



Opening the black box: Where does throughput legitimacy hide?

A case study research on the National Energy and Climate Plans of Austria and Ireland to examine whether the European Union safeguards and guarantees the democratic legitimacy

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Preface

Dear reader,

Currently, you are reading my master thesis for the master programme 'European Union: Governance & Politics' which I follow at the Radboud University in Nijmegen. This thesis covers an analysis on the National Energy and Climate Plans of Austria and Ireland within the theoretical framework of democratic legitimacy. This thesis is relevant for policymakers within the field of energy and climate, Commissioners who are occupied with regulations on energy and climate action and people engaged in governance on climate goals or people interested in throughput legitimacy and split-level legitimacy.

I would like to thank my thesis supervisor prof. dr. J.K. Helderma who was extremely helpful and accommodating throughout my thesis process in my questions regarding the content of my thesis, and practical matters. The feedback offered and inspirational walks that we walked, helped me write this thesis with enthusiasm.

Summary

Democratic legitimacy within the topic of climate change in the European Union is a major concern for institutions and individuals. National Energy and Climate Plans of Member States need to measure up to the requirements which the European Commission set up. The goal of this research was to analyse whether the European Union's governance system allows for citizen representation that operates responsibly and responsibly with creating proper outcomes effectively through the criteria of accountability, transparency, inclusiveness, and openness. The research used literature on input, output, and throughput legitimacy as theoretical framework. Throughput legitimacy can be divided into two discourses, namely the coordinative discourse and the communicative discourse which can be linked to respectively output legitimacy and input legitimacy. The legitimising mechanisms of input, output and throughput are also divided between the level of the EU and the national level which is called split-level legitimacy (Schmidt, 2020, p. 56). The central question of this research is *'How does the European Union guarantee and safeguard the democratic legitimacy and solve the split-level legitimacy problem in the context of the National Energy and Climate Plans?'*.

To answer the central question, this research executed a content analysis with two case studies being the NECPs of Austria and Ireland. The analysis revealed that the European Union guarantees and safeguards the democratic legitimacy by thoroughly monitoring the Member States and giving them recommendations on how they should improve and implement the National Energy and Climate Plans. We gained more insight into democratic legitimacy within the split-level legitimacy design, but it is complex to draw a strict conclusion on how the European Union will solve the split-level legitimacy problem. This research showed that it is important to uncover throughput legitimacy in order to comprehend the split-level legitimacy.

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List of abbreviations

BMLUK	Bundesministerium Land- und Forstwirtschaft, Klima- und Umweltschutz, Regionen und Wasserwirtschaft
EU	European Union
NECP	National Energy and Climate Plan
OECD	Organisation for Economic Co-operation and Development

1. Introduction

Democratic legitimacy in the European Union is one of the major concerns of the institutions of the European Union, the civil servants working in these institutions and, moreover, for the citizens of the European Union. This concern is even bigger for the problem of climate change and the plans which are made to become climate neutral in the European Union. In 2019, the 'Clean energy for all Europeans package' was adopted. The main goals of the package are: "*putting energy efficiency first, achieving global leadership in renewable energies, and providing a fair deal for consumers*" (Fraunhofer ISI, 2019). To reach these objectives, the package contained the 'National Energy and Climate Plans' (NECPs).

The NECPs are part of the 'Regulation on the governance of the energy union and climate action' (Regulation 2018/1999) (European Commission, 2024c). Member States were asked to submit draft NECPs by the 31st of December 2018 and an updated version by the 30th of June 2024. These NECPs include a paradox. The plans are established by the member states but were imposed by the European level. This phenomenon is difficult to organise but exemplary for legitimacy issues in the EU. Schmidt (2020, p. 56) refers to this phenomenon as 'split-level legitimacy' which means that national-level politics must take into account the EU-level policy and processes. The term is comparable to the more familiar term 'multi-level governance' which refers to a system that sustains decision-making and policymaking at the levels of national, regional, local, or European governments (OECD, n.d.).

At the European level and national level, and thus within the European Union, the relation between input and output is extra complex. This extra complex relation between input and output is the aforementioned split-level legitimacy problem. The split-level legitimacy problem consists of dimensions of legitimacy: 'input legitimacy' and 'output legitimacy'. As Weiler (2012, p. 826) stated, legitimacy typically consists of two main concepts which are the input legitimacy that is about the process and the output legitimacy which contains the results. When, on the European level, explicitly contriving how the process should go and what the results should be, the national level should be able to comply with these intentions. However, on the European level, the gap between input and output legitimacy has a greater (negative) impact because of this split-level legitimacy phenomenon.

This thesis focuses on the dimensions input legitimacy and output legitimacy, as well as on the 'throughput legitimacy' which is an important mechanism when looking at the input and output legitimacy of a certain policy goal within the context of split-level legitimacy. Because of the complex relation between input and output, there is a greater emphasis on and extra importance in throughput legitimacy (Schmidt, 2020, p. 8). The throughput legitimacy which contains two discourses requires proper implementation. The abovementioned paradox will unfold itself when uncovering what happens between the stages of going from input legitimacy to output legitimacy, as well as going from the European level to the national level.

Thus, in this thesis we focus on two main problems. It seems that legitimacy is an easy term, but looking more closely, the literature shows multiple types of legitimacy. The first problem is the fact

that we have too little knowledge about throughput legitimacy in the case of NECPs. The second problem contains the split-level legitimacy in which the paradox between national and European level is playing a key role. Looking at this mechanism of throughput legitimacy in the context of the National Energy and Climate Plans contributes to exploring the paradox of split-level legitimacy. Combining the discoveries will give the opportunity to draw a conclusion on the democratic legitimacy of the European Union when talking about the goal of becoming climate neutral.

In this research, the dependent variable of interest is the safeguard of democratic legitimacy which is established by solving the split-level legitimacy problem. Throughput legitimacy will, as a causal mechanism, explain what the effect of the governance of the European Union is on the National Energy and Climate Plans. Therefore, this research has an explanatory character. The goal of this research is to gain more insight in the effect of throughput legitimacy on the split-level legitimacy problem in the context of the NECPs of the selected case studies in order to draw conclusions on the democratic legitimacy of the European Union. Hence, the research question of this master thesis is: *How does the European Union guarantee and safeguard the democratic legitimacy and solve the split-level legitimacy problem in the context of the National Energy and Climate Plans?* To answer this question, the following sub-questions are formulated:

1. What do we know from the literature about the relation between input and output legitimacy and throughput legitimacy? How do these legitimacies solve the split-level legitimacy problem of the EU?
2. What is the policy on the NECPs?
3. What is the effect of throughput legitimacy on the split-level legitimacy problem of the NECPs from countries Austria and Ireland?

1.1. Relevance

This research contributes to the scientific literature by filling in the gaps from the little literature available on explanations for the workings of the National Energy and Climate Plans of specific Member States. Specifically for this research, the National Energy and Climate Plans from the countries Austria and Ireland are being scrutinised within the literature which deals with the term 'legitimacy'. In recent research by Oberthür et al. (2025), they included a statement in the discussion about future research which needs to be done. The statement is "the way in which (EU) public participation processes are embedded in national political and societal structures deserves particular attention" (Oberthür et al., 2025, p. 273). This shows the demand for research on the influence and the process of the influence of citizens in national structures considering politics and sociology. This influence of citizens can also be studied for topics of the European Union, instead of only in national structures. Input legitimacy takes into account the political participation and support. Citizens are central within this legitimacy form. By not only scrutinising input legitimacy, but also output, throughput and overarching democratic legitimacy, this research provides a contribution to the scientific literature.

This research contributes to society by making known that the National Energy and Climate Plans are of huge importance for reaching the significant goals of the Paris Agreement. The final updated NECPs were submitted not even a year ago which leads to the fact that this research is timely. We are currently in the middle of the NECP period which is from 2021-2030. It is urgent to know how the process has been until now in terms of legitimacy. By explaining the legitimacy of these plans, it is clearer where society (in the case studies mostly) stands within reaching the national and European goals. The more input, output, throughput and overarching democratic legitimacy there is at the national level and European level, the higher the chances that the goals of a climate neutral economy will be reached.

