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# The NGEU comes to Visegrád: implementation process and throughput legitimacy

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## ABSTRACT

Existing research on EU legitimacy has neglected one aspect – the transformation of EU strategies into concrete national plans. This article reflects on this gap by analysing the throughput legitimacy of the implementation of the ambitious and transformative Next Generation EU (NGEU) plan into national strategies, called Recovery and Resilience Plans (RRPs), in four Central and Eastern European countries. Focusing on the transparency, accountability, openness and inclusiveness of the RRP elaboration process, it finds that the elaboration process suffered from shortcomings in all aspects analysed. In particular, they affect the quality of legitimacy of the process of implementation. The article found that while the formal aspects of throughput legitimacy were present, most of the factors that create a mirror that shows how actors participated, how their comments were addressed or how the parliamentary role was respected failed in almost all cases. This finding has implications for research on throughput legitimacy, which should focus more on its quality than on its procedural parts.



## KEYWORDS

Next generation EU; recovery and resilience plan; Visegrad four; throughput legitimacy

## Introduction

Despite the lively debate on all aspects of EU legitimacy, there are still gaps. While both the EU arena and national constituencies have been analysed, the implementation of mid-term EU strategies at national level has been neglected. This is striking because many such plans have recently been adopted in the EU, tying the hands of national governments in one way or another. Moreover, strategies such as the EU Green Deal and the Next Generation EU (NGEU) call for a radical transformation of national economies, putting the burden on the shoulders of governments.

The NGEU is the latest example of this. The COVID-19 pandemic began to hit the EU in January 2020 and the EU was called upon to respond. In addition to public health and political measures, it became clear that economic support was also expected. The NGEU, presented in June 2020 and adopted in November of the same year, became the EU's main tool to tackle the economic consequences of the pandemic. It contained

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many innovative aspects and was later specified in 27 national recovery and resilience plans (RRPs), reflecting how each country planned to heal its economy.

The impact of the COVID-19 pandemic on the EU has been studied from various angles, focusing on a wide range of topics, including the negotiation process of the NGEU (De la Porte & Jensen, 2021; Schramm et al., 2022) and the discussions (Miró, 2022) or conflicts (Fabbrini, 2023) surrounding it. RRP's have so far been neglected. The rare examples are a study by Dudzinska and Ilonszki (2023) comparing the opposition discourse on RRP's in Poland and Hungary, or analyses of how NGEU/RRP affected the social dimension of European integration (Corti & Vesan, 2023; Petmesidou et al., 2023). Little is known about the content of individual RRP's and there is also limited knowledge about how they were produced. This is striking given that the RRP's will have an impact on political and economic developments in the coming years. As member states have had to commit to green transformation and digitalisation projects, RRP's represent an important variable for the future. In other words, the NGEU and the RRP's were designed as tools to reorient the economy (Ferrer, 2021). The fact that the RRP's were prepared and adopted quickly raises the question of the extent to which these processes were open, transparent and democratic in the Member States, thus contributing to the legitimacy of EU policies. Concerns about the lack of involvement of social actors in the design and adoption of the RRP's were raised at the time of the launch of the NGEU by EU-wide stakeholders such as the ETUC (Vanhercke & Verdun, 2022).

This paper analyses how the RRP's were created in four Central and Eastern European countries – specifically in the Visegrad Four (V4) countries of the Czech Republic, Poland, Slovakia and Hungary. Using Schmidt's (2013) throughput concept of legitimacy as an analytical framework, this article aims to determine the extent to which the activities surrounding the adoption of the RRP's adhered to throughput legitimacy norms. Departing from the broader discussion of EU legitimacy, the article focuses on inclusiveness, openness, accountability and transparency in the creation of the RRP's.

The article is structured as follows. The first part provides an overview of the debate on EU legitimacy, setting the framework for the analysis that follows. The second section introduces the subject – RRP's – and examines the issues they raise for EU legitimacy. It then analyses the creation of RRP's in the V4 countries. The analysis shows that the drafting process in all four countries suffered from shortcomings in terms of process legitimacy. It finds that instead of ensuring serious deliberation on the creation of the RRP's, the cabinets only pretended to do so. Thus, the processes that the EU has sought to establish as essential components of EU democracy have not been adopted by some member states. In the case of the NGEU, which is an ambitious plan, this may have serious practical implications. The insufficient throughput legitimacy of the national process may undermine the transformative significance of the NGEU, as it does not create sufficiently broad ownership in the Member States. The fourth section discusses these findings and their implications for EU democracy and outlines avenues for future research.

