphere are for instance the complexity of the institutions and processes of the EU, politicians

who are prioritizing their national public over the European and using Brussels as a scapegoat, a missing European demos or sense of collective identity etc. (Thiel, 2008, pp. 345,346) Some authors state that part of the problem is that there is a communication deficit prevailing in the EU (Thiel, 2008, p. 343) which others deny (Eder & Trenz, 2007, p. 169).¹¹ Instead of discussing the existence of an integrated European public sphere, research has recently focused on "a more differentiated model of individual Europeanized national public spheres with synchronized common references to the EU" (Thiel, 2008, p. 346). Eder and Trenz (2007) find a "multilevel communication governance" (Eder & Trenz, 2007, p. 169) relying on mass media communication. They furthermore illustrate that attention in the EU is attracted for events and commonly relevant topics. Thus, mediated deliberation on ECIs possibly triggered by ECI milestones could enhance European opinion formation.

3. Research Methodology

3.1 General Research Approach

As elaborated, the aim of this thesis is to evaluate public debate on the EU. This could happen on many relevant topics with EU reference – here it is chosen to conduct a study on the ECI as research on this new instrument appears especially pertinent. Next to being the cause for the public debate on an EU policy, the ECI itself deals with the question of legitimacy in proposing new ways of citizen participation. What is more, it should be in the interest of the EU to trigger a public debate on the ECI – as well as on single initiatives as drivers for policy change. To summarize the reasoning from the introductory chapter, hereinafter follows a simple visualization:

European Citizens' Initiative \rightarrow (deliberative) public debate on EU policy \rightarrow EU Legitimacy

The general research approach is a case study on the ECI. The aim is to go into depth ('extent') instead of breadth and boundedness and observe one unit (one of the ECIs) to "generalize across a larger set of units" (Gerring, 2004, p. 341) which is public debate on the other ECIs. In line with Gerring (2004) this is the definition of a case study.

The formulated research question is: To what extent does the ECI lead to public deliberation? To draw inferences for EU legitimacy the extent of the public debate I expect to take place is observed. In line with Gerring, a reference point is needed for analysis which I assign to the ideal assumptions set up by deliberation theory. (Gerring, 2004, p. 347) The focus of analysis lies on the effect. Thus the inference is not causal but rather descriptive. The proposed underlying relationship is retraced to counteract criticism on the case study design and locate the research findings in the context.

This is a problem-driven analysis as there is a real-world problem (EU legitimacy) under investigation. It is tried to solve by text-analysis. (Krippendorff, 2004, pp. 342) This comprises literature study and empirical investigation. In the following, the case selection and data collection are presented. The scientific evaluation of this choice is discussed at the end of this chapter.

Among the up to now three successful ECIs, the first one, Right2Water, is chosen. This initiative should be particularly interesting to regard in the sense of deliberation as it has been debated if the topic has been rightly phrased by the initiators as well as by the media. (Plottka, 2013b¹²)

Participation has been particularly high for the ECI Right2Water. Hence, it could be argued that Right2Water presents a crucial case. This leads to the question, if this ECI did not get considerable media attention possibly leading to deliberation, why should another one? To take all ECIs does not help the phrased research interest.

The analysis is confined to the national sphere. This is in coherence with the above presented arguments on a lacking European public sphere and findings that media coverage is triggered by the same events (Eder & Trenz, 2007, p. 170) or that newspapers are not separated by national cleavages (Trenz, 2007, pp. 106, 107). From the EU member states I have chosen Germany which can be justified as follows. As is shown in the factual analysis, residents in Germany participated comparatively high in the ECIs of the first two years. To counteract the argument that some countries could be more likely to make use of ECIs, at least regarding the country size the available research provides no hints towards a significant correlation. (Kentmen-Cin, 2013, p. 314) Concluding from the association research by Kohler-Koch and Quittkat (2013), it might be that there are differences with regards to press coverage between the member states in the extent and the amount of details provided. (Kohler-Koch & Quittkat, 2013, p. 183) Hence, the argument here is not comparability and direct inferences to other countries in any case, but the assumption: If there is no public debate on this ECI in Germany, it is not likely to occur in other member states.

The original suggestion for the time frame of analysis was to create an artificial week around the public hearing of Right2Water, but because there is not enough content to consider, the time of the whole ECI cycle is chosen. Hence, the ECI is seen as one event, but covering several milestones. Therefore, I observe one unit under temporal variation. The slot starts with the registration of Right2Water (May 5th, 2012) and ends with the Communication from the Commission (March 19th, 2014). (European Commission, 2012, Closed initiatives) To facilitate the time slot and cover all related content, the slot is extended and comprises: April 1st, 2012 to April 1st, 2014.

Thus, the research question is refined: To what extent did the ECI Right2Water lead to a public deliberation on the underlying policy issue during the initiative cycle in Germany?

3.2 Sub-questions

In the introductory chapter, two sub-questions (q1, q2) have been posed to answer the main research question. In the analysis, these are referred to as factual analysis (4.1) and content analysis (4.2).

q1) How will ECIs improve the EU's democratic legitimacy and how were the regulations for this implemented in the case of the Right2Water initiative?

There are several aspects elaborated by different methods of investigation. Firstly, the development of the ECI and the implications of the ECI regulations on public debate are elaborated by scrutinizing primary sources such as EU documents as well as by building on existing scientific papers. In a next step, the instrument's hitherto performance is described to indicate its significance and draw conclusions on the likelihood of press coverage as an answer to public debate. This is discussed by solely referring to scientific research to present an unbiased perspective. Next, the characteristics of Right2Water are outlined by drawing on evaluative research such as the work by Berg and Thomson (2014a) which comprises interviews with the organizers. As context information for the criteria derived from deliberation theory, there is a focus on all relevant actors and views. To unravel citizens' involvement, I have a look at their participation in the ECI and especially in Right2Water. The search on supporting organizations is confined to the homepage of the initiative as I cannot provide a comprehensive network study in this thesis. Similarly, without carrying out an investigation on their use of these media, I look at which kind of media Right2Water makes use of. As the ECI achieved to collect one million signatures, I assume that it needed to have an impact on public debate. Hence, I expect the initiative organizers to have worked hard on constantly reaching the public. As the EU is the organizer of the instrument, political communication from EU institutions on Right2Water should be of special importance for media coverage. Possibly, it could be a trigger for public debate on ECIs (the diffusion of political communication in the EU is e.g. covered by Eder and Trenz, 2007, p. 169). Thus, I view the EU actors' contributions to public debate by collecting press releases of the EU institutions in the EU Newsroom (European Union, 2015). The search criteria for the Newsroom are: German language (excluding Belgian and Austrian publications), the delimited period of time and the genuine topic (excluding ECI). Furthermore, the homepages of the political parties from the EP are searched for publications on Right2Water. To frame the research results and control for further key words, papers of other researchers on the coverage of Right2Water in the media are consulted.

q2) To what extent did the Right2Water initiative result in a public debate in the leading German quality newspaper?

Deliberation theory and the context information are used to conduct an adjacent empirical investigation. The unit of context is deliberation in the public sphere. It is argued that macro deliberation in practice would be difficult to measure (Chappell, 2012), but in line with Habermas (1996, 2006) and Page (1996), the actors that mediate public deliberation are the mass media and they produce contents which can be analyzed.

Choice of medium: Among the mass media, the medium chosen to examine if a public debate has happened in Germany is the newspaper. Exemplary for many researchers who make use of newspaper analysis, Kohler-Koch and Quittkat (2013) state that "numerous studies have shown that media coverage makes a difference, even in the age of the Internet." (Kohler-Koch & Quittkat, 2013, p. 182) The importance of newspapers for democracy has already been elaborated by reffering to Habermas (1996). To enlarge this argumentation to the question why other media should not be prioritized over newspapers, Habermas (2006) is critical of the contribution of the internet to public deliberation in liberal societies, particularly of the influence of chat rooms. He sees highly fragmented 'issue publics' that only seldom affect public debate. (Habermas, 2006, pp. 423 Note 3) Moreover, the Eurobarometer of 2008 which concentrated on EU citizens' opinion on media coverage of the European Union, found that by 48% television and by 46% radio are thought to not cover the EU sufficiently. (European Commission, 2008, p. 146) For the press, only 36% of the respondents believed there was not enough and 45% held that there is enough coverage. (European Commission, 2008, p. 146) Against the backdrop of deliberation theory, one can also argue that newspapers offer space for numerous opinions and with regards to the EU topic, for explanations of complexities.

<u>Choice of newspaper type:</u> Regarding the kind of newspaper, I decided to take a quality newspaper only. The main reason is that Habermas (2006) believes that in "intermedia agenda setting, an informal hierarchy accords the national quality press the role of opinion leader" (Habermas, 2006,

p. 419). With reference to Jarren & Donges (2006), he additionally states that "there is a spillover of political news and commentaries from prestigious newspapers and political magazines with nationwide circulation into the other media." (Habermas, 2006, p. 419) Moreover he thinks that the quality press could play an important role in a transnationalization of national publics. (Habermas, 2011, pp. 77–79) Eder and Trenz (2007) have found that there is EU content in one out of five political articles from EU quality papers. (Eder & Trenz, 2007, p. 169) This supports the assumption that there needs to be a considerable amount of articles on the ECI. It could be argued that a sole analysis of a quality paper is a hindrance for inclusion, but firstly, quality newspapers offer more space for pluralist insides. Secondly, I decided to not take a tabloid papers such as German 'Bild' as I found that it does not provide enough material for analysis on the ECI. Furthermore, it is argued that the quality newspaper approach fits to a rather elitist perspective in the EU regarding several matters. Firstly, public deliberation in the EU has already been described as mediated by elites (chapter 2.3). Secondly, I deduce from literature such as Habermas (2011, 2013) and Monaghan (2012), that the EU has mainly been forwarded by elites and that the understanding of participation in the EU has become rather elitist.

<u>Choice of German quality newspaper</u>: The newspaper of choice is 'Süddeutsche Zeitung' (SZ) which has the highest circulation (more than 400,000) of national quality daily newspapers in Germany (Süddeutsche Zeitung, 2014). It is seen commonly seen as center-left. An editorial charter cannot be found. The choice of the particular newspaper goes in line with Trenz (2007) who argues that the "underlying criteria are the ideological alignment of the newspaper (left-right), nation-wide distribution and a leading role in opinion formation in the relevant country" (Trenz, 2007, p. 93). However, he admits that the ideological alignment could be different for European news which is not yet scientifically proven. (Trenz, 2007, pp. 108 Note 5) To collect the data, 'Süddeutsche Zeitung Library Net' (Süddeutsche Zeitung, 2015) is accessed via the admission of the online university network of the University and State Library of Münster, Germany.

Choice of articles: The newspaper articles are the sampling units. The texts are seen as instrumental of the phenomena of interest - which is democratic legitimacy - as they are supposed to be the product (i.e. consequence) of public debate. The sample size is restricted by the articles' appearance in the national newspaper edition and the part in the newspaper as well as the topic and the chosen time frame. In other investigations on deliberation theory, the newspaper analysis is confined to the politics part. (Hepp, Brüggemann, Kleinen-von Königslow, Lingenberg, & Möller, 2012, pp. 54, 55) In this study, the opinion part ('Meinung') of SZ is also included into the sample. The reason is that the material on Right2Water is limited and it is argued that opinion pages are conducive to deliberation. Among the sampling units, I distinguish between news articles and opinion articles. As for the topic, the articles have been sampled as whole texts for the key words "water is a human right", "Wasser ist Menschenrecht", "Right 2 Water", "Right2Water", "right to water", "Recht auf Wasser". Additionally, I have used the provided categories from SZ: "Bürgerinitiative Right2water", "Volksabstimmungen in der EU", "Wasser in der EU" and "Privatisierung in der EU"as means of control. The actual cases that are observed in this case study are the individual newspaper articles. (Gerring, 2004, p. 342) They are analyzed qualitatively for their deliberative features by applying categorical distinctions.