1.2. Reading guide

Firstly, the theoretical logics behind the literature of the term legitimacy will be discussed in Chapter 2. This chapter answers sub-question 1. After that, Chapter 3 discusses the methods used in this research and the operationalisation. In Chapter 4, the policy framework will be discussed, and the case studies will be explained in detail. This answers sub-question 2. The operationalisation discussed in Chapter 3 is used for Chapter 5 in which the analysis and results will be explained. This answers sub-question 3. Lastly, Chapter 6 contains the conclusion and reflection of this research, answering the central research question.

2. Legitimacy and the European Union; theoretical logics

In this chapter, the theoretical approach is outlined. The sub-question *What do we know from the literature about the relation between input and output legitimacy and throughput legitimacy? How do these legitimacies solve the split-level legitimacy problem of the EU?* will be answered. The main theory which will be used for this framework and research is the theory from Schmidt (2020). She conceptualises and defines three dimensions of legitimacy, namely: input legitimacy, output legitimacy and throughput legitimacy. Using throughput legitimacy as a mechanism to see if it affects the dimensions input legitimacy and output legitimacy and the variable split-level legitimacy, generates the possibility to explain if the European Union solves this split-level legitimacy problem.

The theory of Schmidt (2020) on legitimacy will be combined with theories from Scharpf (1999) and Bekkers and Edwards (2007). In order to operationalise, the theory of Schmidt on discursive institutionalism will be used. This theory ensures that the route from the analysis based on the operationalisation to the conclusion is better understandable. With the combination of the theories from Schmidt (2020), Scharpf (1999) and Bekkers and Edwards (2007), an answer can be found on the sub-question of this chapter. Eventually, this combination of theories helps in answering the central question from this research.

2.1. Democratic legitimacy

Democratic legitimacy has been intensively studied. Peter (2009, p. 1) states that democratic legitimacy is a distinct normative concept. She talks about the term standing between aggregative and deliberative democracy, in which aggregative democracy is about voting being the only feature that matters, and deliberative democracy is about voting in a surrounding with open discussions (Peter, 2009, p. 1). According to Huang, Chang, and Chu (2008, p. 46), democratic legitimacy is a “multifaceted concept, leading to a wide variety of definitions”. Because the term is multifaceted and normative, this thesis first distinguishes ‘democratic’ from ‘legitimacy’.

Democracy is a political system in which the citizens of this system have equal and effective input in the making of collective decisions and in which political freedom is ensured (Bekkers & Edwards, 2007, p. 54). Effective input in this definition means that input should lead to outcome which they refer to as responsiveness (Bekkers & Edwards, 2007, p. 54). This definition combines the democratic concepts being ‘government for the people’ and ‘government by the people’ (Bekkers & Edwards, 2007, p. 55).

To outline the term legitimacy more, Schmidt (2020, p. 3) uses Weber’s definition; legitimacy is about the citizens who need to accept the arrangements in governing as morally authoritative. Citizens in that regard need to comply with the acts of government on a voluntary basis. Even if these acts are not in line with their aspirations and interests.

In combination, Schmidt (2020, p. 26) refers to democratic legitimacy as “a state of affairs in which an elected government is accepted as legitimate by its citizens because it governs effectively

while responding to their expressed preferences in ways which benefit the public interest and are in keeping with common values". This definition for the term democratic legitimacy will be used for this research because it is all-encompassing and gives the opportunity to answer the central question of this research. Schmidt (2020, p. 8) states that democratic legitimacy can be split into three legitimising mechanisms for democracy, namely input legitimacy, output legitimacy and throughput legitimacy. In the following paragraphs, these concepts will be outlined.

2.2. Input legitimacy and output legitimacy

According to Scharpf (1999, p. 6), there are two distinct but complementary perspectives which are 'input-oriented' and 'output-oriented' legitimising beliefs. Input-oriented means that governance is done by the people with democratic thought. The choices made by politics are legitimate because the desire of the people is reflected in these choices (Scharpf, 1999, p. 6). He also calls it 'government *by* the people'. This input-oriented legitimising belief includes norms and values; the values being equality and effectivity in input (responsiveness). The norms which belong to these values are 1) quality of the representation, 2) opportunities for citizen participation, and 3) openness of the agenda setting (Bekkers & Edwards, 2007, p. 57).

Similarly, Schmidt (2020, p. 26) refers to the phrase 'government *by* the people', but when handling input legitimacy, she also uses 'government *of* the people'. She uses the terms political participation (by the people) and citizen representation (of the people) as standards for the two phrases which lie within input legitimacy. Her definition of input legitimacy is about collective self-government which, when in the right way executed, ensures government responsiveness to people's preferences. It includes political debate and political competition between political officials who are chosen through elections. Therefore, the accountability of the officials is ensured. This thesis uses this definition for operationalisation, because it includes the two main aspects of the term input.

Output legitimacy is being linked with the phrase 'government *for* the people'. In Scharpf's (1999, p. 6) output-oriented legitimising belief, governance is done for the people. The political choices are legitimate because they promote the common welfare of the state. Output-oriented perspectives originate legitimacy from the capacity of solving problems that need collective solutions. These problems are impossible to solve individually. These problems are complex and need long-term and multi-level structured solutions (Scharpf, 1999, p. 11). The definition that Bekkers and Edwards (2007, p. 59) use for output legitimacy is the capacity of the government to create output which contributes to solving collective problems. It then is about the effects, intended and unintended, which come forward from the capacity used by the government. Norms which come from this definition are: 1) the organising of accountability, and 2) the efficiency and effectiveness of the output.

Schmidt (2020, p. 31) describes output legitimacy as "acceptance of the coercive powers of government so long as their exercise is seen to serve the common good ... and is constrained by the norms of the community". Schmidt (2020, p. 32) also highlights the importance of the effectiveness of

the efforts of the government meeting the needs of the people and the state. She summarises output as a criterion based on performance. This criterion requires governing *for* citizens in a responsible way with effective policies and outcomes (Schmidt, 2020, p. 35).

2.3. Throughput legitimacy

According to Scharpf (1999, p. 12), these different oriented 'legitimacies' are complementary to each other. That is where Schmidt (2020) defines the term 'throughput legitimacy'. Output and input legitimacy carry approximately the same meaning of input- and output-oriented legitimacy from Scharpf (1999). Output legitimacy is the providing for common good in making policy choices. It is based on the effectiveness and performance of those policies. Input legitimacy is based on citizens and their will and involvement in policy processes and the responsiveness of the government on citizens' participation (Schmidt, 2020, p. 8). However, there is a gap between these two legitimacies.

Throughput legitimacy, according to Schmidt (2020, p. 8), lies between these mentioned legitimacies. She calls it the 'black box' of governance, with which she means that what happens in the input and output legitimacy depends on what happens in the process of going from one to the other. She describes throughput legitimacy as 'the procedural quality of the policymaking processes' (Schmidt, 2020, p. 8). In the optimal way, throughput legitimacy ensures the trust of citizens by applying the rules fairly in the best way intended by law and in the responsive way to citizens' demands while optimising policy outputs (Schmidt, 2020, p. 25). This procedural quality includes the norms: accountability of the actors, the efficacy of the policymaking, the transparency of the actor's actions and their inclusiveness and openness with regard to citizens. These five norms imply the process of going from input legitimacy to output legitimacy; the process which is in the black box of governance. To summarise, Schmidt (2020, p. 35) states that throughput is the procedural criterion. She uses the phrase 'governing *with* the people through processes that are accountable, transparent, inclusive and open'. Because these norms clarify the throughput legitimacy, these norms are the concepts this thesis uses for operationalisation.

Using the theory of Schmidt (2020, p. 36) on throughput legitimacy allows for separating the procedural legitimacy from the performance legitimacy and from the political, representative legitimacy. It is a complementary part in clarifying legitimising benefits and delegitimising drawbacks of processes in policymaking in which political input is translated into policy output (Schmidt, 2020, p. 39). This is the reason for using the theory of Schmidt for operationalisation. This theory of throughput legitimacy is illustrated by Schmidt in a model which she refers to as 'a system's approach'. This model is simplified and can be seen in Figure 1.