More broadly, the article contributes to the literature on EU democratic legitimacy by focusing on the legitimacy of the transposition of EU objectives into national political systems. The article also makes an important empirical contribution by systematically analysing the transformation of the NGEU into national plans, which is still a relatively new and unexplored topic. Third, the article contributes to the literature on EU policies in Central and Eastern European countries.

## Analytical framework

As Crespy (2013) puts it, there has long been a debate about the EU's legitimacy between advocates of input and output legitimacy. Among the latter, some scholars have argued that since the EU cannot be compared to its member states, its legitimacy should be considered in terms of output – its ability to solve problems and implement policies (e.g. Crum & Merlo, 2020) – and not in terms of democracy. Some other scholars further argue – against claims that the EU suffers from a lack of democracy – that the EU is better equipped than its member states (Moravcsik, 2002). On the other hand, many scholars have argued that in the case of the EU's supranational political system, it is more appropriate to apply democratic criteria of input legitimacy, i.e. representation and accountability to citizens (e.g. Thomassen, 2009).

Various scholars have argued that the dialogue between advocates of input and output legitimacy has led nowhere, describing it as a 'dialogue of the deaf' (Crespy, 2013). In order to overcome this impasse, it is suggested to focus on the interactions between different groups or institutions during EU policy making and throughput legitimacy. According to Schmidt (2013) and Schmidt and Wood (2019), throughput legitimacy should be understood as an 'umbrella concept' that is judged in terms of the effectiveness, accountability and transparency of EU governance processes, as well as their inclusiveness and openness to consultation with citizens.

The EU's throughput legitimacy has so far been analysed mainly at the supranational level from different angles, be it the EU constitutional process (Risse & Kleine, 2007), multi-level governance (Benz & Papadopoulos, 2006), EU institutions (e.g. Fromage & van den Brink, 2018; Schmidt, 2016) or various EU policies and activities (Chatzopoulou, 2015; Klika, 2015). Other aspects, such as the timing of deliberations (Fumagalli, 2019), have also been studied.

So far, the national level and the EU-related deliberative processes that take place there have been neglected. This is surprising, as there has been extensive work on the implementation process as such, including the impact of EU policies on national political systems. For example, various scholars (e.g. Efstathiou & Wolff, 2019; Mariotto, 2022) have studied the process of implementation of country-specific recommendations (CSR) and the factors influencing it. Similarly, the impact of the Europe 2020 strategy on national reform programmes has been analysed (Cacciatore et al., 2015), as well as the implementation of the European Semester (e.g. Bokhorst, 2022; Di Mascio et al., 2020). However, most of these works have focused on the efficiency of implementation or on the influence of specific institutions during the process, rather than on the legitimacy of the implementation process as a whole. Exceptions have focused on specific policy areas, such as Csehi and Schulz's (2021) work on the EU's new economic governance. They argue that the EU's new economic governance framework positively impacted national deliberative processes regarding national budgetary decision-making. However, the impact of complex strategies may vary. These strategies often define goals for a period longer than one or two electoral cycles. For instance, when comparing NGEU and RRP to the European Semester, the former examples illustrate redistributive policies where a different logic of behaviour may apply than in processes of following specific decisions or recommendations.

So, how does the Next Generation EU, specifically the Recovery and Resilience Plans, fit into this context and why are they significant? Domestic politicians frequently portray EU



policies as being imposed by ‘Brussels’ (Heinkelmann-Wild & Zangl, 2018). However, in most cases, domestic authorities tend to implement EU agreements, even when EU legislation is not incorporated into the national legislative framework. Additionally, EU strategies are put into practice through decisions made at the national level. In this context, the concept of legitimacy’s throughput, as outlined by Schmidt (2013), is relevant. The national implementation process touches upon deliberation, efficacy, accountability, transparency, openness, or inclusiveness issues. Throughput legitimacy often overlaps with input legitimacy and has fuzzy borders (for discussion, see Steffek, 2019), but it is often studied as a distinct phenomenon. Throughput legitimacy refers to the various ways in which policy processes operate (Schmidt, 2013, p. 7). This approach is in line with the common practice of scholars who analyze throughput legitimacy, as noted by Caby and Frehen (2021). This article focuses on four dimensions of throughput legitimacy: inclusiveness, openness, transparency, and accountability. Table 1 provides a summary of their operationalization.

The operationalization of the throughput legitimacy model differs from standard indicators used to measure it (Caby & Frehen, 2021). It adjusts these indicators to account for the fact that the cabinet plays a pivotal role in the creation of the RRP, as is the case with any other EU strategy implemented at the national level. Each dimension is operationalized through three indicators to ensure similar coverage.