Criteria for analysis: The analysis is a content analysis which deals with the effect of Right2Water. According to Krippendorff (2004), "the relative frequency and space devoted to a topic" can be seen "as an index of [...] the importance that the mass media attached to that topic" (Krippendorff, 2004, p. 181). The question if there has been a public debate could therefore be answered easily by quantitative analysis which could prove valuable when there are many ECIs. To draw inferences for legitimacy, in this study the extent of public debate is evaluated by analyzing the quality of deliberation. This implies the question: To what extent are the texts on Right2Water deliberative? Macro deliberation is seen as a challenge for evaluation (Chappell, 2012), however, some scientists have already set out to measure mediated public deliberation. According to Steiner, for instance the sociologist Jürgen Gerhards (1997) made use of three indicators to analyze newspapers: "the degree of respect toward other positions, the extent of justification of one's position, and the degree of rationality defined as expressing conflicting values" (Steiner, 2012, p. 168). This approach appears very much focused on linguistics and does not seem sensible for the time period given for this thesis, nor the small amount of material the ECI provides. In the chapter on deliberation theory (chapter 2.3), some criteria are retrieved from a case study on mediated deliberation by Page (1996, pp. 17) as summarized in Table 1.

Voices and views
Diversity
Balance
Inclusion of all major voices, of the most pertinent ideas
Representativeness of the citizenry
Inclusion of the best available expertise

 Table 1: Criteria for mediated deliberation according to Page (1996)

In contrast to e.g. Gerhards (1997), Page (1996) rather focuses on 'who deliberates' what – instead of prioritizing the way positions are deliberated. This appears to be done more handily. Although the work of Page is praised e.g. in (Bohman, 1998), I cannot access the concrete methodology for instance from his study on the war with Iraq which he carried out in The New York Times (Page, 1996, pp. 17). This is why – based on the quotation as summarized in Table 1 – in the following I set up a list of operationalization for the criteria myself. Therefor qualitative content analysis in line with Mayring (2010) is used.

<u>Operationalization</u>: The recording units are single words or small collections of words. Not all of the words in the texts are assigned to categories. Relevant words or word collections are filtered by using categories. The formulation of the categories can be found in the appendix in Table A1. The overarching items are: 'deliberation', 'reasons for coverage', 'democracy' and 'public sphere'. There are categories (named with lower-case letters) and so called sub-categories (named with numbers). These are followed by definitions and key examples.

The first item, 'deliberation', is central for the research interest. According to the quotation taken from Page (1996, p.17), I have drawn up the items 'voices' and 'views'. Voices represent who deliberates and views the aspect of what is deliberated. Benjamin Page (1996, p.17) speaks of 'voices' and more concretely of 'authors' and 'viewpoints'. Authors in this case are understood as the authors who have written the articles. Normally, newspaper articles are mediated by just one author.

What Page (1996) refers to with diversity and balance of authors are certain parts of a newspaper. As there is no material for such an analysis in this case, the names of the authors of the particular articles are drawn from the press' archive just to see if there are plural authors writing on the topic at all. 'Viewpoints' are seen here as the 'actors' to whom the 'professional communicator' i.e. the journalists refer to in order to present different 'views'. They are retrieved by using keywords.

To see how exactly actors are incorporated, possible players are grouped together in categories. As Table 2 displays, the categories are Right2Water, EU actors and other actors. They are further divided into subcategories to get a clearer picture of their composition. The concrete keywords are enlisted in the appendix, Table A1.

a)	EU actors:	1) EU
		2) EU Commission
		3) EP
		4) Council of the EU/European Council
b)	Right2Water:	1) Initiative
		2) Initiators
		3) Citizens (as in the sense of supporters) ¹³
		4) Related organizations
c)	Other actors	(e.g. citizens as in the sense of critical participants in the public sphere)

Table 2: Item 1: Categories and Sub-categories

I expect the actors to be 'diverse' if there is a considerable range of hits in the subcategories, which I define as representing not less than two different of them. I furthermore argue that the presence of more than six different subcategories – which would on average be two for each of the three categories – point at high diversity. Voices are 'balanced' if EU bodies and Right2Water actors are represented with a similar amount, because I determine them as antagonist groups. As major actors, I decide to look for references to the organizers of Right2Water (a) and EU Commission (b) representatives. Regarding representativeness, I distinguish political party representativeness and societal interest representation, S to the first, irrespective of voter alignment, I regard whether voices of all EU political party families are heard (European Parliament, 2015a). Concerning the societal interest representation, I expect thematically relevant interest groups such as industrials, consumers, etc. to be mentioned. Relevant for the policy proposal seem to me affinities to water, agriculture, human rights, development cooperation, health care and social policy advocates.

Experts are not easily defined for a hotly debated policy proposal. With regards to the EU Commission as decisive actor for the policy proposals in question, it is referred to the explanations of the members of Commission expert groups. The EU Commission (2015c) states: "Expertise may take many forms, both scientific knowledge and knowledge derived from practical experience." (European Commission, 2015c) Additionally, there are four groups of experts named which are used for the analysis. Shortened, they are: 1) Individual appointed in a personal capacity, 2) Individuals appointed to represent a common interest, 3) Organizations, 4) National authorities of the Member States.¹⁴ Special attention is paid to the question whether the experts are independent from Right2Water and the EU.

The 'views' to be operationalized are for reasons of practicability confined to the proposals made by Right2Water (2012a). The views chosen for analysis are retrieved from the initiatives' homepage (Water is a Human Right, 2012a) as presented in Table 3.

1.	proposals to the European Commission to implement the human right to water and sanitation: To use the Human Right to Water and Sanitation in all communications on Water and/or Sanitation.
2.	To guarantee water (safe, clean and affordable) and sanitation services to all of the populations in EU Member States.
3.	To refrain from turning water services into commercial services by excluding water from
	internal market rules. This can be achieved by a commitment of the European Commission:
4.	Not to liberalise water and sanitation services.
5.	Not to include water and sanitation services in Trade Agreements such as CETA.
6.	To promote Public-Public Partnerships.
7.	To enshrine the "water is not a commodity" principle of the Water Framework Directive in all
	EU water and water-related policies.
8.	To define that protecting our water environment will prevail over commercial policies.
9.	To initiate support programmes for people that can not pay their bill with the aim to prevent disconnections of users.
10.	To ensure that private water companies operating water services provide complete
	transparency and openness regarding their contracts (no role for commercial confidentiality in this public service).
11.	To promote citizens' participation in accordance with the water framework directive.
12.	To increase access to water and sanitation worldwide, by making the achievement of
	universal access to water and sanitation part of EU development policy.
13.	To promote Public-public partnerships (Water Operator Partnerships) based on not-for-profit principles and solidarity between water operators and workers in different countries.
14.	To enshrine into law that control over water and water resources must remain in public hands.
15.	To support public water companies in the EU and other countries that lack the capital to invest in the extension of Water and Sanitation services to the poor.
16.	To promote water operators to dedicate a percentage of their annual turnover for water
	operator partnerships in developing countries. (like in The Netherlands and in France).
17.	To promote a European benchmarking system to raise quality public water services.
18.	To design a governance code for water companies in the EU-27.

Table 3: Rightzwater Proposals

The views are in the following also referred to as 'proposals' or 'arguments'. For reasons of workability, they are used with issue labels in the analysis. The choice of using the proposals means that similar arguments, for instance on the ECI in general, are not covered. If an argument in the articles cannot be clearly assigned to one of the numbers (written by Right2Water), but to several dealing with the same topic, it is aligned to the closes of the proposals to show the number of arguments and to represent the topic dealt with in the article. It could be argued that no real 'arguments' are observed in the sense of the justification of positions such as analyzed by Gerhards (1997). Nevertheless, with the approach chose here, the appearances of positions are shown which can be discussed by using the criteria derived from Page (1996).

To see if the views that are presented are 'diverse', I align the proposals thematically into six groups which are shown in Table 4. The alignment is chosen for thematic affiliation and the kind of proposal

("to refrain from", "not to liberalise", "not to include"). The reason of the alignment is reflected in the group labels that have been phrased. I determine that to be 'diverse', views must be covered from at least three different groups to cover half of the groups aligned.

Numbers	1, 7, 14	2, 12, 16	3, 4, 5	6, 8, 13	9, 11, 15	10, 17, 18
Proposals						10
(Table 3)						
Groups	Communications	Water and	Requests	Prioritization of	Support	Quality
Labels	and Laws	Sanitation		Public	for	of
		Services		Ownership	citizens	Services

Table 4: Alignment of Arguments

Next, it needs to be defined when the views are declared 'balanced'. In line with Habermas (2006), among others it is the task of deliberation "to process such contributions discursively by means of proper arguments for and against" (Habermas, 2006, p. 416). That is why arguments found in the newspaper articles are distinguished between being in line with the proposals by Right2Water (affirmative) or contradicting (negative). Reverse formulations are counted as arguments for as well as against (e.g. 'the initiative is directed against water liberalization'). This is seen as valid as from it semantics, it presupposes as such. The 'most pertinent ideas' are determined and outlined in the factual analysis. Democratic representativeness is usually refined to persons instead of views. Therefore, representative actors are seen as sufficient. For reasons of practicability, the expertise of the views is not covered here, but it is argued that the analysis on the 'experts' is already adequate.

The following Table 5 summarizes the approach that has been defined to measure deliberation in a qualitative newspaper.

	N N	Voices	Views		
	Authors	Viewpoints			
Diversity		s according to Ibcategories (1-4): at It need to be covered	Diversity of arguments according to group alignment: at least three different groups need to be covered		
Balance	Balance in equal r according to com Right2Water acto	Balance in equal numbers of affirmative and negative arguments			
Inclusion of all major voices/the most pertinent ideas	References to EU Commission representatives and the organizers of Right2Water		Inclusion of the most pertinent ideas: defined in the analysis (4.1)		
Representative of the German citizenry	Consulting of relevant actors according to political party representativeness and societal interest representativeness		Argued as covered by representative voices		
Inclusion of the best available experts	Definition of expertise/experts of the EU Commission		Not to be determined		

Table 5: Summary of Methodology for the Measurement of Mediated Deliberation of Right2Water

Item 3: Reason for coverage	Retrieved to observe triggering circumstances of the public debate
a) Event/success:	1) Registration
	2) Achievement of Million Signatures, Signatures presented
	at Commission
	3) Quorum of signatures per member state
	4) Public Hearing
	5) Communication from the Commission
b) Other	(e.g. petitions, the publication of relevant studies)
Item 4: Democracy	Retrieved to find out on the framing of the ECI
a) Democracy	
b) ECI	
c) Agenda	
d) Participation	
e) EU legislation	
Legitimacy	
Item 5: Public sphere	Retrieved to find out on references to a public sphere
a) Public sphere	
b) EU public sphere	
c) Reference to other	
media	
Table 6: Additional Items	

The remaining three items i.e. 'Reason for Coverage', 'Democracy' and 'Public Sphere' as shown in Table 6 are used for the framing of the results.

Table 6: Additional Items

The contextual words are also confined to terms related to the contents of the Right2Water initiative. To provide an example, the term 'direct democracy' mentioned by the organization 'Mehr Demokratie' is not included. The category 'reason for coverage' might provide keywords for a further similar analysis in other member states.¹⁵ The category 'democracy' is used to see if not only the topic of Right2Water is deliberated, but also if the democratic implications of the instrument are named in the public. The last one, 'public sphere', is chosen to see if the newspaper articles link to EU public spheres.

3.3 Scientific Evaluation of the Approach

To recall, the overall research strategy is case study research. According to Gerring (2004), there are several strengths and weaknesses of case studies. (Gerring, 2004, p. 352) The most relevant weakness in this work might me that generalization is not possible. Regarding unit homogeneity, external case representativeness can be seen as a weakness which might have been counterbalanced by including another newspaper, preferably from a center-right orientation. This has not been done due to reasons of complexity and extensiveness. The ECI is still a new instrument, thus in this regard there were not many alternatives to choose from. Case comparability is high as the cases are drawn from only one newspaper. All articles from the chosen time frame and the selected newspaper have been included. Furthermore, the characteristics of case study research as being descriptive and going into depth fit well to the evaluative research interest of looking at mechanisms rather than at causal effects.