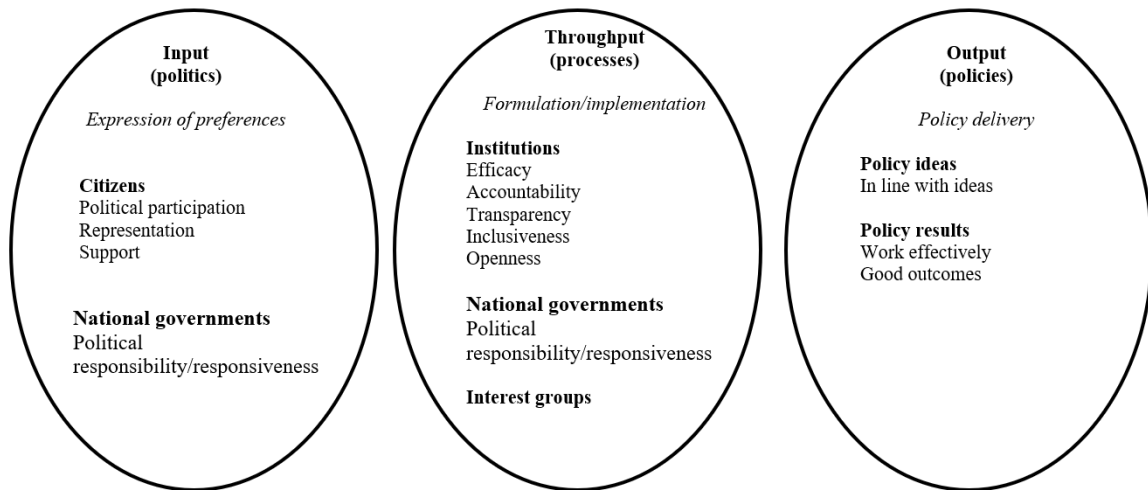


Figure 1. *simplified model of Schmidt's System Approach (2020, p. 59)*

2.3.1. Opening the 'black box' of governance

When analysing what lies in the black box, Schmidt (2020, p. 39) means the processes which happen in exerting governance. She states that the policy cycle is closely involved within the term throughput legitimacy. In addition, she describes the involvement of policy formulation, policy implementation, as well as policy evaluation and coordination and many more parts of the policy cycle (Schmidt, 2020, p. 39). The question that pops up from the black box is 'how to govern?'. It goes from 'who governs?' in the input-phase to 'how effective was the governance?' in the output-phase. What is in between, is the black box; the throughput-phase.

To evaluate this throughput-phase and answering the question 'how to govern?', Schmidt (2020, p. 39) created five criteria with efficacy as the primary criteria of evaluation with a focus on efficiency of policymaking. The other four criteria are 1) accountability of the policymakers, 2) transparency of the processes, 3) inclusiveness of the processes and 4) openness of the processes. All individual criteria influence the other criteria. These criteria are covered in detail in the operationalisation of this thesis in Chapter 3.

2.4. The split-level legitimacy problem of the EU

According to Scharpf (1999, p. 12), on the national level the input-oriented and output-oriented legitimacies coexist and reinforce each other. Because of this coexistence and reinforcement on the national level, it has an effect on the European level legitimacy. When the institutional practices of the European level are discussed on the national level, these practices are judged and found to not comply with input- and output-oriented criteria from national debates. Therefore, citizens need to realise that the polity of Europe is different from a national democracy to overcome confusion and frustration. The distinction between input- and output-oriented democratic legitimacy needs to be accepted (Scharpf, 1999, p. 12).

The definition which Schmidt (2020, p. 26) uses for democratic legitimacy combines input and output legitimacy and throughput legitimacy. Schmidt also links this theory to the European Union. She questions whether these legitimacies can be connected to not only nation-state level, but also to supranational level authority. Schmidt states that supranational legitimacy undertakes an incremental process, in which the European Union's integration process slowly has gone forward. Step by step, citizens accepted more regulations and governance from the EU level, because the process was also formed step by step. After the step of calling members of the union 'Member States', the step of accepting new institutions came along (Schmidt, 2020, p. 27). The European Union functions with democratic values but is in fact not a democracy. It is an assembly of multiple democracies. Member States with each their own democratic system and national-level politics must take into account the EU-level policy and processes.

However, it appears to be complex for Member States to take all these policies and processes from the European Union into account. Different institutional actors are connected to each other at different points in the policy cycle process (Schmidt, 2020, p. 58). Citizens are involved and represented in the policymaking process, because they can deliver input through voting for candidates for the European Parliament and indirectly for the Council. National governments can influence the policymaking process through the Council and with the Commission and the European Parliament. However, there are more actors who can influence this stage, for example the European Central Bank. The policymaking process generates output which then goes back to the citizens who can accept or decline the decisions. As illustrated in Figure 2 which shows the complex model of Schmidt including the European institutions, different actors are at different stages of approach to the European Union. Therefore, it is complex for the national level to align with the European supranational level. Schmidt (2020, p. 56) calls this the split-level legitimacy problem. This split-level legitimacy is problematic, because citizens become increasingly critical of the effectiveness and quality of EU policies. Because citizens are not directly represented in the complete system of the European Union and therefore it lacks political legitimacy, this problem of criticism grows larger.

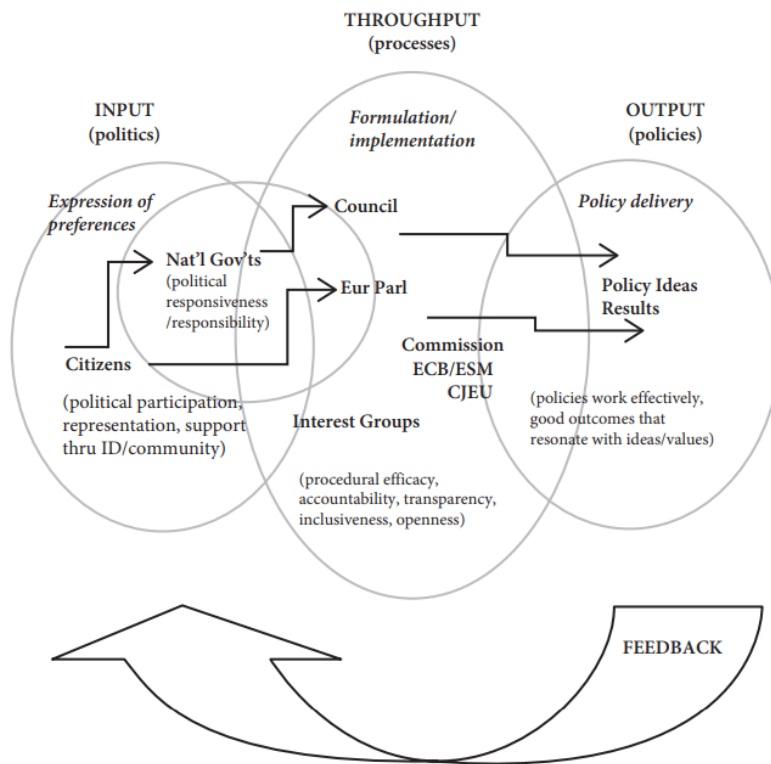


Figure 2. Schmidt's System Approach (2020, p. 59)

To summarise, the legitimising mechanisms of input, output and throughput are divided between the level of the EU and the national level (Schmidt, 2020, p. 56). As stated before, input legitimacy focuses on the political legitimacy and elections, output legitimacy focuses on performance and outcomes, and throughput legitimacy focuses on the quality of the processes. Lately citizens are more involved in EU policies and there is increasing politicisation of decision-making at all levels of the EU (Schmidt, 2020, p. 82). Therefore, the problem of split-level legitimacy is getting bigger and more complex (Schmidt, 2020, p. 56). The central question which remains is if the European Union's governance system allows for citizen representation that operates responsively (input) and responsible with creating proper outcomes (output) effectively through the criteria of accountability, transparency, inclusiveness, and openness (throughput) (Schmidt, 2020, p. 82).

In Figure 3, the two main problems are combined to illustrate how the problems relate to one another and how these relate to the safeguarding of the democratic legitimacy.