The first aspect of throughput legitimacy is inclusiveness. To ensure that EU strategies do not create constraints solely for the current government but also for future successors, it is important to involve as many actors as possible in their transformation into national plans. This includes the opposition and civil society organizations (CSOs), as well as actors representing a broad scope of interests. Clear guidelines for the participation of the opposition and CSOs should be established to ensure inclusiveness.

The article examines whether non-governmental actors were truly included in the decision-making process or if their involvement was merely symbolic. In order to assess inclusiveness, the article considers whether NGOs were given sufficient time to provide feedback on the RRP draft and subsequent versions, and whether the government adequately addressed and incorporated this feedback.

**Table 1.** Category of throughput legitimacy and their operationalization.

Category	Indicators of presence
Inclusiveness	<ul style="list-style-type: none"> <li>• Formal involvement of NGOs, as well as opposition or civil society organizations</li> <li>• NGOs represent broad and diverse interests</li> <li>• Provision for engaging with a wide range of stakeholders, including those representing marginalized or underrepresented groups</li> </ul>
Openness	<ul style="list-style-type: none"> <li>• Access to relevant data and information informing the decision-making process</li> <li>• Demonstration of how stakeholder feedback was incorporated</li> <li>• Adequate time provided for stakeholder comments to be addressed</li> </ul>
Transparency	<ul style="list-style-type: none"> <li>• Disclosure of any changes made to the RRP during the process and the reasons for those changes</li> <li>• Provision for engaging with experts and organizations to provide feedback and recommendations</li> <li>• Functioning website for information on the process</li> </ul>
Accountability	<ul style="list-style-type: none"> <li>• Relevant role of parliament in the creation process</li> <li>• Regular updates from the government at the ministerial level</li> <li>• Demonstration of how parliamentary feedback was incorporated</li> </ul>

Source: The author.

Thirdly, transparency is the third essential dimension. It refers to the presence of stable and publicly available materials that inform about the RRP drafting process. Additionally, there should be clear, public, and stable information regarding the participation of NGOs. The government, as the key player in the process, should actively and regularly provide information about the creation of the RRP and any changes made.

Regarding accountability, the article assumes that the critical factor in the government-driven process is the role of national parliaments. The involvement of parliament, how regularly it was involved, and the seriousness of this involvement are measured through the ranks of governmental representatives and how the parliamentary input was dealt with.

This article presents a comparative study of the political processes in V4 countries that led to the creation of their RRPs. The paper employs the most similar case design (Anckar, 2008) as the V4 countries share several vital similarities that make them suitable for a comparative study. Firstly, these countries have had similar experiences with EU funds and membership. The European Union funds are a substantial source of revenue for the public budgets of these countries, which can have an impact on their politics and economies. All four countries share similar political structures, such as being parliamentary republics that use proportional electoral systems and are unitary states. Their domestic development has followed an almost identical path, which is a crucial factor for the engagement of NGOs and the overall quality of the political discourse.

Furthermore, political polarization and the rise of populist politics have been experienced by all countries recently. This has also contributed to a growing sense of nationalism and scepticism towards liberal democratic values. Finally, corruption and the influence of oligarchs have been a struggle for all V4 countries. This has led to concerns about the rule of law, democratic accountability, and the erosion of trust in public institutions. Although these issues are primarily associated with Hungary and Poland, Czechia and Slovakia have also faced similar challenges during ANO or SMER-led governments. Therefore, deviating from the design of such most similar cases, the analysis expects to find comparable outcomes regarding throughput legitimacy on the RRPs in the V4 countries.

The analysis is structured by country and systematically follows the theoretical framework derived from the throughput legitimacy model. Various empirical sources were used to gather data, allowing for triangulation of information to create an analytical narrative around crucial concepts that capture why and how the RRPs were adopted and how these processes affected the throughput legitimacy. The article draws on primary sources such as official governmental documents, parliamentary documents, and documents issued by non-political actors to support the empirical material. The paper also employs secondary sources, such as analyses by think tanks, news from national press outlets, and academic publications.

## **Analysis**

### **Czechia**

In July 2020, the Czech government passed a resolution requiring the Ministry of Industry and Trade (MIT) to develop the RRP in collaboration with the Ministry of Finance and the Government Office (Vláda, 2020a). Although the Government's July resolution may have

implied that the MIT would prepare the full text of the RRP by mid-October, the government instead approved a proposal entitled 'Starting points for the National Recovery Plan' (VNPO) (Vláda, 2020b). The VPNO was a document containing a proposal with individual components, including planned reforms and public investments.