The newspaper analysis is an outcome based analysis of measuring public debate. The method of analysis is qualitative content analysis. A qualitative approach fits the rather new field of research on the ECI. Criticism and justifications of qualitative content analysis have been dealt with Mayring (2010)¹⁶. He has worked on this approach to combine the assets of quantitative analysis with more interpretative aspects. Notably, he thinks that an "interpretation of linguistic content also via qualitative content analysis is always unfinished" (Mayring, 2010, p. 38). The categories were carefully phrased and revised during the process. Still, the definitions might be criticized which is why they are also discussed in the data and analysis chapter. The techniques are self-defined. A second coder would be ideal, but this is not feasible for the thesis at hand. In line with the argumentation on mediated deliberation derived by Habermas (1996, 2006) and Page (1996), I did not consider other texts apart from the newspaper articles.

In this thesis, a mixed approach of the case study design and the qualitative content analysis is chosen. This possibility is dealt with by Kohlbacher (2006) who builds on the work of i.a. Mayring and Krippendorff. He names several assets which will be discussed in the following. (Kohlbacher, 2006, 5.2) The first one is 'openness and ability to deal with complexity' (Kohlbacher, 2006, 5.1). While EU politics as such comprise many actors, the ECI potentially involves even more. In the scope of this analysis, this asset is important for the set-up of the categories. The second advantage is seen in the theoretical background. (Kohlbacher, 2006, 5.2.2) I have made use of an established theory to reason for "structural correspondences between the construct and that context" (Krippendorff, 2004, p. 173). As to the validity of the study, Krippendorff (2004) explicitly explains 'face validity' by mentioning both, the measurement of public attention to an issue by referring to mass media and the measurement of the quality of deliberation by the number of expressed alternative reasons. (Krippendorff, 2004, p. 314) Alternative answers to the research question could be that there is no deliberation at all. To measure mediated deliberation has turned out to be more problematic than it had been anticipated due to a lack of accessibility of similar examples. A huge asset for this study on the complex issue of EU legitimacy is the 'integration of context' (Kohlbacher, 2006, 5.2.3). To keep uncertainties low, I have conducted intensive literature review and gained comprehensive context knowledge, for instance on alternative impacts on public debate other than the ECI events. This is dealt with by the factual analysis and the extra items which have been defined. In the frame of the factual analysis, it has also been the case that 'different evidence' (Kohlbacher, 2006, 5.2.4) apart from the newspaper articles has been compiled, for instance the research conducted at the EU Newsroom. In the factual analysis, only minimal 'quantitative steps of analysis' (Kohlbacher, 2006, 5.2.5) have been integrated. As a drawback of this mixed approach, Kohlbacher highlights replicability. (Kohlbacher, 2006, 5.3) To counterbalance this problem, it has been tried to secure the greatest transparency as possible by e.g. providing numerous tables.

4. Data and Analysis

To rephrase, I conduct a case study on the ECI Right2Water. In a first part, relevant context information is elaborated alongside the first sub-question (q1) posed in the introductory chapter. In a second step (q2), in a newspaper analysis it is investigated to what extent the Right2Water initiative resulted in a public debate.

4.1 FACTUAL ANALYSIS

To start, I work on the development of the ECI and how the instrument is intended to improve the democratic legitimacy of the EU. Thereby, I discuss the implications of the ECI for public debate and deliberation. Next, I shortly look into the hitherto performance of the instrument and present the expected cause for public debate on the EU, namely the ECI Right2Water as described in the research methodology. Finally, the findings of other scientists concerning the occurrence of public debate on the initiative are consulted.

4.1.1 The European Citizens' Initiative

EU objectives and ECI regulation

In the introduction of this thesis, it is stated that the starting point is a discourse on EU legitimacy which has evolved since the 1990s and led to visions of strengthened citizen¹⁷ participation (instead of associational participation) and the emergence of a European public sphere. This is the debate¹⁸ resulting from which several instruments¹⁹ have been set up with the aim of democratization.

The idea to establish a citizens' initiative has firstly been written out during the debate on the constitutional treaty. It has been promoted by civil society actors. (Monaghan, 2012, p. 291) The current shape of the ECI roots in a 10-year-discussion (comprising a public consultation) on benefits, admissibility checks and the like including many different actors²⁰. (Susha & Grönlund, 2014, p. 457) The newest participatory instrument theoretically exists since the Treaty of Lisbon (agreed upon by EP and Council European Commission, 2010) while it is in use only since April 1st, 2012. The right to the citizens' initiative is incorporated in the Treaty on European Union whereas its procedures and conditions are set out in further regulations.²¹

The special importance of the ECI arises from the fact that it is the first transnational agenda-setting instrument for citizen participation ever. As such, it has been awaited with much anticipation (particularly regarding its digital potential) and critique in advance. (Grönlund & Susha, 2012, p. 37) Knaut (2013) even argues that the innovative character could lead to change. New role ascriptions, rules and processes of interaction could develop within the ECIs, with EU institutions and an EU public sphere. (Knaut, 2013, 1) Regarding the character of the expected public debate on the ECI, euphoria on the participatory norm in the EU could also be an alternative explanation for the trigger of public debate. This entails that there could be more press coverage on the participatory implications of the ECI than on the policy proposal of the respective initiative. It might then be the case that ECIs get mixed up in media coverage.

As to the concrete objectives of the ECI, in a press release reacting to the final agreement on the ECI reached by the EP and the Council, Maroš Šefčovič, in his function as Vice-President of the Commission and responsible for Inter-Institutional Relations and Administration, stated:

"The ECI will introduce a whole new form of participatory democracy to the EU. It is a major step forward in the democratic life of the Union. It's a concrete example of bringing Europe closer to its citizens. And it will foster a cross border debate about what we are doing in Brussels and thus contribute, we hope, to the development of a real European public space." (European Commission, 2010)

Regarding the objective of public debate, the EU bodies such as in European Commission (2009), (2010b) do not explicitly define how the promotion of a European public sphere shall work other than by fostering public debate and do not describe the kind of debate they aim for.²² How does the EU intend to achieve 'bringing Europe closer to its citizens' through the ECI?

The Treaty of Lisbon, art. 8 not only establishes representative democracy in the EU and speaks of direct representation of EU citizens by the EP, but also says: "Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties." (European Union, 2007, p. 15) The topic of ECIs therefore is restricted to the competencies of the Commission. The number of signatures needed from the member states is subject of a quorum (e.g. 74.250 in Germany) listed in the appendix one of the regulation on the citizens' initiative. (European Council & European Parliament, 2011) Furthermore, it has been decided to require the formation of: "a citizens' committee, composed of natural persons (organisers) coming from at least seven different Member States, in order to encourage the emergence of European-wide issues and to foster reflection on those issues." (European Council & European Parliament, 2011, p. 3 art. 3(2)). Thus, the registration of the topic and the build-up of the citizens' committee (with contact persons) together with the provision of information on the initiatives' finances²³ is the first step to set up an ECI. In a second step, the Commission validates these criteria and publishes the successful (or not successful) registration online. After accomplished registration, signatures can be collected on paper and online (art. 5(2)) for the duration of 12 months (art. 5(5)). There are several restrictions concerning age, ID, etc. that are determined by the member states (discussed e.g. in Monaghan, 2012) - which make the ECI take a slightly different shape among the member states. Following the collection process, the signatures need to be presented to the national authorities which have three months to verify these. (art. 8(1)) If all requirements are found to be met, the organizers can submit the signatures to the Commission (art. 9) which is obliged to publish the ECI in the register, conduct a public hearing for the organizers in the EP and within three months formulate a Communication. This could result in a legislative proposal of the Commission to the EP, but there is no further obligation to action than the above mentioned.

Democratic potential of the ECI and implications for public debate

The ECI has been awaited for its participatory features, accordingly, the question poses what shape participation takes and what this means for public debate. Cohen and Fung (2004) have worked on the relation between participation and deliberation which depending on the definitions,

can obviously be seen as two different ideas that lead to two distinctive directions. They describe that improving the quality of participation can hinder deliberation and the other way round. (Cohen & Fung, 2004, pp. 27,28) The authors refer to the problem that the extent to which polities can be deliberative and participatory is narrowed by for instance the amount of people with adequate knowledge as well as interest for specific topics. (Cohen & Fung, 2004, pp. 27,28) They discern two solutions for reform. On the one hand, similar to Habermas (1996, 2006) and Page (1996), the authors propose to widen deliberative participation. This could be (mediated) mass deliberation on public issues in the above demarcated informal public sphere (without the exercise of power). On the other hand, they vision deliberative (direct) participation of high quality that has more influence on power, but less participation. (Cohen & Fung, 2004, p. 28) In the following, the participative and deliberative features of the ECI are illuminated shortly by focusing on the respective potential influence on public debate.

Regarding participation in the ECI, all EU citizens who are eligible to vote and who achieve to comply with the rules can set up an initiative, or take part in one - and therefore potentially shape public debate. There is no other means of voting than providing ones signature. As such, formally, they can only show their support but no discontent. This could be criticized for hindering a broad debate, but it also creates clear 'yes' or 'no' answers. Additionally, citizens could follow the progress of the ECI and debate on the topics. Due to data protection this is only true if they themselves get active after signing. Burdens to inclusiveness could be civic skills, financial means and motivation. Most importantly, it is the Commission (which is not directly legitimated by the EU citizens) who decides, nevertheless the EP as direct representatives could further engage and foster debate between the EU bodies. Notably, the ECI is not an instrument of direct democracy since there is no decision making power for citizens, neither can it substitute the dual²⁴ system of EU parliamentarianism. (Plottka, 2013b) Instead, the ECI is an agenda-setting instrument²⁵. (Knaut, 2013, 1) How is this instrument supposed to strengthen democratic legitimacy? The regulative character of the ECI is demanding in several aspects. To be successful, ECIs for instance need to raise awareness in as many of the 28 member states as possible (at least seven). It is beyond controversy that the ECI - as it is constructed – forces all different kinds of actors (citizens, experts, public authorities, organizers from different nationalities) on different levels to communicate with each other. (Knaut, 2013, 3) Presumably, the ECI could provide something like the mixed discursive spheres Hendriks promotes. (Hendriks, 2006, p. 501) Moreover, the ECI undoubtedly promotes alliance-forming. Additionally, expert knowledge needs to be generated and transmitted. These requirements potentially evoke deliberative features. Explicit actions that demand deliberation and therefore present windows of opportunity are for instance committee building by EU citizens of at least seven nationalities, the public hearing, the process of persuading citizens. Political scientist Plottka (2013b) thinks that this necessity to connect might strengthen civil society and Europeanize also grass root organizations which according to Habermas (1996) are central actors for informal public debate. Furthermore, Plottka argues that European political parties could politicize the political debate and thus strengthen EU democracy. Thirdly, he also explains that the creation of discursive national spheres for the issues of the initiatives (such as the transnational segmented publics described by Eriksen, 2007, p. 32) could promote a European public sphere.

To summarize, it is argued here that the construction of the ECI as agenda setting instrument might enhance deliberative participation or as Cohen and Fung (2004) specify "Mediated (Indirect) Society-Wide Deliberation" (Cohen & Fung, 2004, p. 28) in the EU. This fits to the remarks elaborated by deliberation theory or more precisely by Habermas (1996, 2006) and Page (1996). Some hindrances for deliberation have been shown such as inclusiveness and limited opinion formulation of the citizens. Furthermore, I envision that the deliberative participation is triggered by the appearance of direct participation. It is questionable whether this can satisfactorily bridge the gap between EU institutions and EU citizens.

4.1.2 Performance of the ECI

In the following, relevant facts are provided on the hitherto performance of the ECI. First results have been drawn two years after the introduction of the ECl²⁶: "Over 5 million signatures were collected. 1,000s of conversations and debates took place among European citizens. 100s of events were organized by citizens' groups across Europe." (Berg & Głogowski, 2014, p. 11) Of the 40 formulated ECIs, 23 reached registration. This means that more than 40% of ECI proposals have been rejected and therefore public debate on them has been limited. The proposals were directed at quite different topics. Nearly all signatures have been collected for the up to now three successful initiatives which have been heard by the EP and answered by the Commission: One of Us, Right2 Water and Stop Vivisection. (Berg & Głogowski, 2014, p. 14) Signatures mainly came from two countries, Germany (32%) and Italy (26%). (Berg & Thomson, 2014a, p. 18) In advance, the ECI had been envisioned mainly as a tool of e-participation, but in the first two years, 37% of all ECI signatures have been collected on paper. (Berg & Głogowski, 2014, p. 17) Regarding the promotional aim of the Commission, already existing research finds that the ECI does not alter the opinion of citizens who are already critical about the democratic deficit of the EU. Thus it is concluded that the ECI will not represent an "alternative tool of citizen representation because it seems like it does not give citizens a sense of partnership and voice in EU governance" (Kentmen-Cin, 2013, p. 314). For the research purpose I derive that there has been a number of actions (in Germany) and thus, it is very likely that public debate, particularly the three successful initiatives, has occurred to some extent.