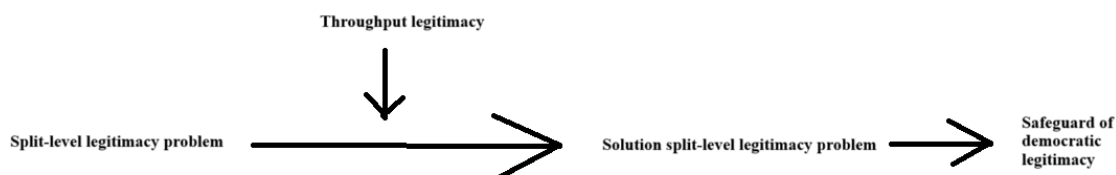


Figure 3. Relation between split-level legitimacy and throughput legitimacy

2.5. From theory to methodology; discursive institutionalism

In order to operationalise the normative legitimacies with their five criteria, Schmidt developed a methodological theory called 'discursive institutionalism'. This term covers the institutional change and the dynamics of change or continuity over time (Schmidt, 2020, p. 15). It also concentrates on the substantive content of ideas, the legitimating discourses, and the interactive processes of discourse in institutional context (Schmidt, 2020, p. 15). These interactions appear in the policy sphere and the political sphere. The policy sphere is about technical and political actors who coordinate the development of policy. The political sphere is about the same actors but who communicate with the public about these policies and the legitimacy of them (Schmidt, 2020, p. 16).

The policy sphere, also the coordinative discourse, can clarify if actors fail in developing policy and therefore fail in coordinating this development of policy (Schmidt, 2020, p. 16). The political sphere, also the communicative discourse, interactions should be equally varied, meaning that political actors can communicate with the mass public, but the public (media, interest groups and citizens) can also communicate. They are all involved in the processes of developing policy with discussions, deliberations, and contestations of policy (Schmidt, 2020, p. 16).

According to Schmidt (2020, p. 17), legitimacy and the relationship between power and legitimacy can be linked to discursive institutionalism. Legitimate power has more requirements than imposing a course of action, following rules and being subject to structural forces. It also needs legitimation. The sort of power which is needed is the power of discourse (Schmidt, 2020, p. 17). To legitimise this power of discourse, there needs to be an explanation of why something is acceptable. This explanation needs to be done within the concepts of input politics, output performance and throughput procedures (Schmidt, 2020, p. 18).

We can combine this 'discursive institutionalism' with its coordinative and communicative discourse and the legitimacy theory from Schmidt. The coordinative discourse has resemblance with output legitimacy. Within the coordinative discourse, it is important that policy is developed and executed in a good manner. Actors want to do their actions right. In output legitimacy this is also the case; governance is done for the people. It solves collective problems. The communicative discourse has resemblance with input legitimacy. There needs to be accurate communication between different actors like political actors and citizens. Within input legitimacy, political participation and citizen representation is important; governance is done by the people and government exists for the people.

This link between the discourses and legitimacies create the possibility to divide the five criteria used to operationalise among these discourses. In Figure 4, the combining of the legitimacies and the discourses is illustrated.

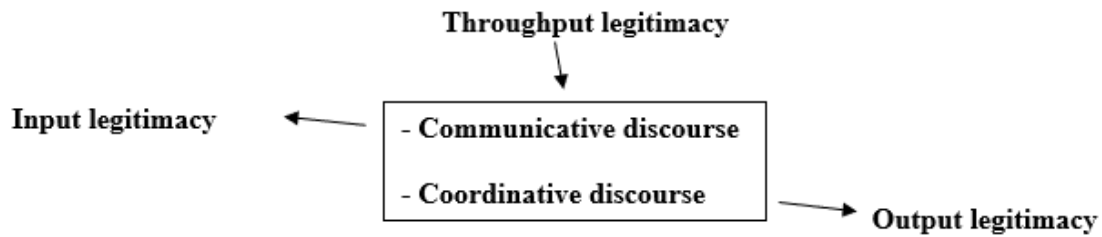


Figure 4. Combination of legitimacy theory and discourse theory

2.6. The solution of the split-level legitimacy problem; Conceptual framework

The dependent variable of interest is the safeguard of democratic legitimacy which is established by solving the split-level legitimacy problem. In this thesis, the throughput legitimacy works as a causal mechanism which ensures the process of going from the split-level legitimacy problem to the solution. This research can explain the effect of throughput legitimacy on the split-level legitimacy of the National Energy and Climate Plans from Austria and Ireland. Therefore, throughput legitimacy is a mechanism which can explain the process from the European Union to the national level. With this information, the democratic legitimacy can be explained.

In the paragraphs above, definitions are outlined and chosen for important terms in this research. Based on the chosen definitions, norms are gained. These norms enable operationalisation. In evaluating the term throughput legitimacy, Schmidt (2020, p. 40) uses five points of criteria (which include the norms):

1. Efficacy of policymaking
2. Accountability of the policymakers
3. Transparency of the processes
4. Inclusiveness of the processes
5. Openness of the processes

The criteria will be explained in detail in the operationalisation in Chapter 3.

3. Methodological framework

This chapter explains the methodological framework of this thesis. First, the type of research will be discussed. Second, the methods of data collection will be outlined. After the methods of data analysis, the criteria for the case studies and the operationalisation of the theoretical concepts will be discussed. Finally, the validity and reliability of this thesis will be outlined.

3.1. Type of research

This research has an explanatory character and will be conducted in a qualitative way. There will be comparative research on the two case studies which are outlined further in this chapter. This research aims to explain if the democratic legitimacy of the European Union is guaranteed and safeguarded, by examining what the effect of the mechanism throughput legitimacy is on the split-level legitimacy and therefore on the democratic legitimacy.

This research follows an abductive approach. According to Kovács and Spens (2005, p. 138), abduction works through re-contextualising or interpreting phenomena within a contextual framework. It aims to understand a mechanism in a new way from the perspective of a new conceptual framework. Using this abductive approach, this research leads to new insights about existing phenomena by examining these from a new perspective (Kovács and Spens, 2005, p. 138). The process contains four steps. It begins with step zero being 'prior theoretical knowledge'. Step one is the deviating real-life observations. Step two contains theory matching. Step three contains theory suggestion and step four is the application of conclusions (Kovács and Spens, 2005, p. 139). In this research, step zero is the theoretical knowledge on democratic legitimacy, throughput legitimacy and split-level legitimacy and the system's approach of Schmidt (2020). Step one is the observation of the process of creating and implementing the regulation on the National Energy and Climate Plans and the plans themselves. Step two is the matching between the theory and the context; matching democratic legitimacy and the NECPs. It is comparable to case study research. Steps three and four in this research are the analysis and conclusion. Abductive research is exploratory and adaptive. It is perfect for areas where phenomena cannot be fully understood or are constantly evolving.

This research has a qualitative foundation. Fossey et al. (2002, p. 728) describe qualitative analysis as "a process of reviewing, synthesizing and interpreting data to describe and explain the phenomena or social worlds being studied". The research uses qualitative data to answer the central question. According to van Thiel (2014, p. 138), non-numerical units of information are qualitative data. Usually, this data is unstructured and examples are statements, text, and images. Within qualitative data, the data has to be structured by coding through which the data then can be interpreted and compared (Van Thiel, 2014, p. 139).

This research contains two case studies within one and the same context in the European Union. The context of this research are the National Energy and Climate Plans. The two case studies will be chosen based on a thorough case selection with selection criteria. These case studies will be the country

specific NECPs. The case studies provide the opportunity to do a comparison between the country specific NECPs. In Chapter 3.4, the selection criteria will be outlined.

3.2. Methods of data collection

This research uses the method of literature research for data collection. Documents are the main source of data for this research. The data will be collected via formal sites of institutions such as the European Commission, and via sites of the national case studies. The theoretical literature used will be collected via Ruquest, the university library of Radboud University and Google Scholar.