Criticism was received due to the exclusion of both the opposition and the public sector in the preparation of the VPNO. In response to this negative feedback, including from the minor Social Democratic coalition partner (Euractiv, 2021), the government revised the plan's content with more formal involvement from stakeholders. MIT organized six roundtables from winter 2020 to early spring 2021 to discuss the content with non-governmental actors. However, the decision to exclude the opposition from the invitation has been met with criticism. The Pirate Party, for instance, has challenged the government to apply the same logic to the plan as it has with all current EU finances (Peksa, 2020).

In terms of openness, MIT faced criticism during the initial stage of making VPNO material available. The criticism was due to their haste, ignoring suggestions from the professional public, shortening the comment procedure, and making it impossible to settle comments (Svaz průmyslu a dopravy ČR, 2020). The VPNO received praise from stakeholders for specific chapters that were based on real projects, included concrete numbers, and utilised functional tools. However, some parts were criticised for being too general or incoherent (Svaz průmyslu a dopravy ČR, 2020; Změna k lepšímu, 2020). The plan did not solely focus on rebuilding the economy after the pandemic, but also included investment in areas that had long been neglected (Respekt, 2020). Although the public sector played a greater role in the second stage of the preparatory work, this did not result in any change in the government's response to their inputs. In late April 2021, MIT began to address the comments. However, this process was again rather formal, and the allotted time was short. Approximately 70 organizations provided feedback on the RRP. The Czech RRP's final version was approved by the government on 17 May 2021 (Vláda, 2021). However, no online platform summarising the comments and their resolution was made available, which raises concerns about transparency.

Regarding the transparency component, the preparation of the VPNO received clear criticism. MIT was criticized for its lack of transparency and hasty approach (Svaz průmyslu a dopravy ČR, 2020). The plan's structure was also criticized for its lack of a straightforward procedure. For instance, the non-profit business initiative Změna k lepšímu (A Change for the Better) criticised the lack of justification for the proposed measures. They argued that the VPNO appeared to be a mere summary of intentions that had been in the drawer for individual ministries. The professional public also noted the absence of an assessment based on savings or multiplier effects for the economy, employment, and emissions reductions. Similar objections were raised multiple times during the later stages of the drafting process.

The discussion about the RRP began in the context of NGEU preparation, with the EU affairs committees of both the Senate and the Chamber of Deputies initiating the debate. In autumn 2020, both committees repeatedly requested that the government inform them and their chambers at large. The discussion intensified in spring 2021 when both EU affairs committees criticized the cabinet for not informing parliament. For instance, during its sixth meeting, the Senate EU Affairs Committee requested that the cabinet submit a new version of the RRP by the next committee meeting (Senate, 2021a).

However, the government failed to deliver the plan on time or incorporate the comments proposed by the committee – and later by the Senate’s plenary – in the final versions of the RRP. Consequently, the Senate adopted a critical resolution in its seventh plenary (Senate, 2021b).

The Czech RRP was thoroughly discussed in the lower chamber’s plenary session in mid-April 2021, just a couple of weeks before the plan’s final submission. An extraordinary plenary session was convened at the opposition’s demand to debate the RRP. The cabinet faced heavy criticism for inadequate preparation, lack of communication, lack of transparency, and only formal involvement of social partners. The government faced criticism from several opposition MPs for delaying preparatory work, which ultimately prevented stakeholder suggestions from being included. However, before the Chamber of Deputies could pass the proposed resolutions, the meeting was interrupted for procedural reasons. By the time the meeting resumed, the RRP had already been submitted to the Commission without any consideration of the opposition’s critique.

## **Slovakia**

In October 2020, the Slovak Ministry of Finance (MIF) published the essential starting points of the Slovak Recovery and Resilience Plan (RRP) under the title ‘Modern and Successful Slovakia’ (MUS). According to the MIF, the document was prepared with input from over 100 experts from the non-governmental and business sectors. However, it is unclear how these experts were selected and how they contributed to the document. The document identified eight main areas for reform, but not all proposals are expected to be included in the final version of the RRP.

After the publication of the MUS document, it quickly became apparent that NGEU funds would be a contentious political issue in Slovakia. The phrasing of the reform ‘menu’ was criticised by the main opposition parties, Smer-SD and Hlas-SD. However, there were also divisions within the government as the coalition parties introduced three versions of the RRP. The main difference between the parties was their approach to distributing the country’s allocation. They attempted to allocate resources to the departments represented by their members. PM Igor Maňovič even stated during preparations that the distribution of funds should reflect the election results.