4.1.3 Right2Water: the Different Actors and Views

The initiative and its organizers

The first successful ECI is the example chosen for this thesis and thus is presented here briefly. The official title of the ECI was "Water and Sanitation are a Human Right! Water is a Public Good, not a Commodity!" (Water is a Human Right, 2012a), though it is frequently shortened 'Right2Water'. It invited the Commission "to propose legislation implementing the human right to water and sanitation, as recognized by the United Nations, and promoting the provision of water and sanitation as essential public services for all" (European Commission, 2012). This can be seen as a two-fold demand which determine as depicting the 'most pertinent ideas'. Interestingly, the organizers phrase the reason for its initiation: "to put the human right to water and sanitation on the European agenda and demand its implementation in European legislation and policies" (Berg & Thomson, 2014a, p. 21). This shows that next to policy change, the initiative itself strongly aims at public debate. Right2Water could build on the infrastructure of the European Federation of Public Service Unions (EPSU) and other organizations. (Berg & Thomson, 2014a, p. 21) They can be expected to appear in the newsletter articles. To reach the public, the initiators built a homepage and used social media in

form of Facebook and Twitter. Due to raised funds before the official start of the signature collection, the initiative is seen as well prepared. (Berg & Głogowski, 2014, p. 17) Nevertheless, like other initiatives, it had a slow start. As many initiatives were held up by problems with the online signature collection system software, the Commission extended the deadline. (Berg & Głogowski, 2014, p. 17) Right2Water collected 1,840,486²⁷ signatures from May 10th, 2012 to November 1st, 2013. (Berg & Głogowski, 2014, p. 15) Right2Water collected 18% of the signatures on paper (Berg & Głogowski, 2014, p. 17). In Germany, the relationship between paper and online has even been 12% to 88% (Van den Berge, Jerry, 2014, p. 23) which shows that it has in fact been a mainly online running initiative. The public hearing in the EP²⁸ took place on February 17th, 2014. On March 19th, the Commission has published its Communication to Right2Water. (European Commission, 2014a) The organizers of Right2Water are content with several outcomes. They say that their initiative showed "the ECI as an instrument can work" (Van den Berge, Jerry, 2014, p. 20). Before the initiation, it had been debated whether the requested amount of one million signatures is too demanding to achieve (particularly for initiatives run completely by volunteers). According to one of the organizers, Van den Berge, Right2Water is seen as a "political success" (Van den Berge, Jerry, 2014, p. 20). During the collection period already, water has been excluded from the concessions directive (European Commission, 2013) which the campaign had found to promote water privatization (Water is a Human Right, 2013). The concessions directive goes back to a process already started in December 2011. (European Commission, 2013) Additionally, the organizers get invited as experts like it has happened in July 2014 for a stakeholder meeting organized by the Commission. (European Commission) However, there is strong criticism as to the Communication from the Commission (European Commission, 2014a) insofar that it "lacks ambition" (Water is a Human Right, 2014) as it is for the most part describing what the EU has already done on water policies. Finally, in an interview they say, they and their supporting organizations have been rewarded "in terms of recognition, acknowledgement, reputation and visibility" (Van den Berge, Jerry, 2014, p. 20). According to them, more than three million people have viewed their website. Hence, the organizers are sure that they have reached people and therefore reached at least this objective.

EU actors

Regarding political communication from the EU institutions, the data retrieved at the EU Newsroom are presented in the appendix, Table B1. They are linked to the newspaper articles in the next part of the analysis. What can be stated already is that the amount of political communication on Right2Water has been scarce. Plottka (2014) sees the public hearing as a major chance for public debate on the ECI. As to the public hearing of Right2Water, he perceived that the Commission had wished to establish a real dialogue as well as foster public debate. Plottka argues that this effort has failed (Plottka, 2014, p. 112) – although it could even be followed by video streaming and reviewed later online (European Commission 2014). Plottka finds that the way it has been conducted the first time did not promote dialogue and he did not expect considerable press coverage – even though the regulations leave much room for flexibility. (Plottka, 2014, p. 113) As to EU political parties, some do not provide their press releases in German, another ones' homepage is currently under construction and others websites search results did not find any reference to Right2Water.²⁹ Therefore I cannot provide viable information on their standing. Broadly speaking, it does not seem that the EU actors fuel public debate as wished for by Plottka (2014).

4.1.4 Scientific Research on the Generation of Public Debate on the ECI

At the start of the ECI Kaufman was quoted in a newspaper article to have estimated that less than 10% of European citizens knew about the instrument. (Prummer, 2012) Duinkerken found that the transnational discourse would be constrained to the specific issues and groups. (Duinkerken, 2013, p. 46) "Public awareness of the ECI is practically non-existent", argue Berg and Thomson (2014a) from 'The ECI Campaign' two years after the kick-off. (Berg&Thomson 2014a, p. 122) Furthermore, they think that mainstream media "tends to be either unaware or misinformed, often equating the ECI with a simple petition" ³⁰ (Berg & Thomson, 2014a, p. 122). They hold this a hindrance for initiators who need to explain the instrument themselves. (Berg & Thomson, 2014a, p. 122) What do already existing academic works reason on Right2Water in particular, did it achieve considerable media coverage? There is disagreement with regards to whether Right2Water did in fact initiate a public debate. Paál (2013) states that there was scarce media coverage; instead he reasons that the accomplishments of Right2Water go back to the internet. Knaut names current thematic hindrances for press coverage of ECIs - such as the finance and debt crisis in the EU in which scope other participatory elements would be discussed. (Knaut, 2013, introduction) For Right2Water, she comes to the conclusion that next to a social media strategy, it achieved to appear in traditional mass media in Germany. (Knaut, 2013, 1) Plottka (2013b) is of the opinion that Right2Water achieved to initiate a political debate due to their organizational background and their press relations. Moreover, he argues that Right2Water benefitted from the point in time. This is due to the fact that it ran parallel to the legislative procedure on a concessions directive including the tender of water concessions, which for Plottka furthermore means that it is not an innovative topic. (Plottka, 2013b) In the context of the directive, the topic of Right2Water has been critically phrased by German media Das Erste (2012) and ZDF (2013): it became shortened to 'water privatization: yes or no?'. Plottka remarks positively that contrary to the usual, a debate on EU policy happened at such an early stage. Interestingly, German Bundestag and the Federal Council of Germany had voiced criticism without influencing public debate. Plottka (2013a) holds that in fact the politicization of the reflected the fears of EU citizens and therefore rightly started public debate. Though, it did not do justice to the proposal of the ECI, nor to the policy of the Commission. He concludes that the justification of this politicization of issues depends on the viewpoint one has with regards to the future of the EU. If one sees the EU as a system of multi-level-governance which draws its legitimacy out of the deliberative quality of its decision-making processes, this kind of questioning presents a shortening of the debate. If however one previews the EU as a parliamentary regime, Right2Water has shown that the ECI as participation instrument can promote this development. In the scope of the investigation for a deliberative public debate, the politicization could rather mean a shortening of the debate.

4.1.5 Summary of the Factual Analysis

In this first part of the analysis, it is shown that the ECI has originated from a long-lasting debate initiated by civil society and that there are demanding regulations for the citizens. It is discussed that the ECI as agenda-setting instrument can primarily promote deliberative participation or "Mediated (Indirect) Society-Wide Deliberation" (Cohen & Fung, 2004, p. 28) which fits to the remarks elaborated by deliberation theory. As an answer for the first part of the first sub-question, ECIs could therefore improve the EU's legitimacy by complying with the criteria for mediated deliberation as outlined by Page (1996). The ECI did not have a flawless start, but some public debate can be expected. To the question, how the regulations of the ECIs were implemented by Right2Water – the initiative has been run by public services unions and mainly collected signatures online.

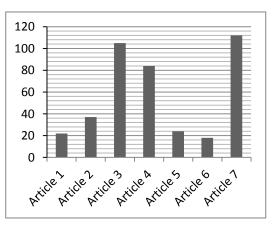
The Commission has reacted towards the initiative in some ways, but not genuinely implemented the proposals of Right2Water. The organizers find they have reached their additional goal of initiating a public debate. EU actors do not appear to have contributed substantively. Researchers think that public awareness of the ECI is low. Still, they find that in Germany some public debate on Right2Water took place, but do not agree on the extent and the reasons for it. The debate might have been politicized by the question on the concessions directive.

4.2 CONTENT ANALYSIS

In the adjacent part of the analysis, the second sub-question investigates to what extent the Right2Water initiative resulted in a public debate in the leading German quality newspaper.

4.2.1 Description of the Data:

The first sampling produced nine articles. Two more have been excluded by relevance sampling. Their main topic was not Right2Water; it had only been once shortly named in the articles, which is why deliberation cannot be expected. This makes a sample of seven articles. The author of five of the articles is Javier Cáceres (jc). One time there was no indication of authorship (art. nu. 1) and the other one (art. nu. 6) was produced by German Press Agency (dpa). This does not limit the validity of the findings as the same



could apply for other newspapers as well, because there are Figure 1: Lengths of articles in lines journalists who are specialized on the ECI. All articles apart from (Süddeutsche Zeitung 2015) one appeared in the politics section (Politik) from the newspaper,

article number two was written for the opinion page (Meinung). The length of articles varied as shown in Figure 1. In total, more than half of the articles measured less than 50 lines and none more than 120. In the following, the findings regarding the categories are presented and discussed.

4.2.2 Discussion of the Findings

Voices: Table 7 shows the amount of subcategories for which there have been hits. To recall from table 2, the subcategories show groups of actors:

- 1) EU, 2) EU Commission, 3) EP, 4) Council of the EU/European Council a)
- b) 1) Initiative, 2) Initiators, 3) Citizens, 4) Related organizations

Categories	Article 1	Article 2	Article 3	Article 4	Article 5	Article 6	Article 7
a) EU actors	1	2	2	2	1	2	2
b) Right2 Water	1	1	3	1	1	1	3
c) Others		1		1			

Table 7: Actors in Newspaper articles

It becomes clear that in the majority of the articles, not many different groups of actors are named. Table 8 displays the actual compositions of EU and Right2Water actors by presenting which particular subcategories (1-4) have had hits in the sample. To recapitulate, as major actors the organizers of Right2Water and EU Commission representatives have been determined. Their appearance is indicated in bold.

Categories		Article 1	Article 2	Article 3	Article 4	Article 5	Article 6	Article 7
a)	EU actors	1	1, 2	2 ,3	1, 2	2	1, 2	2 ,3
b)	Right2Water	1,3	1,3	1, 2 ,3,4	1,3	1	1	1, 2 ,3,4

Table 8: Right2Water and EU actors

Concerning the EU bodies, mostly the Commission and Commissioners have been considered, once the European Parliament and in one article, Parliamentarians have been cited. Interestingly, at times it has been spoken of "EU", "EU-plans" and "EU-institutions" collecting several actors in one term. The term "Right2Water" has appeared in all articles. This means that many times there is no differentiation of the different actors. The initiators of Right2Water have been mentioned twice, the German section of the initiative once. Organizations related to Right2Water that have appeared in the articles are "labor unions" and "Verdi" which is the labor union that positions all four national contact persons for Germany. As other actors I have found "EU citizens" and "representatives of labor unions". The latter should probably be assigned to Right2Water. The NGO 'Mehr Demokratie' has been omitted as its representative commentated on the ECI in general instead of Right2Water. Regarding "citizens", in my investigation, there have not appeared any letters to the editor or similar expressions of citizens' opinion. In this context, the one article that has been published in the editorial could prove interesting. However, it is only partly about Right2Water, but more about the voices of EU citizens instead of water policy. Thus, apart from a single appearance of "EU citizens", there are no further actors named in the articles, which is a hint at low diversity. With regards to the definition for diversity I set up for the actors, all articles cover the minimum of diversity (at least two subcategories), but none shows a high degree of diversity (at least six).