Criteria for data collection are the research goal, type of data and time factor. The goal of the research is a great determining factor of what research tool needs to be used in data collection (Mwita, 2022, p. 534). The goal of this research is to explain the safeguard of the democratic legitimacy of the European Union. To reach this goal, a theoretical framework needs to be developed which is done in Chapter 2, and the theory needs to be assessed in a particular context which in this research are the case study specific NECPs. The type of data is a second criterion for data collection. There are two types of data: primary data and secondary data (Mwita, 2022, p. 534). Primary data is collected for the first time by the researcher. Secondary data is collected by document analysis. In this research, secondary data will be used, because this research contains a document analysis. This will be explained in more detail later in this chapter. The third criterion for data collection is the time factor. It is important to find out when and how long data can be collected. The researcher needs to decide on what duration an analysis will be made. Document analysis is the most appropriate method for that decision. (Mwita, 2022, p. 535). The focus of this research is the country specific NECPs. These NECPs are set up between 2018 and 2024. The documents used for the context need to be published between these years.

Other criteria for data collection could be scope of the study, sample size and user-friendliness to the subjects (Mwita, 2022, p. 534). These criteria are not applicable to this research.

3.3. Methods of data analysis

In order to answer the central question of this research, this thesis uses a content analysis as the method of data analysis. Content analysis is a qualitative, interpreting method and it concerns communication products, such as texts from newspapers, books, websites, or journals. In addition, it can include visual products and historical data such as policy documents and annual reports. This research method uses existing material (Vennix, 2016, p. 204). With this existing material, this research can draw conclusions based on the underlying structures of meaning (Vennix, 2016, p. 205).

In the case of this research, the content of literature documents is used to create a conceptual framework with a theory which can be assessed in the context of the National Energy and Climate Plans. The content of documents is also used to look for the theoretical concepts which will be described in detail in the operationalisation of this chapter. With the content that comes forward from the policy documents from the country specific NECPs, the analysis through operationalisation is possible.

The way of analysis that will be done in this research is coding. Coding is the process in which data is combined in order to identify ideas, categories, and themes. The next step is to attach labels on these categories to compare and maybe develop patterns or an overarching theory (Middlebury, n.d.). The codes in this research will be outlined in the operationalisation scheme in Table 1. The search is based on these codes when analysing the policy documents. Based on this search, the variables and concepts will be scored with 'high', 'medium' or 'low' depending on the presence of the variable or concept.

3.4. Case studies

According to Vennix (2016, p. 191), case study research contains a contemporary phenomenon. It uses different sorts of empirical evidence to reach conclusions. A case study researches a large number of specifications of a limited number of research units (Vennix, 2016, p. 192). When selecting the case studies, several choices need to be made (van Thiel, 2014, p. 89). First, the number of case studies need to be determined. In this research, two case studies will be used. This choice is made, because with two case studies, it is easier to compare the different findings to each other. With one case study, comparison is not a possibility. With two case studies, comparison is possible. The second choice is to decide whether the case studies are contrasting or homogeneous (van Thiel, 2014, p. 89). In this research, the case studies are contrasting. The first case study has a high acceptance from citizens for the National Energy and Climate Plan. The second case study has a low acceptance from citizens for the National Energy and Climate Plan. The last decision which needs to be made regarding the case studies is the number of measurements (van Thiel, 2014, p. 90). In this research, the timeframe which will be studied consists of two periods. The NECPs went through two periods of adjustments. The first period will be evaluated, and the second period will be evaluated and these periods will be compared to each other.

Before explaining the case studies in detail, an overview of the policy framework will be given in Chapter 4 to ensure the context of this research is clear.

3.5. Operationalisation

There are three steps in performing operationalisation (van Thiel, 2014, p. 43). The first step is to give definitions for the theoretical concepts which are addressed. This helps delimit what will be studied in the research. The second step is to determine the conversion from the concepts to measurable variables. This step helps clarify a maybe vague concept to a detailed measurement. The final step is deciding the codes for each variable. This helps indicate how the variables relate to one another and to the main concept (van Thiel, 2014, p. 44). In this part of the chapter, these steps will be followed to operationalise the concepts. These concepts, as discussed in the theoretical framework, are: 1) efficacy, 2) accountability, 3) transparency, 4) inclusiveness and 5) openness.

3.5.1. Efficacy of the policymaking

According to Schmidt (2020, p. 40), efficacy is “engaging in decision-making and proceeding with policy implementation in an efficient manner”. Schmidt and Wood (2019, p. 729) call it a technical evaluative principle. Leino (2017, p. 6) describes efficiency relating to protection of the procedure of decision-making from external influence. She states that efficiency is linked with secrecy and that it includes the ability to make compromises and the ability to implement the decisions which have been adopted (Leino, 2017, p. 7).

When talking about processes which are implemented in an ‘efficacy’ way, it means that the processes are done in an efficient and competent manner. It is about processing the process in a good way whatever the outcomes may be. If the outcomes are negative, it does not mean that the process was not done in an efficacy way (Schmidt, 2020, p. 41). This helps us to go from the concept ‘efficacy’ to the variables of the concept. Schmidt (2020, p. 62) states that the European Commission strived for improvement of its own efficacy by ‘streamlining operations’. ‘Modernising practices’ is also a word duo which is used to explain this need for improvement.

This concept can be categorised as the coordinative discourse from the discursive institutionalism as talked about in the theoretical chapter of this research. Schmidt (2020, p. 41) states that coordination across administrative units internally has been more successful for reinforcement of efficacy. The evaluation has been linked to other procedural principles, for example inclusiveness. This evaluation has been less successful in the external way by being open to stakeholders and citizens and by bringing in experts. Since 2003, impact assessments are a way of evaluating efficacy in the European Union (Schmidt, 2020, p. 41). Because of the coordination across administrative units, the coordinative discourse is more present than the communicative discourse and therefore this concept can be linked to output legitimacy.

3.5.2. Accountability of the policymakers

According to Bovens (2007, p. 107), accountability is “a relationship between an actor and a forum, in which the actor has an obligation to explain and to justify his or her conduct, the forum can pose questions and pass judgement, and the actor may face consequences.” Bovens (2007, p. 105) mentions a couple of terms which belong to accountability such as ‘image of transparency’, ‘trustworthiness’, ‘clarity’, ‘responsibility’. However, he concludes with the fact that accountability is a conflictual word because it has a different meaning to different people and it depends on the background of the citizens how they interpret accountability. Bovens (2007, p. 105) recalls the principal-agent relation when talking about accountability. In this relation, the principal hires the agent to perform tasks, but these tasks are not in line with the agent’s norms and values which can lead to the agent not doing their tasks the way the principal wanted them executed.

Schmidt and Wood (2019, p. 731) define accountability as “the provision of information by an actor or organization, discussion or deliberation on that information, and the imposition of rewards or

sanctions in cases of misconduct.” It comes with a set of standards. They recall words like ‘willingness to act’, ‘transparent’, ‘fair’, ‘compliant’ and ‘equitable’. Technical and political actors can be held accountable for what they do as they engage in processes of governance (Schmidt & Wood, 2019, p. 731). In the context of input legitimacy, accountability is guaranteed by the elections. However, in the context of throughput legitimacy, accountability is guaranteed by the reason-giving of political actors in public forums (Schmidt & Wood, 2019, p. 732).

Wille (2024, p. 696) mentions three stages of accountability, namely provision of information, debate, and judgement. She also talks about different types of accountability. These types are legal, political, administrative, and financial. Legal accountability contains judicial standards. The legal accountability institution is court. Political accountability is about politicians who are held accountable by citizens and the parliament. Administrative and financial accountability is about external supervision and control on the administration and on the financial part. Institutions like the ombudsmen or independent supervisors establish this control.

Schmidt (2020, p. 35) defines accountability as “public officials giving account of and being held to account for their actions in public forums which have the authority to judge their behaviour such that the officials can face consequences for their actions, including the (potential) imposition of rewards or sanctions in cases of eventual misconduct” (Schmidt, 2020, p. 42). She states that respecting the democratic privileges of citizens is linked to accountability. There are two sorts of accountability forums: technical accountability forums and political accountability forums. In the context of technical accountability forums, specialised bodies of technical or administrative expertise are meant, such as regulatory agencies, ombudsmen, and courts of audit. In the context of political accountability forums, generally elected political bodies are meant that are acting in a representation for the citizens. Within the European Union, both sorts of the accountability forums are present (Schmidt, 2020, p. 44).