The drafting of the RRP was not without its problems, as political tensions and dissatisfaction with the role of the public sector were also present. The drafting of the RRP was not without its problems, as political tensions and dissatisfaction with the role of the public sector were also present. The drafting of the RRP was not without its problems, as political tensions and dissatisfaction with the role of the public sector were also present. The MIF claimed that the process was open, but this was not enough to satisfy the public sector. Over 50 NGOs criticized the cabinet for excluding them from the drafting process (SPPK, 2021b). In response, the MIF organized six roundtables with stakeholders, with over 200 representatives from around 100 organizations participating. However, this activity was criticized for taking place too late in the process (EurActiv, 2021b).

In terms of openness, the early stage of the Slovak case was not as problematic. The MUS document was prepared in cooperation with the non-governmental sector and did not receive the same level of criticism as the Czech VPNO. However, during the



later phases, when the government finalized the contents, the process proceeded similarly to that in Czechia. Despite receiving over 2,500 comments from stakeholders, the government only allowed ten days for their evaluation. Criticism was raised by NGOs who argued that the process was only formal (Euractiv, 2021). Some relevant business associations, such as the Slovak Agriculture and Food Chamber, requested a complete rewrite of the RRP (SPPK, 2021a, 2021b). The self-governing regions supported only 18 out of 32 areas of reform, as they held different priorities that were not reflected in the final version of the RRP (Euractiv, 2020). In total, approximately 2400 comments were submitted, of which 1300 were significant and 50 were in the form of collective action (Pravda, 2021). The contents of these comments and their current status were made publicly accessible through the official Slovak legislation website (SlovLex, 2021). However, the final version of the document was approved at the end of April 2021 and included five priority areas. The timeline for submitting comments and the final version of the RRP was only one month. Evidence from the Slov-Lex database indicates that many comments were marked as 'unsolved', suggesting a formal process.

During the drafting process, there was a lack of transparency. The MUS document was prepared behind closed doors, and this approach continued with the RRP itself. Not only NGOs and business associations, but also some ministries criticized the insufficient information and unclear procedures. For instance, the Ministry for Investments, Regional Development and Informatisation raised such objections. However, the Ministry's implementation document, known as the Partnership Agreement, has been criticised for its lack of transparency and clarity, which has been a recurring issue throughout the drafting process. The Slovak Agriculture and Food Chamber (SPPK) has raised this concern multiple times (EurActiv, 2021b).

In terms of accountability, the Slovak experience differs from that of the Czech Republic. The Recovery and Resilience Plan (RRP) underwent thorough parliamentary debate from June 2020 until April 2021, particularly at the level of the EU Affairs Committee. The Slovak Prime Minister and relevant ministers regularly discussed the preparatory process with committee members. The RRP was also addressed during a committee visit by European Commission Vice President Šefčovič. The parliamentary opposition was active, demanding greater involvement in the drafting process. A group of opposition MPs, led by former PM Robert Fico, proposed several resolutions (e.g. NR SR, 2020a; NR SR, 2020b; NR SR, 2021) which were debated at the EU Affairs Committee level. However, none of these motions received support. Some of the motions, such as the one from 2 December 2020 requesting a broader debate, were even discussed at the plenary. Despite being highly critical of the government, these texts failed to garner sufficient support and were ultimately voted down.

## **Poland**

In Poland, the Ministry for Development Funds and Regional Policy was given responsibility for the RRP. The Ministry attempted to involve the public sector, but this was done relatively late. There were several mechanisms and tools available, including a public consultation that lasted from 26 February 2021 until 2 April 2021. An online platform containing several input forms was available for participation. During the consultation, three public discussions were broadcast online. These discussions were attended by 2000

people who asked 330 questions. NGO representatives and scholars participated in the discussions. Around 5500 comments and suggestions were submitted over the six-week period. Five public hearings took place in one week, from 22 March to 30 March 2021, with each hearing devoted to a particular component of the RRP. The Committee for the Partnership Agreement organized public hearings for partnership development, followed by reversed hearings scheduled by the ministries responsible for each particular component. The Special Committee for Administration and Local Government discussed the content of the RRP five times. Around 520 comments were submitted by regional municipalities in total. Finally, several advisory bodies, such as the Council for Social Dialogue/Council for Entrepreneurship, also addressed the RRP.