When taking in the labor unions, in total Right2Water and EU actors have been mentioned equally often according to the list of subcategory hits which I define as 'balanced'. Comparing to the scarce amount of political communication found by the EU in the factual analysis, the standing of the EU actors has been intensely covered – especially with hindsight at the good press relations of Right2Water as reported by Plottka (2013b). In articles 3 and 7, only two Right2Water actors have been mentioned, but all four EU representatives that have been distinguished in the methodology. Additionally, Table 8 illustrates that both major actors have been named explicitly in two of the seven articles only.

It is furthermore highly disputable if the viewpoints are 'representative of the German citizenry as a whole'. When signatures collected by Right2Water are mentioned in the articles, this represents a political opinion of approximated 1,24million German validated supporters (Water is a Human Right, 2012a) of the about 60 million Germans citizens who are eligible to vote. Statistically, these can be regarded as being many. However, it is unclear how many people chose to not sign the initiative or what the opinion of the 'citizenry as a whole' as to the policy proposals are. Regarding political party representativeness, MEPs are cited from two EU political groups³¹ only which can both be assigned to the left political affiliation. Hence, they do not represent the diverse alignment I had expected.

As already stated, there are no actors of societal interest representation. Thus, the actors considered are not regarded as being representative.

As criterion for deliberation, Page (1996) also demands for the best available expertise. Like enumerated above, some individuals have been consulted. From EU side, the highest functionary responsible has been quoted in the articles, as well as organizers from Right2Water. Furthermore, MEPs as representatives of the citizens have been heard. Regarding the definition set up in the research methodology, however, individuals have not appeared in the function of 'individuals appointed in a personal capacity' or 'individuals appointed to represent a common interest shared by stakeholders in a particular policy area'. Moreover, no 'national authorities of the Member States' have been heard. Organizations have been referred to, but no non-party aligned experts on the topics have been referred to. This is another deficit of the press coverage as externals could provide a differing view to those of antagonizing actors as well as possibly overtake a mediating role.

<u>Views</u>: My findings show that on average 1.4 from 18 of the proposals retrieved of the homepage from Right2Water are displayed by each article. Table 9 illustrates which of the proposals (issue labels) have appeared (marked) and which have not been mentioned (not marked).

1.	Use of Human Right in communications
2.	Guarantee of services
3.	Exclusion from internal market rules
4.	No liberalization
5.	No inclusion of services in Trade Agreements
6.	Promotion of Public-Public Partnerships
7.	Enshrinement of "water is not a commodity" principle
8.	Water protection over commercial policies
9.	Support programmes for the poor
10.	Transparency and openness by private water companies
11.	Promotion of Citizens' participation
12.	EU development policy
13.	Water Operator Partnerships in different countries
14.	Control in public hands
15.	Support of public water companies and countries
16.	Promotion of water operators for contributions in developing countries
17.	European benchmarking system for services
18.	Governance code for water companies

Table 9: Hits of Right2Water Proposals

More than half of the proposals are not mentioned at all. For instance proposals directed at support for the poor or those concerning development cooperation are lacking. Imaginably, not all proposals are easily incorporated in smaller articles and not all might need to be combined in a single article. However, less than two arguments per article seem to be very few. Looking at the issue labels of table 9, all of the arguments that have not appeared contain quite specific proposals.

Argument Numbers	Group Labels	Article 1	Article 2	Article 3	Article 4	Article 5	Article 6	Article 7
1, 7, 14	Communications and Laws	Х					Х	Х
2, 12, 16	Water and Sanita- tion Services			Х	Х	Х	Х	Х
3, 4, 5	Requests	Х		Х	Х		Х	Х
6, 8, 13	Prioritization of Public Ownership							
9, 11, 15	Support for citizens							
10, 17, 18	Quality of Services							

Table 10: Diversity of Views

Table 10 indicates that according to the definition of including at least three thematic alignments, only in two articles (nu. six and seven) which is less than a third of all, the views that are presented in the articles are diverse. It is highlighted that three of the aligned groups did not appear. Table 11 displays the concrete composition of the arguments in the articles.

Arguments	Article 1	Article 2	Article 3	Article 4	Article 5	Article 6	Article 7
Affirmative	3, 14	0	2, 4	2, 3, 4, 12	2	2, 3, 14	1, 2, 3, 14
Negative	3	0	4	0	0	4	3

Table 11: Views in newspaper articles (numbers of proposals)

It shows that three articles do not provide any counter arguments. From these, article 2 does not provide any affirmative or negative argument although it is by far not the shortest one. To the question, if the arguments are balanced, about 80% of the arguments are affirmative, i.e. in line with the argumentation of Right2Water. Hence, there are much less critical arguments. Apart from the article without any arguments, none is balanced. This means that in total the articles are not balanced, but could have positively supported the objectives of the initiative Righ2Water.

Arguments	Affirmative	Negative
1. Use of Human Right in communications	1	0
2. Guarantee of water and sanitation services	5	0
3. Exclusion from internal market rules	4	2
4. No liberalization	2	2
12. EU development policy	1	0
14. Control in public hands	2	0

Table 12: Frequency of affirmative and negative arguments

Table 12 demonstrates that only for arguments regarding the exclusion from internal market rules (nu. 3) and concerning the rejection of liberalization (nu. 4) counterarguments are given. The proposal on the rejection of liberalization is the only one for which the same amount of affirmative and negative appearances have been found.

If the 'the most pertinent ideas' have been included, has in the factual analysis been described as comprising two ideas: 1) the human right to water and sanitation and 2) the public services provision of water and sanitation. It appears to me that the proposals seem consciously or cautiously phrased as otherwise it would not fall under the scope of the Commission. The human right to water and sanitation is not exactly formulated in the proposals. Instead, it is covered e.g. in proposal one which entails its inclusion in all EU communications on water and/or sanitation. The second idea is complicated with regards to the debate on the concessions directive. The third argument which reads "excluding water from internal market rules" can be assigned to this question. Table 11 illustrates that it is the most used argument in the articles. This shows a great impact of the debate on the concessions directive. Notably, table 12 demonstrates that the counter positions to proposal 3 also appeared twice. In the newspaper the term 'privatization' has often been used, although it does not appear in the proposals by Right2Water with this phrasing. To draw a conclusion on this, both central ideas are mentioned in the newspaper articles, but not elaborated.

Reasons for coverage: I had expected temporal milestones to trigger press coverage. Yet, I did not find it viable to compare the dates of the EU Newsroom to the newspaper articles as the EU press releases do not provide clearly assignable dates. However, it can be viewed if the content of the texts unravel the reasons. The Newsroom presented two articles dealing with the accomplishment of one million signatures, one reported on a meeting with Commissioner Sefčovičright that was set right before the public hearing, one covers the actual public hearing and three articles informed on the Communication from the Commission. One time it is the announcement of steps taken as result of the initiative directly after the Communication (i.a. public consultation on drinking water and sewage water disposal). Thus, the registration and the quorum of member states have not been included into the news coverage. All in all, there is a focus on the final stage of the initiative, not to say on the reaction of the European Commission. As to the newspaper articles, four primarily referred to the achievement of one million signatures. Two were about the accomplishment of the quorums on the member states. Finally, one was on the awaited Communication from the Commission. Hence, there was no press coverage in the national part found on the registration of Right2Water, nor on the public hearing. The latter appears particularly delicate as it had been stated that especially this event could provide a window of opportunity for public debate. Consequently, the focus was not so much on the Communication from the Commission but rather on the signatures. I conclude that I cannot affirm a strong relationship between the political communication from the EU Newsroom and the German quality newspaper.

<u>Democracy</u>: The keywords from the first subcategory 'Democracy' have shown in three articles. The 'ECI' has been named in all articles. Oftentimes, it has also been called 'Bürgerbegehren' and 'Volksbegehren' which could rather be translated with petition for a referendum that is direct democracy. Therefore, it bears considerable differences to the ECI which strictly speaking makes this phrasing a misinformation. Only once, it has been called an 'instrument'. The subcategories 'Agenda' and 'Debate' have had hits once each. 'Participation' has been explicitly phrased only once. Concerning the subcategory 'EU Legislation', in four articles, the Treaty of Lisbon has been named from which I deduce that the regulations of the ECI have been explained in more than half of the articles. 'Legitimacy' has not appeared at all. To conclude, it appears that the democratic relevance of the ECI has been sketched but not explained in detail.

<u>Public Sphere:</u> The keywords extracted from the articles are: 'European public', 'public attention' and 'public sphere'. These are very few. However, it is interesting to notice that once a 'European public' has been mentioned. Regarding the collected references to member states, they have primarily occurred in the meaning of countries lacking an amount of signatures. They have not been mentioned to refer to media or national public spheres. However, they have been named as countries of origins of actors. This is still notable because non-German nationals are quoted as transnational (civil society) actors. To conclude, no strong link to other EU public spheres becomes apparent.

4.2.3 Summary of the Content Analysis

Seven rather short newspaper articles from mainly one author which have appeared primarily in the politics section have been qualitatively analyzed.

It was concluded that the 'voices' and 'views' given in the texts:

- are minimally diverse,
- are not diverse

- are balanced

- are not balanced cover the most pertinent ideas abridged
- mostly lack in the inclusion of all major actors
- are not representative of the citizenry
- lack in experts

In total, the voices and views presented do rather not comply with the criteria derived from deliberation theory. As an answer to the second sub-question, the findings suggest that some kind of deliberation on the Right2Water proposals has taken place, but of low quality. The extra categories show that democratic implications are a concern, but they are not elaborated and there are no references to other EU public spheres. Not all ECI events have been covered; the newspaper articles put the focus on the collection of signatures whereas the Commission emphasized the outcome of the initiative.

5. Conclusion

The starting point of this thesis has been a debate on the legitimacy of the EU from which the European Citizens' Initiative has emerged. Research on this topic is of great relevance as a revision of the ECI is foreseen for 2015.

The research question has been: *To what extent did the ECI Right2Water lead to public deliberation on the underlying policy issue?* In the analysis, two sub-questions have been dealt with.

q1) How will ECIs improve the EU's democratic legitimacy and how were the regulations for this implemented in the case of the Right2Water initiative? The EU views the ECI as a new form of citizen participation and as a means to nurture 'cross border debate' and generate a 'European public space'. (European Commission, 2010a)

As derived from deliberation theory, ECIs could improve the EU's legitimacy by triggering a public debate following the criteria for mediated deliberation. To "facilitate deliberative legitimation process in complex societies" (Habermas, 2006, pp. 411–412), Habermas demands for 'anonymous audiences' who provide responses between an 'informed elite discourse' and a 'responsive civil society' (Habermas, 2006, pp. 411–412). For the analyzed Right2Water initiative, it was found that it was built on civil society actors. Citizens who were consolidated by Right2Water achieved to set their issues on the political agenda of the EU and into the (elitist) mediated public sphere in Germany. Thus, it can be argued that the ECI facilitates this process.

q2) To what extent did the Right2Water initiative result in a public debate in the leading German quality newspaper? Remembering that in "EU quality papers one out of five political articles "directly reports about at least one European issue" (Eder & Trenz, 2007, p. 169), it is exposed that in the German quality newspaper, the proposals of Right2Water are not assigned much attention in Süddeutsche Zeitung. The newspaper articles published on Right2Water have been rather short, which leaves only little room for deliberation. The mediated deliberation found does not satisfy the theoretical criteria on mediated deliberation as derived from Page (1996). For instance, actors such as experts were missing and many proposals and particularly counter arguments did not find any attention. Furthermore I find that Süddeutsche Zeitung only partly seems to take the role of actor for transnationalization as demanded for by Habermas (2011). As a reply, the extent of public debate on Right2Water in the leading German quality newspaper was scarce and confined by a low deliberative quality.

The ECI Right2Water has been illustrated in this thesis as a crucial case which has been further supported in the factual analysis e.g. by outlining the professional preparation of the initiators. Thus, it is still argued that if this ECI did not trigger public debate in Germany, it is not assumed that another ECI is likely to achieve this. The answer to the main research question therefore is that the ECI does not seem to contribute to the deliberative quality of public debate on EU policies.