Thereby, the other criteria (transparency, inclusiveness, and openness) are linked to the criterion of accountability according to Schmidt (2020, p. 42). These three criteria are about the processes of the policy. The criterion accountability is about the policymakers. Policymakers are therefore from major influence on the other three criteria. Policymakers ‘make’ the process.

With these definitions, the concept of accountability can be transformed into variables by using the theories which are outlined above. For this criterion, variables are ‘quality of policymakers’ which includes the trustworthiness, integrity, fairness, impartiality, and responsibility of the policymaker, ‘presence of technical accountability forums’, ‘presence of political accountability forums’, ‘provision of information’, ‘debate’, and ‘judgement’.

This concept can be categorised as the communicative discourse from the discursive institutionalism theory because accurate communication needs to come from policymakers to guarantee accountability of policymakers. They need to represent citizens and thereby need to be trustworthy and responsible. This fits within the input legitimacy theory.

3.5.3. Transparency of the processes

Leino (2017, p. 7) sees transparency and secrecy as two opposite paradigms. Leino does not define transparency explicitly but uses regulations to illustrate what the word means. In these regulations on transparency, phrases like ‘openness strengthens the principles of democracy’ and ‘guarantees that the administration enjoys greater legitimacy’ are included (Leino, 2017, p. 7). Transparency is mainly about the documents being available and the transparency of the decision-making process, so for instance the votes for a specific regulation (Leino, 2017, p. 9). Secrecy is about effectiveness. It leads to better decisions but comes at a cost for participation and openness (which therefore are part of transparency).

Hillebrandt and colleagues see transparency as “rules enabling the public to monitor processes taking place in a public body” (Schmidt, 2020, p. 47) and according to Schmidt (2020, p. 47), transparency is “the availability of provisions ensuring that citizens and political representatives have access to information about governance processes and that decisions as well as decision-making processes in formal institutions are public.” Information can empower citizens to hold policymakers and other public officials accountable for performance. This is why transparency is part of accountability.

Schmidt and Wood (2019, p. 732) use approximately the same definition for transparency. They state that transparency is a service to ensure that technical and political actors act in an ethical way and do what they say they are going to do, which also can be tested by the public. They see transparency as a complement to accountability because a policymaker can be accountable, but it does not mean that the policymaker actually executes actions.

The concept of transparency can be transformed into variables by using the definitions from above to formulate the variables and codes. The variables are ‘availability of documents’, ‘access to information’, and ‘opportunity for citizens to monitor policymakers’.

This concept can be categorised as the coordinative discourse from the discursive institutionalism, because transparency is focused on production of documents which enables citizens and other interest groups to evaluate policy implementation (Schmidt & Wood, 2019, p. 733). In this criterion, citizens and interest groups are the ones doing the coordinating. Because this is part of the coordinative discourse, it fits within output legitimacy.

3.5.4. Inclusiveness of the processes

Neyer (2006, p. 782) states that inclusiveness is “the degree to which those who are affected by a policy have a fair say in its formulation.” According to Schmidt (2020, p. 35) policymakers cannot be restrictive or closed to the interests of citizens in the decision-making process. Inclusiveness means that “public officials are open to all such groups and bring them in in such a way as to ensure balance and fairness in their representation” (Schmidt, 2020, p. 50). Inclusiveness is the latitude of individuals and interest groups who are involved in the processes of EU policymaking (Schmidt & Wood, 2019, p. 733). This is also the variable of this concept.

Though this concept is linked to efficacy, it is part of the discourse of communication. Inclusiveness is part of input legitimacy, because it concerns the interests of citizens and their access to providing policymakers with input and opinions.

3.5.5. Openness of the processes

Openness strengthens the principles of democracy by allowing citizens to be critical of the information which is provided (Leino, 2017, p. 8). As said above, citizens who have an interest in the decision-making process need to have the opportunity by the policymakers to get involved. Openness means that “the political and technical actors involved in creating and/or implementing policies are willing to engage with any and all of those members of the public” (Schmidt, 2020, p. 50). These members of the public have the desire to provide input to such policies, and they need to have access to policymakers. Schmidt and Wood (2019, p. 733) state that openness can be defined as “the extent of opportunities for non-state organizations and individuals to become involved in EU consultations and civil society groups”.

Examples of activities of such organisations are lobbying officials, testifying in parliamentary hearings, and providing informational evidence. Because input legitimacy is mostly situated at the national level, interest groups are of extremely high importance to translate national-level political input via throughput processes into EU-level output (Schmidt, 2020, p. 50). Interest groups therefore need access to the opinions of the individual citizens and need to be linked to the EU-level policymakers. This access needs to be equal.

Variables of the concept of openness are ‘opportunity for non-state organisations and individuals to become involved’, ‘opportunity to exert interest groups activities’, and ‘equal access to opinions of citizens’.

This concept is also part of the communicative discourse of the discursive institutionalism theory of Schmidt. Input legitimacy is important when talking about openness of the processes of policymaking. Interest groups need to be able to provide input.

According to Schmidt (2020, p. 40), the concepts can be applied separately from one another to governance processes but can also complement or contradict one another. This is important to keep in mind when operationalising, because it can influence how the values are measured and eventually what the conclusions can be. For example, when there is greater openness, transparency is improved, because of more access to information. Another example is that inclusiveness and openness can improve accountability through promoting the deliberative procedures (Schmidt, 2020, p. 53). There is also a trade-off between efficacy and accountability when there is little time for forums of review, and a trade-off between transparency and efficacy by slowing down the decision-making process (Schmidt, 2020, p. 40). In Table 1, the operationalisation is outlined.

Concepts	Variables	Indicators/codes
Efficacy of the policymaking	<ul style="list-style-type: none"> - Efficient and competent manner - Streamlining operations - Modernising practices 	<ul style="list-style-type: none"> - Degree of efficiency - Degree of competence - Degree of coordination across administrative units - Degree of presence of impact assessments
Accountability of the policymakers	<ul style="list-style-type: none"> - Quality of policymakers - Presence of technical accountability forums - Presence of political accountability forums - Provision of information - Debate - Judgement 	<ul style="list-style-type: none"> - Degree of trustworthiness, integrity, fairness, impartiality, and responsibility of the policymaker - Degree of presence of regulatory bodies, ombudsmen, court of audit - Degree of presence of generally elected political bodies - Degree of provision of information by policymakers - Degree of opportunity for debate and judgement by citizens
Transparency of the processes	<ul style="list-style-type: none"> - Availability of documents - Access to information - Opportunity for citizens to monitor policymakers 	<ul style="list-style-type: none"> - Degree to which documents are available - Degree to which information is accessible - Degree to which citizens have the opportunity to monitor policymakers
Inclusiveness of the processes	<ul style="list-style-type: none"> - Latitude of involvement of individuals and 	<ul style="list-style-type: none"> - Degree of involvement of individuals and interest groups by policymakers

	interest groups by policymakers	
Openness of the processes	<ul style="list-style-type: none"> - Opportunity for non-state organisations and individuals to become involved - Opportunity to exert interest groups activities - Equal access to opinions of citizens 	<ul style="list-style-type: none"> - Degree to which non-state organisations and individuals have the opportunity to become involved - Degree to which interest groups have the opportunity to exert activities - Degree of equal access to opinions of citizens

Table 1. Operationalisation scheme

3.6. Validity

According to Vennix (2016, p. 115), validity means that the final measurement instrument should properly reflect the concepts which need to be measured. Therefore, it is important that the operationalisation is done accurately and precisely. The internal validity, meaning that the research measures what was intended to be measured (van Thiel, 2014, p. 49), is guaranteed by the extensive operationalisation. It becomes clear what is going to be measured, and the researcher can hardly deviate from this operationalisation. The internal validity decreases partly because of the absence of triangulation. Triangulation means that there are more methods for data collection or analysis used (Mwita, 2022, p. 535). This research contains only one way of data collection and one method of data analysis. No interviews or questionnaires will be taken, and no other analysis will be done than the content analysis. This research does contain a theoretical triangulation. This means that this research uses multiple theories when examining a phenomenon. The perspectives of the theories can be complementary but can also be opposing to one another. Theoretical triangulation is used to test various theories by analysing information from the same context (Thurmond, 2001, p. 254). In this research, the theories are related and will be analysed from the same context.