Similarly to previous cases, the Polish cabinet did not discuss the content of the RRP with the opposition, despite their expressed willingness to participate. For instance, on 15th January 2021, Levica (The Left) party requested the government to discuss the plan in the Sejm. However, this call was ignored, and the amendments submitted by Levica were not heeded (Sejm, 2021a, 2021b). Eventually, the government was compelled to cooperate. Despite the strong position of the ruling Law and Justice (PiS) Party in the Polish government, the NGEU agenda was a controversial topic for the cabinet. The minor coalition partner, the United Poland Party, rejected the NGEU because it opposes the EU's joint debt scheme and the inclusion of the rule of law mechanism. As the ruling coalition had a narrow majority of only three votes in the Sejm, PiS had to negotiate with Levica to approve the NGEU. Eventually, Levica provided the necessary votes. The agreement included the creation of a special committee, consisting of representatives from regional policy, NGOs, and industry, to oversee the plan's implementation.

The drafting process in Poland was not more open despite the inclusiveness of the process. In February 2021, over 20 relevant NGOs and business associations requested that the cabinet approach the RRP as an opportunity for strategic change, rather than just a source of investment funds, and include their proposals. Before consultations with stakeholders, this request was made (Euractiv, 2021d). Criticism has been repeatedly voiced in the Polish parliament (Sejm, 2021a, 2021b, 2021c) and by various CSOs and associations of local and regional authorities (Fundacja Batorego, 2021) that the consultation process was merely a formal exercise and that the government did not take the comments submitted by stakeholders or the opposition seriously.

Although the Polish drafting process appeared to be systematic, the NGO sector repeatedly criticised its lack of transparency. In 2020, various NGOs complained about the process's incoordination, inconsistency, and lack of transparency. In February 2021, several NGOs sent a letter to the Prime Minister, urging him to involve the public and the NGO sector more consistently and transparently (Euractiv, 2021d). The same appeal was repeated in April 2021 (Fundacja Batorego, 2021) without a satisfactory response.

Poland operates under a bicameral parliamentary system in terms of accountability. The post-Covid recovery was a frequent topic of debate in the Sejm, particularly in the Committee for EU Affairs. However, the discussion remained superficial, and the Polish RRP was not discussed or exchanged between MPs and government representatives. Only twice did opposition MPs request details on the national plan from the cabinet, often represented by the EU Minister Szymanski. However, the committee did not thoroughly discuss the details and structure of the RRP.

The RRP received more substantive attention at the plenary level. During the ratification process, the plan and its broader context, NGEU, were debated most intensively among the V4 countries. The NGEU was first discussed on 4 June 2020. However, only the general outline of the plan and the possible Polish share were debated. The plenary discussed the design and adoption of NGEU during the fifteenth plenary of the Sejm on 22 July 2020 (Sejm, 2020a). Details of the Polish plan were first discussed during the 21st plenary on 18 and 19 November 2020 (Sejm, 2020b). The discussion in 2021 was even more intensive. The Polish plan's content was discussed multiple times between March and May 2021, mainly due to critical opposition MPs (refer to Sejm, 2021a, 2021b, 2021c). The debates were characterized by polarization and politicization, primarily driven by the opposition, and included explicit criticism of the government.

The RRP was discussed multiple times in the Senate, including in EU committee meetings, joint sessions of the EU Affairs Committee, and the Committee for the Budget. In 2020, the Senate's debate reflected that of the Sejm, with general issues and NGEU dominating the discussion and the Polish RRP only occasionally mentioned. However, this changed in spring 2021. The plan's content was debated during the 61st meeting of the EU Affairs Committee on 3 March (Senate, 2021a). It was later discussed again during the 69th meeting of the same body on 11 May (Senate, 2021b). The government was criticized for poor communication with the Senate, as it only organized formal consultations and ignored suggestions and comments from social partners. The senators criticised the government for consulting them only after submitting the RRP. They received the first draft in late February and the final version at the beginning of May. This approach was deemed inappropriate.

## **Hungary**

In Hungary, the preparation of the RRP lacked inclusivity. The government played a crucial role, while the opposition was excluded. The non-governmental sector only came to the fore towards the end of the process and in a relatively formal manner. The cabinet requested feedback from nearly 500 professional and non-governmental organizations, including advocacy associations, leaders of Hungarian universities, and Hungarian and international chambers of commerce and industry. The cabinet stated that it invited cooperation with local government associations, county governments, and other local actors. However, some claimed that they were not included. For instance, on 15 April 2021, the Union of Hungarian Municipalities (MÖSZ) held a press conference on the Hungarian RRP. Its leaders stated that the government did not conduct any consultations with municipalities, despite claiming the opposite (MÖSZ, 2021a). Even opposition politicians have claimed that the process was not open and that relevant social partners were excluded from participation (The Parliament, 2021).