As a consequence of the successful ECIs it appears that networking takes place and civil society is strengthened in transnational deliberation. However, it does not seem that the normative validity of the proposals made by Right2Water have been rigorously tested in the public sphere. The assumption of Habermas is that ideally only 'considered opinions' pass the public sphere and form the public opinion. (Habermas, 2006, pp. 417, 418) Building on the findings of scarce deliberation in the leading German quality newspaper, citizens would need to investigate more to be able to deliberate in their smaller spheres to ultimately get 'enlightened' on the ECI.

Explanations for the scarce extent of public debate on the ECI could be complex regulations, the decisional weakness of the instrument and the difficulty that the period of the ECI cycle of more than one year is quite long for newspapers to keep readers interested. If EU decision makers – or professional communicators – wish for a more deliberative public debate on the policy proposals triggered by the instrument, they would need to review and specify their objectives and put new efforts in achieving them. In order to fulfil the criteria for mediated deliberation set up in this paper, it would be more important to process voices and views to a large extent than several times reporting on the milestones in a limited way.

In this paper, a mixed approach of case study design and qualitative content analysis has been used. On the one hand, the findings are not strong in generalizability. On the other hand, the whole case study provides valuable insides into the chances and constraints of the ECI to promote public deliberation on EU policies. By referring to 'voices' and 'views' (Page 1996), the paper gives insights into who is mentioned in the newspaper articles from Süddeutsche Zeitung on Right2Water and the specific issues referred to. The measurement of mediated deliberation might serve as an example for future research.

There are some issues the paper has not addressed. Firstly, there is the question of how the debate on the concessions directive connects to the debate on Right2Water. Furthermore, a comparison to debates on EU policies not triggered by ECIs might prove valuable to evaluate the significance of the public debate found. Concerning the functioning of the ECI, it might be useful to further elaborate on the question if it is an instrument for average citizens or rather for elites and the view of deliberation theory on this.

Finally, there are a few more remarks on the chances and constraints of the ECI. In reaction to numerous criticisms on the ECI (most prominently on the high amount of rejections), some fear that without a comprehensive reform, it will die. (The ECI Campaign, 2014b) There are only three open initiatives now, from which the most recent has been registered in February, 2015. (European Commission, 2015b) Currently, the ECI is frequently mentioned in the media, as an ECI that had been refused registration³² successfully campaigns as self-organized ECI - by nonetheless complying with most of the regulations as the organizers are confident that the ECI can be a mighty tool.

The evaluation could be a window of opportunity for public discussion on the ECI. A whole lot of actors³³ have started to comment on future prospects³⁴. Points of discussion for instance include how success of ECIs can be facilitated. To foster public debate on the issues of single ECIs, it has been proposed to let the EP prove the Communication from the Commission. (Simantke, 2014) Berg in general calls for "actions at a European and national level to raise public awareness and comprehension of, as well as trust in, this new tool of participatory democracy". (Berg & Thomson, 2014a, p. 122) It will be interesting if a possible consolidation will be based on improved practical regulations, changing for a more direct decisional character or effectively pushing public debate on the ECI. This will provide many opportunities for further research.

¹ In the media, a commonly phrased story is the following: The European Union faces an elemental problem: the voter turnout is low; people are not content or not interested (such as in German newspaper articles). In the most recent EU parliament elections, this problem was especially focused on as it had been tried to increase voter turnout by nominating single candidates for the position of the EU Commission President. (EurActiv) This shows current concern by voices of the public and politicians alike.

² Kohler-Koch and Rittberger (2007) furthermore believe that "the debate about the EU's democratic quality mirrors a broader debate in comparative politics about the challenges the institutions of representative government face in a globalized and ever more interdependent world". (Kohler-Koch & Rittberger, 2007, p. 3) ³ Formulated for instance in (European Parliament, 1996).

⁴ Politicians for instance might use the term deliberation to legitimize actions, "it is perhaps unsurprising that yesterday's 'stakeholder meeting' becomes today's 'policy deliberation'" (Halpin & Cintula, 2014, p. 81).

⁵ Carpini, Michael X. Delli, Cook and Jacobs (2004) argue that definitions vary in the degree of 'incompleteness' they allow.

⁶ For an elaboration of deliberation and voting, see Hüller (2005, pp. 302 ff).

⁷ According to Gastil (2008), 'enlightened understanding' is also one of the criteria for democracy as named by Dahl (Dahl, 1989). (Gastil, 2008, p. 5)

⁸ This generation is inter alia represented by Bohman (1996) and Gutmann and Thompson (1996). (Elstub, 2014, pp. 5–7)

⁹ Elstub (2010) enlists as representatives of third generation deliberation theorists: Barber and Bartlett (2005), O'Flynn (2006), Parkinson (2006).

¹⁰ The reasoning of Page (1996) on society-wide mediated deliberation that is referred to here, for instance is in agreement with Habermas (2006, p. 416). I came upon the work of Page in Gastil (2008, pp. 49).

¹¹ This is a crucial question, for instance concerning the knowledge of EU citizens on their rights derived from the installed citizenship (Treaty of Maastricht), including the right to initiate or participate in ECIs (Treaty of Lisbon), as well as on information as regards the existence of single ECIs.

¹² There are some references (Knaut 2013; Paál 2013; Plottka 2013a, b; Kohlbacher 2006) which do not provide page numbers. Mainly, these are retrieved online and short in lengths. If chapter numbers are provided, these are given instead of the page numbers.

¹³ Signatures are only counted as actors if they refer to supporters who have already signed the initiative – instead of counting lacking signatures. They are also only taken in as additional information as – due to regulative yes or no signature-possibility – they do not present a different view from Right2Water.

¹⁴ "Commission expert groups can have the following types of members:

- 1. Individuals appointed in a personal capacity, acting independently and expressing their **own personal views**
- 2. Individuals appointed to represent a common interest shared by stakeholders in a particular policy area. They do not represent individual stakeholders, but a particular policy orientation common to different stakeholder organisations. They are normally appointed on basis of suggestions from stakeholder organisations, including in the framework of calls for expression of interests, although they do not represent them.
- 3. **Organisations** in the broad sense of the word including companies, associations, NGOs, trade unions, universities, research institutes, EU bodies and international organisations. These organisations nominate individuals as their permanent representatives in the group or appoint representatives on an ad hoc basis depending on the meeting agenda.
- 4. National authorities of the Member States (at regional and local levels). Like for organisations, national authorities appoint their representatives in the group." (European Commission, 2015c)

¹⁵ To recapitulate, this could ground on the assumptions that there is a "Europeanized national public spheres with synchronized common references to the EU" as quoted by (Thiel, 2008, p. 346) and that milestones of the ECI serve as events that are likely to trigger press coverage in European media (Eder & Trenz, 2007, p. 169)..

¹⁶ Mayring (2010) states that qualitative analysis is often orientated towards single cases. Due to the increased usage of case studies with a small number of cases, there is also a grown demand for qualitative methodology. (Mayring, 2010, p. 23) Mayring portrays the history of content analysis as having been developed for analizing newspaper articles and elaborates that in the last decades, there have been many critical voices. In fact, he cites scientists who argue that content analyses often do not undergo thorough methodological examination. However, Mayring also refers to the concept of Holger Rust who according to Mayring understands qualitative analysis as qualification and everything that prepares every form of quantification. Along with him, qualitative content analysis needs to direct to the structure and meaning of the material to be analyzed that is the text. As such, the construction of the text is the basis for Rust. Qualitative analysis therefore pursues a double strategy: it makes the object reveal itself in its structure by asking for details and on the other hand looks at the big picture. (Mayring, 2010, pp. 26–29)

¹⁷ European citizenship has been introduced with the Treaty of Maastricht, but only "a minority of Europeans say that they know their rights as citizens of the European Union". (TNS opinion & social, 2014, p. 20)

¹⁸The opinions on the democratic legitimacy range considerably. One perspective highlights that there is no democratic deficit and nothing needs to be done based on two positions. Firstly, the EU is seen as a merely regulatory community and should therefore not be assessed by the concept of democratic legitimacy. Secondly, it is argued that the standards the EU is assessed with are too idealistic (even for nation states). On the other hand, there is the perception that there is no deficit, but improvements could be done. Finally, there is the assumption that a huge deficit exists, but there are different opinions on its remedies: some authors suggest improvements that can be done, others are deeply skeptical on the possibilities. (Kohler-Koch & Rittberger, 2007, pp. 4–9)

¹⁹ The instruments are: "the deliberative opinion polls 'Tomorrow's Europe' and Europolis, the European Citizens' Consultations, the Commission's online consultations, the citizens' initiative mentioned in the Treaty of Lisbon, as well as the (national) referenda with regard to major political developments" (Hüller, 2010, p. 82).

²¹ The right to the citizens' initiative is incorporated in art. 11(4) of the Treaty on European Union. Its procedures and conditions are set out in regulation 211/2011 of the EP and of the Council of 16 February 2011. The technical specifications are elaborated in the Commission Implementing Regulation (EU) No 1179/2011. (European Commission, 2012b)

²² Partly, it had been discussed when considering ante-admissibility checks (European Commission, 2010b, p.
6). Furthermore, the EP had proposed an information campaign run by EU institutions to make the ECI public, but this has not been executed. (Monaghan, 2012, p. 293)

²³ There is no funding for the organizers from the EU. (European Commission, 2012)

²⁴ For an explanation of the dual system of the EU, see Bogdandy (2007)

²⁵ For a more comprehensive view on different procedures, see Schiller (2002)

²⁶ The first two years have been reported and assessed by The ECI Campaign which is a collection of NGOs working on the topic. (The ECI Campaign, 2014)

²⁷ Right2Water has been the first successful ECI, but not the one with the most signatures.

²⁸ The public hearing in the EP can be viewed online. (European Commission, 2014b)

²⁹ Political parties who do not provide their press releases in German are: the 'Group of the European People's Party (Christian Democrats)' and the 'Alliance of Liberals and Democrats for Europe (ALDE)'. The homepage under construction (at least the press archive) is the one of the 'Conservatives and Reformists (ECR)'. The websites of 'European United Left/ Nordic Green Left ((GUE/NGL)', 'The Greens/ European Free Alliance' and also of the 'Europe of Freedom and Direct Democracy' did not display any coverage of Right2Water.

³⁰ The ECI differs considerably from the possibility to petition the EP as there is a different regulation. The main difference might be the fact that the petitioner needs to be directly affected by the matter concerned. (European Commission, 2015a)

³¹ The MEPs have been Josef Weidenholzer and Evelyn Gebhardt from the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament which received 25.59% in the 2009 elections. The third MEP mentioned is Sven Giegold from the Group of the Greens/European Free Alliance which obtained 7,44% of the seats in 2009. Together, both parties received in total about 33% of the citizens' votes amounting to one third of the seats. (European Parliament, 2015b)

³² The initiative was aimed at stopping the Transatlantic Trade and Investment Partnership (TTIP) that is currently negotiated by the EU and the USA. The reason for refusal has been commented by the Commission that it "falls outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties" (European Commission, 2014c). This opinion is not shared by the organizers who stated that they will appeal to the European Court of Justice and start collecting signatures anyway by creating "Europe's first ever self-organised ECI" (Stop TTIP!, 2014b). Apparently, they are confident that the ECI can be a mighty tool: "Although it has no direct decisional character, an ECI can create great impact. It creates a pan-European public for significant subjects, and spells out how citizens of the EU states think about them. This can also result in direct political achievements." (Stop TTIP!, 2014c) Thus, the initiative sticks closely to the ruling of the ECI. (Stop TTIP!, 2014a) In record time, they achieved one million signatures and thus proved their point on the possible impact of the ECI. (Stop TTIP!, 2015)

³³ Actors are the ECI expert group, the DG for Internal Policies (European Parliament 2014: First lessons of implementation), the European Ombudsman, but also actors from Civil Society. According to Berg, surprisingly many campaigns were launched in order to also build 'bottom up democracy' and in the end having had positive experiences became "vocal advocates for reforming the ECI implementation regulation". (The ECI Campaign, 2014b)

³⁴ Precisely what happens is that "the Commission has to publish a report by April 2015 assessing the implementation of the ECI. This report might then lead to a revision of the Regulation. The Commission is already gathering stakeholders' contributions as inputs for this report. Different issues will need to be addressed related in particular to process (including technical issues related to the online collection), timing (the various deadlines included in the Regulation) and broader elements of aim and impact of the instrument." (European Commission, 2014b)

²⁰ Actors important to the ECI include: the European Commission (expert group, several DGs depending on the topic of the ECI), the EP (among others the Committee on Petitions), the Economic and Social Committee, the European Ombudsman, Civil Society Organizations and European citizens in the role of organizing the ECI or supporting it via signatures.