The external validity, meaning that this research can be generalised to other countries or the European Union as a whole (van Thiel, 2014, p. 49), is low, because every country of the European Union is different. Member States have different surroundings, cultures, landscapes, and many more

factors. However, this research can lead to insights which can be relevant for other Member States or research on this topic.

3.7. Reliability

Reliability is guaranteed when the concepts and variables are measured in an accurate and consistent manner (van Thiel, 2014, p. 48). Repeated measurements of the concepts should lead to the same results. This research contains a detailed operationalisation. Because this operationalisation is present, the concepts and variables will be measured in an accurate and consistent manner. When repeating this research, it is expected that while studying the same case studies, it will lead to the same results, because the documents which will be used are available for all individuals and the operationalisation is clear.

4. Policy framework and case studies

In this chapter, the policy framework and the case studies will be outlined in detail as an introduction to the analysis of this research.

4.1. Policy framework:

In this part of the chapter, the policy framework of the National Energy and Climate Plans will be outlined. The sub-question *What is the policy on the NECPs?* will be answered.

4.1.1. History

The National Energy and Climate Plans are part of the Regulation on the governance of the energy union and climate action (EU 2018/1999) which is part of the ‘Clean energy for all Europeans package’ (European Commission, n.d.). These NECPs describe how EU Member States plan on meeting the EU energy and climate targets for the year 2030. Within these plans, five topics should be touched upon. These topics were renewables, energy efficiency, interconnections, greenhouse gas emissions reductions and research and innovation. The topics are updated and are now decarbonisation, energy efficiency, internal energy market, energy security and research, innovation, and competitiveness (European Commission, 2024c). In Table 2, the timeline of the process of the NECPs is outlined.

The NECPs cover the period from 2021 until 2030. After submitting the first strategies, the European Commission analysed the drafts and gave an assessment with recommendations. These assessments were published in June 2019. The final NECPs needed to be submitted by the end of 2019. In 2023, Member States were asked to submit an updated draft NECP. Again, the European Commission analysed these drafts and gave individual assessments. In this period, not all Member States were on time with submitting their updated draft. By the 30th of June 2024, Member States had to submit their final updated NECPs (European Commission, 2024c).

Activity	By institution	Date	The period
Submit draft NECPs	Member States	December 31st, 2018	2021-2030
Analyse and publish draft NECPs	European Commission	June 2019	
Consult citizens, businesses, and regional authorities	Member States	During 2019	
Submit final NECPs	Member States	December 31st, 2019	2021-2030

Publish detailed EU-wide assessment of final NECPs	European Commission	September 17th, 2020	2021-2030
Publish individual assessments of national plans	European Commission	End of 2020	
Submit progress report	Member States	Every 2 years	
Monitor EU's progress as a whole	European Commission		
Update draft NECPs	Member States	June 30th, 2023	
Publish technical assessment of the NECP progress reports	European Commission	October 24th, 2023	
Publish EU-wide assessment of draft updated NECPs, with individual assessments and recommendations	European Commission	December 18th, 2023, February 23rd, 2024, and April 26th, 2024 (due to five Member States submitting too late)	
Submit final updated NECPs	Member States	June 30th, 2024	
Report on the review of Regulation	European Commission	September 9 th , 2024	

Table 2. Process of the establishment of NECPs (European Commission, 2024c)

4.1.2. Current situation

Currently, the final updated national plans are outlined on the website of the European Commission (European Commission, 2024c). For each Member State, the draft and final NECP from 2019 and 2024 are uploaded. In addition, the recommendations can be accessed on this website.

On September 9th, 2024, the European Commission published a report to the European Parliament and the Council on the Review of the Regulation on the Governance of the Energy union

and Climate Action (EUR-Lex, 2024). In this report, the NECPs and the progress reports from Member States are used as sources to evaluate how the Regulation functioned and has been implemented.

It became clear that many Member States are struggling to go from the plan to actual implementation on the different levels. According to the European Committee of the Regions (2025), multi-level governance needs to be implemented more. Collaboration between the different levels creates the possibility to find potential solutions for the problem of not (fully) implementing the NECPs in Member States (European Committee of the Regions, 2025).

In May of 2025 (during the examination of this research), the European Commission published a staff working document which was communicated to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. In this document the Commission did an EU-wide assessment of the final updated National Energy and Climate Plans. It provides a detailed assessment of how every country and their NECPs addressed the final recommendations of the Commission (European Commission, 2025c).

4.2. Specific case studies

In this part of the chapter, the two case studies will be outlined. These case studies are chosen based on a set of criteria which are outlined in the methodology chapter.

4.2.1. Case study 1: Austria

The first case study is the National Energy and Climate Plan of Austria. According to the study of Eckert, Stagl, and Schemel (2025, p. 9), there is a high level of social acceptance for most of the climate protection measures discussed as part of Austria's National Energy and Climate Plan. Only four of the twenty-seven measures show more objection than support (Eckert et al., 2025, p. 9).

The first draft National Energy and Climate Plan of Austria which was published on 21st of December 2018, was published on time. It contains 161 pages with a section on the national plan and on the analytical basis. These two sections are outlined based on the topics which the European Commission provided. In the plan of Austria, these topics are called dimensions. In the summary in the beginning of the draft document, it becomes clear that Austria already scores high on several topics. Austria provides a clear table with the main objectives and action areas of the NECP (Federal Ministry Republic of Austria Sustainability and Tourism, 2018).

On the 18th of June 2019, Austria received the Commission Recommendation for its draft NECP. Austria got ten recommendations from the Commission which are outlined in a detailed manner (European Commission, 2019a). The final plan, consisting of 268 pages, was submitted on time on the 20th of December 2019 (Federal Ministry Republic of Austria Sustainability and Tourism, 2019). According to the Commission, Austria did a public consultation and comments from the public and stakeholders were analysed and taken into account where possible. There is no summary describing how Austria took these opinions into account. The final plan largely addressed most of the

Commission's recommendations (European Commission, 2020a).

On the 20th of August 2024, Austria submitted their updated draft of the National Energy and Climate Plan in the same design as the first plan. This document has 305 pages (Federal Ministry Climate action, environment, energy, mobility, innovation, and technology, 2024). Thus, it is expanded compared to the last plan. On the 18th of October 2024, Austria received the Commission Recommendation on their draft updated plan (European Commission, 2024c). Austria got twenty-four recommendations and submitted their final plan on the 18th of December 2024 which was almost six months late and consists of 296 pages (Austrian Federal Ministry Climate Action, Environment, Energy, Mobility, Innovation and Technology, 2024). Thereby, Austria did not address six of the twenty-four recommendations in their final plan and sixteen recommendations were partially addressed (European Commission, 2025a).

4.2.2. Case study 2: Ireland

The second case study is the National Energy and Climate Plan of Ireland. From 2013 onwards, there have been negative reactions to energy policy in Ireland. It eventually led to a major acceptance crisis and led to a deeper reflection within the government of Ireland. In 2015, the government of Ireland recognised the social aspect of the energy transition. Without involvement of the citizens, such a policy cannot be implemented. The government acknowledged this (Bout et al., 2021, p. 11).

In December 2018, Ireland published their draft National Energy & Climate Plan 2021-2030 (Government of Ireland, 2018). This draft plan is 293 pages long. This draft plan was published on time and within approximately the same design as that from Austria.

On the 18th of June 2019, like Austria, Ireland received the Commission Recommendation. It contains nine recommendations (European Commission, 2019b). These recommendations are comparable to the recommendations for Austria, but with different detailed numbers which are country specific. The final plan of Ireland has 273 pages and is significantly clearer than the draft plan (Department of Communications, Climate Action & Environment, 2019). Ireland submitted their final plan almost eight months too late on the 4th of August 2020. Ireland did a public consultation on the draft plan which was closed on 22nd of February 2019. Ireland evaluated this consultation and submitted a summary of the feedback which Ireland got from the public together with the final plan submission. Overall, the final plan of Ireland largely addresses most of the recommendations of the Commission (European Commission, 2020b). Three of the nine recommendations are largely addressed. Two of the nine recommendations are fully addressed, and four of the nine recommendations are partially addressed.