In terms of openness, the government created an online consultation platform that was open until 31 April. All comment submissions were stored there, but it remains unclear how they were addressed. Dudzinska and Ilonýszki (2023: 48) argue that 88 opinions were posted on the website, many of which were substantial, critical, and policy-related. The government responded to the comments with a single summary each week. In total, five documents were issued containing answers.



As with the Slovak case, the final version of the Hungarian RRP was sent to the Commission shortly after the deadline for receiving public comments. The RRP was sent on May 11th, leaving only 11 days to read and process the suggestions. The RRP was sent on May 11th, leaving only 11 days to read and process the suggestions. This excluded meaningful involvement despite almost 500 NGO actors commenting on the plan.

The government prepared the plan behind closed doors, despite repeated requests from various stakeholders to be included. For instance, MÖSZ sent an open letter to the Prime Minister's office in April 2021 (MÖSZ, 2021b), stating that stakeholders had no opportunity to influence the detailed plan, which was not publicly accessible one month before submission to the Commission. The government only published fragments or outlines of the plan. For instance, the initial version of the RRP, published in December 2020, was a 13-page document. Subsequently, between 2 March and 1 April 2021, the cabinet presented descriptions of each priority of the plan, with each document comprising approximately 15 to 20 pages. Notably, no clear timeline for the consultation was provided. According to BankWatch (2021), the government did not specify on their website which documents would be published, when they would be published, or when they expected comments on the documents. The detailed plan was not presented until 14 April, meaning that the proposed financial allocations were only announced a few weeks before submission to the Commission. The final version was presented in May, without involving the public or stakeholders. For instance, the final version of the plan did not include any loans from the NGEU, despite their presence in previous versions that were formally consulted. The government chose not to utilise this instrument, citing a desire to avoid increasing Hungary's debt as the official reason.

The parliamentary involvement in the discussion of the national plan was purely formal. The EU Affairs Committee thoroughly discussed the content of the plan for the first and last time in May 2021 (HU Parliament, 2021). The opposition's attempts to discuss the plan within committees were futile as the governmental MPs did not attend such meetings (Dudzinska-Ilonszki 2023: 46-47). The plan was delivered by the Prime Minister's office one week after it was sent to the European Commission, which prevented any meaningful discussion about Hungarian priorities. The government was criticized by opposition politicians for lack of transparency and cooperation with the opposition. For instance, Socialist MEP Ujhely argued that the parliamentary debate was held at a very late stage and in a purely informative manner (The Parliament, 2021). At the plenary level, two debates were held. The first was a parliamentary debate day on 22 March 2021. The official debate surrounding the final vote on the Hungarian RRP took place on 8 April 2021. The former followed the formal structure of the parliamentary debate day, while the latter consisted of only eight substantive contributions. The other interventions were only two-minute-long comments (Dudzinska and Ilonszki 2023: 46). In all limited cases, the cabinet and ministries were represented by state secretaries and division/unit heads, as evidenced by the meeting minutes.

## Comparative perspective

Matching the comparative/individual findings from the V4 countries to Table 1 reveals several implications. Firstly, all analyzed countries share a similarity in the process of



their RRP's creation, which is unsurprising given the broad political, historical, and socio-economic context. However, this does not imply that all cases were identical.

The dimension of inclusiveness appears to be the most similar part of the RRP's creation in the V4 countries. In all cases, the cabinet was the primary driving force, with economy-related departments playing a more significant role than others. NGOs, opposition, or civil society organizations were involved in all states. The Polish case appears to be the most comprehensive and systematic in this regard, offering a wide variety of mechanisms and tools for participation. In all countries, non-governmental actors represent a broad scope of interests. However, explicit provisions for interaction between the government and stakeholders were not present. Although non-governmental actors were included in the drafting process, they were given limited importance and were involved only in the later stages.

Regarding openness, the processes in all countries demonstrated convergence rather than differences. None of the countries had explicit provisions for accessing the relevant data that informed the decision-making process. The feedback provided by stakeholders was somewhat disregarded instead of being thoroughly addressed. The time between sending and addressing comments was symbolic and inadequate. Among the countries analyzed, Poland appears to slightly deviate from this scenario.