References

- Barber, W. F., & Bartlett, R. V. (2005). *Deliberative Environmental Politics: Democracy and Ecological Rationality.* Cambridge.
- Berg, C., & Głogowski, P. (2014). An Overview of the First Two Years of the European Citizens' Initiative. In C. Berg & J. Thomson (Eds.), *An ECI that works! Learning from the first two years of the European Citizens' Initiative* (pp. 10–18). Alfter.
- Berg, C., & Thomson, J. (Eds.). (2014a). An ECI that works!: Learning from the first two years of the European Citizens' Initiative. Alfter. Retrieved from http://ecithatworks.org/wpcontent/uploads/2014/04/An_ECI_That_Works.pdf
- Berg, C., & Thomson, J. (2014b). Lessons and Recommendations for an ECI That Works. In C. Berg & J.
 Thomson (Eds.), An ECI that works! Learning from the first two years of the European Citizens' Initiative (pp. 118–122). Alfter.
- Bogdandy, A. von. (2007). A Disputed Idea Becomes Law: Remarks on European Democracy as a Legal Principle. In B. Kohler-Koch & B. Rittberger (Eds.), *Debating the democratic legitimacy of the European Union* (pp. 33–44). Rowman & Littlefield.
- Bohman, J. (1996). Public Deliberation: Pluralism, Complexity and Democracy. Cambridge.
- Bohman, J. (1998). The Coming of Age of Deliberative Democracy. *The Journal of Political Philosophy*, 6(4), 400–425.
- Carpini, Michael X. Delli, Cook, F. L., & Jacobs, L. R. (2004). Public Deliberation, Discursive Participation and Citizen Engagement: A Review of the Empirical Literature. *Annual Review of Political Science*, 7(1), 315–344. doi:10.1146/annurev.polisci.7.121003.091630
- Chambers, S. (2003). Deliberative Democratic Theory. *Annual Review of Political Science*, *6*(1), 307–326. doi:10.1146/annurev.polisci.6.121901.085538
- Chappell, Z. (2012). Deliberative Democracy: A critical introduction. Basingstoke.
- Cohen, J., & Arato, A. (1992). Civil Society and Political Theory. Cambridge, Mass.
- Cohen, J., & Fung, A. (2004). Radical Democracy. Swiss Political Science Review, 10(4), 169-180.
- Dahl, R. (1989). Democracy and Its Critics: Yale University.
- Duinkerken, M. J. (2013). *Die Europäische Bürgerinitiative: Ein effektives Instrument direkter Partizipation?*
- The ECI Campaign. (2014). *Overview of first two years*. Retrieved from http://www.citizensinitiative.eu/eci/stats/
- Eder, K. (2003). Demokratie und Öffentlichkeit. In M. Jachtenfuchs & B. Kohler-Koch (Eds.), *Europäische Integration*. Opladen.
- Eder, K., & Trenz, H.-J. (2007). Prerequisites of Transnational Democracy and Mechanisms for Sustaining It: The Case of the European Union. In B. Kohler-Koch & B. Rittberger (Eds.), *Debating the democratic legitimacy of the European Union* (pp. 165–181). Rowman & Littlefield.
- Elstub, S. (2010). The Third Generation of Deliberative Democracy. *Political Studies Review*, 291–307. doi:10.1111/j.1478-9302.2010.00216.x
- Elstub, S. (Ed.). (2014). Deliberative Democracy: Issues and cases: Edinburgh University.

- Eriksen, E. O., & Fossum, J. E. (2003). Europe in Search of Legitimacy: Strategies of Legitimation
 Assessed. In E. Eriksen, C. Joerges, & J. Neyer (Eds.), *European Governance, Deliberation and the Quest for Democratisation* (pp. 435–459). Blindern.
- Eriksen, E., & Neyer, J. (2003). Introduction: The Forging of Deliberative Supranationalism in the EU?
 In E. Eriksen, C. Joerges, & J. Neyer (Eds.), *European Governance, Deliberation and the Quest for Democratisation* (pp. 1–22). Blindern.
- European Commission. (2005). Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: The Commission's contribution to the period of reflection and beyond: Plan-D for Democracy, Dialogue and Debate. (COM(2005) 494 final).
- European Commission. (2008). Eurobarometer 68: Public Opinion in the European Union.
- European Commission. (2010). *Commission welcomes agreement on European Citizens' Initiative*. Retrieved from http://europa.eu/rapid/press-release_IP-10-1720_en.htm?locale=en
- European Commission. (2012). *The European Citizens' Initiative: Official Register*. Retrieved from http://ec.europa.eu/citizens-initiative
- European Commission. (2013). *Commissioner Michel Barnier welcomes agreement on new rules for the award of concession contracts*. Retrieved from http://europa.eu/rapid/press-release_MEMO-13-623_en.htm
- European Commission. (2014a). Communication from the Commission on the European Citizens' Initiative "Water and sanitation are a human right! Water is a public good, not a commodity!".
- European Commission. (2014b). *Public Hearing*. Retrieved from http://www.europarl.europa.eu/ep-live/en/committees/video?event=20140217-1500-COMMITTEE-ENVI-DEVE-IMCO-PETI
- European Commission. (2014c). Your request for registration of a proposed citizens' initiative entitled "Stop TTIP".
- European Commission. (2015a). FAQ. Retrieved from http://ec.europa.eu/citizensinitiative/public/faq#q1
- European Commission. (2015b). *Open initiatives*. Retrieved from http://ec.europa.eu/citizensinitiative/public/initiatives/ongoing?lg=en
- European Commission. (2015c). *Register of Commission Expert Groups and Other Similar Entities: Expert Groups explained*. Retrieved from

http://ec.europa.eu/transparency/regexpert/index.cfm?do=faq.faq&aide=2

- European Council, & European Parliament. (2011). Regulation on the citizens' initiative: Consolidated version 10/2013.
- European Parliament. (2015a). *Organisation*. Retrieved from http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00010/Organisation
- European Parliament. (2015b). *Previous elections*. Retrieved from http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00021/Previous-elections
- European Union. (2007). Treaty of Lisbon: Amending the Treaty on European Union and the Treaty establishing the European Community. *Official Journal of the European Union*,
- European Union. (2015). Newsroom. Retrieved from http://europa.eu/newsroom/
- Fiket, I., Olsen, E. D., & Trenz, H.-J. (2014). Confronting European Diversity: Deliberation in a transnational and pluri-lingual setting. *javnost the public, 21,* 57–74.

- Fossum, J. E., & Schlesinger, P. (Eds.). (2007). *The European Union and the Public Sphere: A communicative space in the making?* New York.
- Fraser, N. (1992). Rethinking the public sphere: a contribution to the critique of actually existing democracy. In Craig Calhoun (Ed.), *Habermas and the public sphere*. Cambridge.
- Gastil, J. (2008). Political Communication and Deliberation. Thousand Oaks.
- Gerring, J. (2004). What Is a Case Study and What Is It Good for? *The American Political Science Review*, *98*(2), 341–354.
- Grönlund, Å. & Susha, I. (2012). A Communication Genre Perspective on e-Petitioning: The Case of the Citizens' Initiative. Örebro.
- Gutmann, A., & Thompson, D. (1996). Democracy and Disagreement. Cambridge.
- Habermas, J. (1996). Between Facts and Norms Contributions to a Discourse Theory of Law and Democracy. Cambridge, Mass.
- Habermas, J. (2006). Political Communication in Media Society: Does Democracy Still Enjoy an Epistemic Dimension? The Impact of Normative Theory on Empirical Research. *Communication Theory, 16*(4), 411–426. doi:10.1111/j.1468-2885.2006.00280.x
- Habermas, J. (2011). Zur Verfassung Europas. Berlin.
- Habermas, J. (2013). *Democracy, Solidarity and the European Crisis*. Retrieved from http://www.kuleuven.be/communicatie/evenementen/evenementen/jurgenhabermas/en/democracy-solidarity-and-the-european-crisis
- Halpin, D. R., & Cintula, J. (2014). Interests, public policy and deliberation. In S. Elstub (Ed.), *Deliberative Democracy. Issues and cases* (pp. 69–81). Edinburgh University.
- Hendriks, C. M. (2006). Integrated Deliberation: Reconciling Civil Society's Dual Role in Deliberative Democracy. *Political Studies, 54,* 486–508.
- Hepp, A., Brüggemann, M., Kleinen-von Königslow, K., Lingenberg, S., & Möller, J. (2012). *Politische Diskurskulturen in Europa: Die Mehrfachsegmentierung europäischer Öffentlichkeit*. Wiesbaden.
- Hüller, T. (2005). *Deliberative Demokratie: Normen, Probleme und Institutionalisierungsformen*. Münster.
- Hüller, T. (2010). Playground or Democratisation?: New Participatory Procedures at the European Commission, *16(1)*, 77–107.
- Kentmen-Cin, C. (2013). Explaining willingness to use the European Citizens' Initiative: Political cynicism, anti-EU attitudes and voting weight of member states. *Comparative European Politics*, 12(3), 301–318. doi:10.1057/cep.2013.4
- Knaut, A. (2013). *Die Europäische Bürgerinitiative innovativ, transnational und demokratisch?* Retrieved from http://ecithatworks.org/wp
 - content/uploads/2014/04/2013_Knaut_Die_EBI_innovativ_transnational_demokratisch-libre.pdf
- Kohlbacher, F. (2006). The Use of Qualitative Content Analysis in Case Study Research. Forum Qualitative Sozialforschung, 7(1).
- Kohler-Koch, B. (2007). The Organization of Interests and Democracy in the European Union. In B. Kohler-Koch & B. Rittberger (Eds.), *Debating the democratic legitimacy of the European Union* (pp. 255–271). Rowman & Littlefield.
- Kohler-Koch, B., & Quittkat, C. (2013). *De-Mystification of Participatory Democracy: EU Governance and Civil Society*. Oxford.

