

European Court of Justice (ECJ)
The court system of the EU.

The EU also has its own judicial system, with a **European Court of Justice** based in Luxembourg and a General Court. The General Court mainly deals with cases taken by individuals and companies directly before the EU's courts, while the Court of Justice primarily deals with cases taken up by the Commission and cases referred to it by the courts of member states. In addition, national courts are required to enforce the treaties that their country has ratified and thus the laws enacted under them. This EU court system should not be confused with the European Court of Human Rights discussed earlier, which is associated with the 47-member country Council of Europe, as discussed earlier.

Democratic legitimacy

European elections tend to receive much less attention in the media than national elections. Yet the election is for one of the most influential political bodies in the world, and the election is probably the second-largest election in the world (after India). Especially for businesses, most of the relevant rules are decided in the European Parliament – when new legislation is discussed in national parliaments, they are constrained by what has been decided already in Strasbourg and Brussels. Equally crucial, the European Parliament scrutinizes the budget of the EU and thus the Commission. Hence it does its best to minimize the money wasted. National politicians may not admit it, but in many areas of politics, true power slipped away from national parliaments a long time ago. But they won't tell you – except when they need a scapegoat.

However, not all is well with European democracy. Many voters feel disenfranchised, because they do not see how they can influence decisions made in Brussels. This feeling may be particularly strong in the UK (In Focus 8.4), but it exists in political groupings across the continent. This aversion to EU decision-making processes is partly due to the complexity of the process, not to mention the many translations, and partly because national newspapers rarely discuss the legislative process in Brussels. Moreover, the larger a group trying to reach a common policy, the more compromises have to be made: in the EU, the representatives of almost 500 million citizens have to agree. Many voters also fail to understand why decisions cannot be made closer to them at national or even local level. The principle of 'subsidiarity' feels rather abstract and does not seem to work in practice. The bureaucrats in Brussels seem a long way off, not unlike voices in Scotland or Galicia complaining about bureaucrats in London and Madrid.

IN FOCUS 8.4



In and out: the British

While many are queuing to get into the EU, one nation sometimes wishes it had never entered. In 1998, the *Financial Times* summarized the British relationship with 'Europe' (which in Britain often means 'the rest of Europe'), as follows:

Britain lives with its history. The post-war relationship with its European neighbours has been one infused with misery and missed opportunities. To come to terms with what is now the European Union is to

come to terms with the retreat from past glory. The nation's leaders have shunned the challenge.

This quotation from 1998 still rings true two decades later. Essential to understanding the ambivalent relationship of the British, or more precisely their political leaders, towards Europe, is to understand that most British politicians of the 20th century never appreciated the EU as a political project, but rather focused on the economic benefits. In the 1950s the UK stayed out of the union, as it still prioritized relationships with its (former) colonies in the Commonwealth over relationships with its European