A comparable formal approach can also be observed in relation to transparency. The issue was primarily addressed in a formal manner, with preparatory work being conducted behind closed doors, resulting in insufficient and untimely information, and a lack of explicit procedures and guidelines. Only Poland appears to slightly deviate from this pattern – in its case, there was a great deal of publicity and updates on the process and its progress.

Finally, the involvement of parliaments in the drafting process was found to be minimal, with their input only being sought at the final stage and with limited opportunities to shape the content of the RRP's. The primary drivers of parliamentary activities were opposition MPs, with the core of their action observed in committees rather than the plenary. Governments often initiate comprehensive discussions at the parliamentary level only after submitting the RRP to the Commission. This renders the parliamentary role in the entire process as predominantly passive, with the exception of Poland, where the RRP was discussed more thoroughly and presented by key governmental politicians. In other countries, lower-ranked figures represented the cabinets, demonstrating a dismissive attitude towards the government.

When comparing the nuances among countries, the Hungarian administration stands out for its audacious disregard for the necessity of endorsing its RRP, seemingly unfazed by the absence of an apparent legitimization process. In contrast, despite its tarnished reputation, the Polish government demonstrates through empirical evidence that some mechanisms of legitimization are inescapable, attributing this to the expansive scale and heterogeneity of Polish society. Interestingly, this logic seems to be less applicable to the more compact and centralized nations of the Czech Republic and Slovakia. A comparison between these two countries further uncovers intriguing nuances: Slovakia presents a markedly collegial process, whereas the Czech Republic sees a higher level of politicization. This politicization has a twofold effect: it cultivates a surge in engagement yet simultaneously incites governmental initiatives to exclude particular opposition factions. This contrast between the two cases highlights the complex and varied nature of legitimacy processes within different socio-political contexts.

## Discussion and conclusion

The aim of this article is to investigate the process of transforming EU political goals into national plans in terms of their legitimacy. This mechanism, which is often used, has been neglected despite its importance to the EU political system. The analysis compares the cases of four CEE countries and focuses on the processes involved in creating their RRP. The NGEU plan requires apparent legitimacy and broad political acceptance due to its call for radical societal transformation. Additionally, the scope and depth of the RRP extend beyond one electoral cycle. Therefore, an excellent deliberative process could significantly contribute to the smooth implementation of the goals agreed upon at the EU level.

The analysis confirms concerns about the lack of involvement of relevant stakeholders at the national level of NGEU implementation (Vanhercke & Verdun, 2022). Additionally, the article shows that the transformative message of the NGEU plan did not reach the national governments of the V4 countries, as there was no change in how the cabinets perceived the EU investments. All governments followed almost the same procedures as for classic structural funds. Instead of using the available funds as a starting point for strategic change, they presented NGEU as an extra source of funding to develop public infrastructure.

With the exception of Hungary, the analysed countries initially performed well. However, this only pertains to the formal aspect of the analysed dimensions of throughput legitimacy. Provisions for NGOs' participation in public websites informing about the process or the involvement of national parliaments did exist. In this regard, all requirements were met. However, in almost all cases, the factors that reflect how the actors participated, how their comments were addressed, or how the parliamentary role was respected failed to create an accurate representation.

This has significant implications for research on throughput legitimacy, particularly in the EU policy implementation process, where its components can be divided into two types. The first aspect involves measuring procedural factors to determine if there are basic conditions for inclusiveness, openness, or accountability. However, the presence of these factors alone is insufficient, as there are also qualitative indicators that must be considered. These indicators aim to capture how the formal parameters are implemented and whether they are done so thoughtfully. As demonstrated by this analysis, transparent, open, and inclusive processes are essential for achieving legitimacy, and cannot be faked during the implementation phase. Thus, empirical and theoretical research should focus more on the quality of throughput legitimacy rather than its procedural components.

This article represents the initial stage of a potentially fruitful area for further research. It would be intriguing to examine the situation in other EU countries, particularly those with more extensive experience of EU membership, which are influenced by distinct socio-cultural factors to the CEE countries. Analyzing how similar documents were implemented in previous years, under various governments and in different contexts would be interesting. Additionally, it would be worth examining the reaction of EU institutions to processes at the national level, as the EU's interests and roles in the implementation processes are an important part of the story. The article did not address the throughput legitimacy problem objectively and exhaustively. It only analysed certain elements of the concept, neglecting other components such as perceptions of adequate

representation (Mosley & Wong, 2021) or responsiveness (Steffek, 2019), which could enhance our understanding of implementation processes. This article examines the legitimacy of RRFs throughputs, without considering the input and output dimensions. Including either dimension could provide a broader understanding of the implementation processes' legitimacy in EU states.

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