- Kohler-Koch, B., & Rittberger, B. (Eds.). (2007). *Debating the democratic legitimacy of the European Union*: Rowman & Littlefield.
- Krippendorff, K. (2004). *Content Analysis: An Introduction to Its Methodology* (Second). Thousand Oaks.
- Mayring, P. (2010). Qualitative Inhaltsanalyse: Grundlagen und Techniken. Weinheim, Basel.
- Monaghan, E. (2012). Assessing Participation and Democracy in the EU: The Case of the European Citizens' Initiative. *Perspectives on European Politics and Society*, *13*(3), 285–298. doi:10.1080/15705854.2012.702573
- O'Flynn, I. (2006). Deliberative Democracy and Divided Societies. Edinburgh.
- Page, B. I. (1996). Who deliberates?: Mass media in modern democracy. American politics and political economy. Chicago.
- Parkinson, J. (2006). *Deliberating in the Real World: Problems of Legitimacy in Deliberative Democracy*. Oxford.
- Peters, B. (2008). In H. Wesseler (Ed.), *Public deliberation and public culture: The writings of Bernhard Peters, 1993–2005*. New York.
- Plottka, J. (2013a). *EU: Mehr demokratische Beteiligung durch die Europäische Bürgerinitiative?* Retrieved from http://www.boell.de/de/2013/09/03/eu-mehr-demokratische-beteiligung-durchdie-europaeische-buergerinitiative
- Plottka, J. (2013b). Langer Anlauf kurzer Sprung?: Ein Jahr Europäische Bürgerinitiative (EBi) in der Praxis. Retrieved from http://www.treffpunkteuropa.de/Langer-Anlauf-kurzer-Sprung,05595
- Plottka, J. (2014). The First Public Hearing on an ECI: Unclear Aims and Confusing Debates. In C. Berg & J. Thomson (Eds.), *An ECI that works! Learning from the first two years of the European Citizens' Initiative* (pp. 112–114). Alfter.
- Prummer, J. (2012). *Hürdenlauf gen Brüssel*. Retrieved from http://www.sueddeutsche.de/politik/eubuergerinitiativen-huerdenlauf-gen-bruessel-1.1323166
- Schiller, T. (2002). Direkte Demokratie: Eine Einführung. Frankfurt/Main.
- Schubert, K., & Klein, M. (2011). *Das Politiklexikon*. Bonn. Retrieved from http://www.bpb.de/nachschlagen/lexika/politiklexikon/17786/legitimitaet
- Steiner, J. (2012). *The Foundations of Deliberative Democracy: Empirical research and normative implications*. Cambridge.
- Steiner, J. (2014). Sequencing deliberative democracy to promote public openness. In S. Elstub (Ed.), *Deliberative Democracy. Issues and cases* (pp. 136–148). Edinburgh University.
- Süddeutsche Zeitung. (2014). *Overview: The three-times number* 1. Retrieved from http://sz-media.sueddeutsche.de/en/print/sz-uebersicht-englisch.html
- Süddeutsche Zeitung. (2015). Süddeutsche Zeitung Library Net. Retrieved from http://librarynet.szarchiv.de/Portal/restricted/HomeExtendedResultList.act
- Susha, I., & Grönlund, Å. (2014). Context clues for the stall of the Citizens' Initiative: lessons for opening up e-participation development practice. *Government Information Quarterly, 31*(3), 454–465. doi:10.1016/j.giq.2014.02.005
- Thiel, M. (2008). European Public Spheres and the EU's Communication Strategy: From Deficits to Policy Fit? *Perspectives on European Politics and Society*, *9*(3), 342–356. doi:10.1080/15705850802223457

- TNS opinion & social. (2014). *Standard Eurobarometer 81: European citizenship*. Retrieved from http://ec.europa.eu/public_opinion/archives/eb/eb81/eb81_citizen_en.pdf
- Trenz, H.-J. (2007). "Quo vadis Europe?": Quality newspapers struggling for European unity. In J. E. Fossum & P. Schlesinger (Eds.), *The European Union and the Public Sphere. A communicative space in the making?* . New York.
- Van den Berge, Jerry. (2014). Experiences of ECI Campaigns: Water and Sanitation are a Human Right! Water is a Public Good, not a Commodity! In C. Berg & J. Thomson (Eds.), *An ECI that works! Learning from the first two years of the European Citizens' Initiative* (pp. 19–24). Alfter.
- Water is a Human Right. (2012a). *About our Campaign: Our proposals to the European Commission to implement the human right to water and sanitation*. Retrieved from http://www.right2water.eu/node/37/view
- Water is a Human Right. (2012b). *Who we are: Organizations*. Retrieved from http://www.right2water.eu/who-we-are-organizations
- Water is a Human Right. (2013). *How the concessions directive is a new piece in a longer struggle to privatise water and make money out of water-services*. Retrieved from http://www.right2water.eu/news/how-concessions-directive-new-piece-longer-struggle-privatise-water-and-make-money-out-water
- Water is a Human Right. (2014). *Press release "Commission lacks ambition in replying to first European Citizens' Initiative"*. Retrieved from http://www.right2water.eu/news/press-release-commission-lacks-ambition-replying-first-european-citizens%E2%80%99-initiative
- Yang, M. (2012). Deliberative Politik von unten: Eine diskursanalytische Feldstudie dreier politischer Kleingruppen. Baden-Baden.

Appendices

A) List of Coding

<u>Deliberation</u>	
Item 1: Actors	Needed by definition of mediated deliberation (Page, 1996)
a) EU actors:	1) EU: EU, Europa, (EU-)Institutionen
	2) EU Commission: (Europäische/EU) Kommission, (Europäischer/EU)
	Kommissar/in, (Vize-) Präsident der Kommission
	3) EP: (Europäisches) Parlament/Europaparlament, (EU-)
	Parlamentarier/in (MEPs), Parteien (EU political parties)
	4) Council of the EU/European Council: (Europäischer) Rat, Rat der
	Europäischen Union
b) Right2Water:	1) Initiative: Right2Water, Right 2 Water, Wasser ist ein
	Menschenrecht, Aktion, Initiative and Bürgerinitiative and
	Europäische Bürgerinitiative (Initiative, Citizens' Initiative and
	European Citizens' Initiative meaning Right2Water),
	Wasserinitiative,
	2) Initiators: Initiatoren/innen, Organisatoren/innen, (Vize-)Präsident
	3) Citizens (as in the sense of supporters): Unterzeichner/innen, (EU-)
	Bürger/innen, Unterstützer/innen
	<i>4)</i> Related organizations: (Water is a Human Right, 2012b)
c) Other actors	(e.g. citizens as in the sense of critical participants in the public sphere)
Item 2: Views	Needed by definition of mediated deliberation (Page, 1996)
Arguments on the	(using list of proposals by Right2Water, see Table 3)
Right2Water topic	
d) Affirmative	(supporting the proposals)
e) Negative	(opposing the proposals)
<u>Additional</u>	

Item 3: Reason for coverage	Retrieved to observe triggering circumstances of the public debate							
c) Event/success:	1) Registration: Registrierung, registriert							
	2) Achievement of Million Signatures, Signatures presented at							
	Commission: Million, Million Unterschriften							
	3) Quorum of signatures per member state: <i>Mindestzahl an</i>							
	Unterschriften							
	4) Public Hearing: öffentliche Anhörung							
	5) Communication from the Commission: <i>Stellungnahme, Mitteilung</i>							
d) Other	(e.g. petitions, the publication of relevant studies)							
Item 4: Democracy	Retrieved to find out on the framing of the ECI							
a) Democracy:	Demokratie, -demokratie, demokratietheoretisch direkte Demokratie,							
	direkt-demokratisch, basisdemokratisch							
b) ECI:	Europäische Bürgerinitiative, Bürgerinitiative, Instrument, (EU-)							
	Volksbegehren, (EU-) Bürgerbegehren							
c) Agenda:	Agenda, Debatte							
d) Participation:	Partizipation, (Bürger-) Beteiligung							
e) EU legislation:	Lissabon, Lissabon Vertrag							
f) Legitimacy:	Legitimation, Legitimität							
Item 5: Public sphere	Retrieved to find out on references to a public sphere							
a) Public sphere:	Öffentlichkeit, öffentliche Meinung, Aufmerksamkeit							
b) EU public sphere	Europäische Öffentlichkeit, (reference to EU member states other than							
	Germany)							
c) Reference to other	(name of media)							
media								

Table A1: Categories (units of context and units of coding

B) Findings

Date	Title	Place of publication	Link
11/02/2013	Europäische Bürgerinitiative sammelt eine	European Commission, rapid	http://europa.eu/rapid/press-release_IP-13-
	Million Unterschriften	press release	<u>107_de.htm</u>
11/02/2013	EU-Bürgerinitiative: Eine Million	European Commission,	http://ec.europa.eu/deutschland/press/pr_release
	Unterschriften für Recht auf Wasser	Germany, press release	<u>s/11157_de.htm</u>
17/02/2014	EU-Kommissar Šefčovič trifft Organisatoren	European Commission,	http://ec.europa.eu/deutschland/press/pr_release
	der Europäischen Bürgerinitiative	Germany, press release	<u>s/12092_de.htm</u>
	"Right2Water"		
13/03/2014	Kommission reagiert positiv auf	European Commission,	http://ec.europa.eu/deutschland/press/pr_release
	Bürgerinitiative "Right2Water"	Germany, press release	<u>s/12189_de.htm</u>
19/03/2014	EU trifft Maßnahmen zur Verbesserung von	European Commission, news	http://ec.europa.eu/news/justice/140319_de.htm
	Wasserqualität sowie Wasserver- und –		
	entsorgung		
19/03/2014	Kommission sagt "ja" zur ersten	European Commission, rapid	http://europa.eu/rapid/press-release_IP-14-
	erfolgreichen europäischen Bürgerinitiative	press release	<u>277_de.htm</u>
22/10/2014	Erste erfolgreiche Bürgerinitiative zum	European Commission,	http://ec.europa.eu/archives/commission_2010-
	Recht auf Wasser in Brüssel vorgestellt	Commissioner Maroš Šefčovič	2014/sefcovic/headlines/news/2014/02/2014_02_
			<u>17_eci_de.htm</u>
22/10/2014	Kommission sagt "ja" zur ersten	European Commission,	http://ec.europa.eu/archives/commission_2010-
	erfolgreichen europäischen Bürgerinitiative	Commissioner Maroš Šefčovič	2014/sefcovic/headlines/news/2014/03/2014_03_
			<u>19_right2water_eci_de.htm</u>

Table B1: Findings in EU Newsroom

Article nu.		Item	2	Item 3	Item 4	ltem 5	Part of the newspaper/Ressort	Author	Length of article
1 ID A53978 386	a) 1) EU-Volksbegehren, EU-Pläne b) 1) Right2Water, Initiative 3) Unterstützer, Unterschriften	3, 14	3	a) 2	2) Volksbegehren 5) Lissabon Vertrag	-	Politics	-	22
2 ID A53978 396	a) 1) EU, 2) Kommission b) 1) Right2Water, 3) Unterschriften, Unterstützer c) citizens: EU-Bürger	-	-	a) 2	 Demokratie, direkte Demokratie Bürgerbegehren Agenda Beteiligung Lissabon Vertrag 	b) Europäi- sche Öf- fentlich- keit	Editorial	Javier Cáceres	37
3 ID A53978 431	a) 2) Kommission, 3) Europaparlament b) 1) Right2Water, 2) Initiatoren, Organisatoren, 3) Unterzeichner 4) Dienstleistungsgesellschaft Verdi	2, 4	4	a) 2	2) Europäische Bürgerinitiative, Bürgerbegehren, Instrument 3) Debatte 5) Lissabon Vertrag	a) öffentliche Aufmerksamk eit b) Österreich, Deutschland, Belgien	Politics	Javier Cáceres	105
4 ID A56516 728	a) 1) EU, Europa 2) Kommission, Vizepräsident der Europäischen Kommission b) 1) Right2Water, 3) Unterstützer c) Vertreter von Verbänden	2, 3, 4, 12	-	a) 2	 Graswurzeldemokratie (grass roots democracy), basisdemokratisch Europäische Bürgerinitiative, (implicit reference to other ECI, ,One of Us') 		Politics	Javier Cáceres	84

5 ID A54517 988	a) b)	2) Kommission 1) Right2Water, Initiative, deutsche Sektion	2	-	a) 3	2) Europäisches Bürgerbegehren		Politics	Javier Cáceres	24
6 ID A56142 124	a) b)	1) EU-Institutionen, 2) Kommission, 1) Right2Water	2, 3, 14	3	a) 3	2) Europäische Bürgerinitiative		Politics	DPA	18
7 ID A56726 487	a) b)	 2) EU- Verwaltungskommissar, Kommission, hoher Kommissionsbeamter, 3) MEP Josef Weidenholzer, MEP Evelyn Gebhardt, MEP Sven Giegold 1) Right2Water, "Recht- auf-Wasser"-Initiative, Initiative, 2) Vizepräsident, Initiatoren, 3) Unterzeichner, 4) Gewerkschaft, Gewerkschaft Verdi 	1,2, 3,14	3	a) 5	a) 1) demokratithe oretisch 2) Europäische Bürgerinitiativ e, Bürgerbegehr en, 5)Lissabon Vertrag	a) Öffentlichkeit b) niederländisc h, österreichisch , Deutschland, Portugal	Politics	Javier Cáceres	112

Table B2: Findings in Süddeutsche Zeitung (Words in italics are retrieved from the texts. Translations are omitted if words are enlisted in the catalogue or similar to their English equivalents.)

Statement of Authorship

I hereby certify that this Bachelor Thesis has been composed by myself, and describes my own work, unless otherwise acknowledged in the text. All references and verbatim extracts have been quoted, and all sources of information have been specifically acknowledged. It has not been accepted in any previous application for a degree.

Münster, July 3rd, 2015

Anna Overled