In 2023, Ireland submitted their draft updated plan. It consists of 279 pages (Government of Ireland, 2023). On 23rd of February 2024, the Commission published their recommendations on the draft updated NECP of Ireland. It contains twenty-three recommendations (European Commission, 2024b). Once again, the recommendations are comparable to the recommendations for Austria but made

country specific. The final plan of Ireland was published on 22nd of July 2024 (Government of Ireland, 2024). This was a few weeks late with the deadline standing on 30th of June 2024. It contains of 455 pages which is significantly more than the other plans. Ireland has partially addressed nineteen of the twenty-three recommendations. Two of the recommendations were not addressed and two were addressed (European Commission, 2025b).

5. Analysis and results

This chapter contains the data analysis which in this research is a content and document analysis. The concepts which are outlined in the operationalisation of this research will be analysed. Based on the codes, the concepts will be measured and interpreted over the two different periods within the two case studies being Austria and Ireland. This chapter gives an answer to the sub-question *What is the effect of throughput legitimacy on the split-level legitimacy problem of the NECPs from countries Austria and Ireland?*

In general, it seems like the European Commission set up a standard recommendation form and customised it for each member state with words like 'better' and 'further' if done already but not in the way the Commission likes to see it. When the action did not take place at all, the Commission also makes recommendations, but without words like 'better' and 'further'.

5.1. Efficacy of the policymaking

Efficacy is part of the coordinative discourse and therefore forms a concept directed towards output legitimacy. Requirements for good efficacy of the policymaking are 1) that policymaking is done in an efficient and competent manner, 2) with streamlining operations and 3) with modernising practices. The codes for finding these requirements in the documents are 1) the degree of efficiency, 2) the degree of competence, 3) the degree of coordination across administrative units, and 4) the degree of presence of impact assessments.

5.1.1. Austria's efficacy of the policymaking

Based on the final NECP of the first period, published in 2018, Austria took into account most of the Commission Recommendations (European Commission, 2020a). These recommendations can be seen as modernised practices and streamlining operations, because they are set up for all Member States, but are made country specific when analysing if the specific member state complies with the requirements made for an accurate NECP. Because Austria largely addressed these recommendations, it scores high on these two requirements of efficacy of the policymaking. The European Commission points out that Austria's final plan of 2019 has several examples of good practice (European Commission, 2020a, p. 3). This indicates that the degree of coordination across administrative units is present. Austria's final plan set a 2030 interim milestone towards decarbonisation and reflects on a number of elements of the European Green Deal which shows that coordination between different units of administration is executed. The degree of efficiency and competence is high because the final plan of Austria largely addresses most of the Commission Recommendations (European Commission, 2020a, p. 4). Largely addressing most of the recommendations indicates that the policymaking is done efficiently and in a competent manner. When not addressing those recommendations, policymaking would not be efficient, because the recommendations would be ignored. Also, policymaking would not be done in a competent

manner, because recommendations of the European Commission are set up by competent civil servants who know what they are writing about. If these recommendations were ignored, the policymaking process would not go in a competent manner. According to the European Commission (2020a, p. 4), there is no indication of a strategic environmental assessment which the NECP should undergo. An impact assessment is not present which results in a lower score of the concept of efficacy in Austria. Overall, in the first period, Austria scored high on the concept of efficacy when looking at the codes found in the assessment of the European Commission.

In the second period with the final NECP of 2024, Austria did not address six of the twenty-four recommendations in their final plan and sixteen recommendations were partially addressed (European Commission, 2025a). This is not as positive as in the first period as explained above. Not taking into account the recommendations of the European Commission cause the degrees of efficient policymaking and policymaking in a competent manner to decrease. The fact that Austria received the recommendations ensures that the degree of streamlined operations and modernising practices stays the same. The degree of coordination of administrative units also stays the same. In the assessment of the European Commission (2025a, p. 189), it is highlighted that the Austrian final updated NECP sufficiently covers main reforms and investments which contribute to implementing the objectives. This shows that cooperation between units is done well. The assessment also highlights that the draft NECP provides an impact assessment of policies and measures which includes a partial assessment of economic, employment, social and health impacts (European Commission, 2025a, p. 189). The degree of presence of an impact assessment is thus high. Overall, Austria scored low on efficacy in the second period.

5.1.2. Ireland's efficacy of the policymaking

Looking at the assessment of the European Commission (2020b, p. 3), the final NECP of Ireland does not assess the overall investment needs to achieve objectives. Ireland wants to put in place a strong framework for climate policy regarding good practice. The details are included, and the objectives are aligned. The degree of coordination across administrative units is thus high. In the final NECP, Ireland concluded that a strategic environmental assessment is required. During that time, civil servants were working on this assessment (European Commission, 2020b, p. 5). This ensures that the degree of the presence of an impact assessment is partially met. Most of the Commission Recommendations were overall largely addressed by Ireland. This is comparable to Austria after their first assessment of the Commission in 2020. The requirements 'having streamlining operations and modernising practices', as well as 'making policy efficiently and in a competent manner' are met. Overall, in the first period, Ireland scored high on the concept of efficacy.

In the second period, Ireland has partially addressed nineteen of the 23 Commission Recommendations. Two of the recommendations were not addressed and two were addressed (European Commission, 2025b). This differs from Austria, but it is also more negative in regard to the

first period. Because 'only' two of the recommendations were not addressed, Ireland has implemented the recommendations of the Commission better than Austria but still is not efficient in policymaking. It also does not meet the requirement of making policy in a competent manner. Once again, the fact that there are recommendations ensure that the streamlining operations and modernising practices are present. However, the degree of coordination across administrative units is not high, because the final NECP does not set out significant additional adaptation policies to support the achievement of objectives in Ireland. It also does not describe in detail an analytical framework which was used for the plan. In their final plan, Ireland provides an impact assessment of policies and measures with projections reaching 2050 (European Commission, 2025b, p. 55). This causes the degree of presence of impact assessments to be high. Overall, Ireland scored low on the concept of efficacy of the policymaking in the second period of the NECPs.

From the analysis of this concept, we can conclude that the coordinative discourse is limited in presence in the NECPs of both Austria and Ireland and therefore, the output legitimacy is not how it is intended to be, based on the concept of 'efficacy of the policymaking'.

5.2. Accountability of the policymakers

Accountability is part of the communicative discourse and therefore is a concept directed towards input legitimacy. Requirements for high accountability of the policymakers are 1) high quality of policymakers, 2) presence of technical accountability forums, 3) presence of political accountability forums, 4) provision of information, 5) opportunity for debate and 6) opportunity for judgement. The codes for finding the concept 'accountability of the policymakers' are 1) the degree of trustworthiness, integrity, fairness, impartiality and responsibility of the policymaker, 2) the degree of presence of regulatory bodies, ombudsmen, and court of audit, 3) the degree of presence of generally elected political bodies, 4) the degree of provision of information by policymakers, and 5) the degree of opportunity for debate and judgement by citizens.

To assess the quality of the policymakers, the NECPs should also reflect on the policymakers, officials and staff working on these plans and implementing these plans. When reading the National Energy and Climate Plans, this reflection did not emerge. That is why the first requirement could not be coded for this research. The degree of trustworthiness, integrity, fairness, impartiality, and responsibility of the policymaker did not come forward in the plans nor the recommendations of the Commission.

5.2.1. Austria's accountability of the policymakers

In the first period, Austria set up a table with the main objectives and action areas of the NECP. In this table (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 9), instruments are described and the word 'regulatory' is used sixteen times. Most of these sixteen times, it refers to

national and EU law. This results in a high degree of presence of regulatory bodies, which means that Austria scores high on the presence of technical accountability forums in the first period. Austria also scores high on the degree of presence of generally elected political bodies. Austria established a national committee on climate change which contains among others the political parties represented in the National Council which is the lower house of the Austrian Parliament (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 53). Also, a parliamentary climate enquiry was organised in which political parties set out their positions on the climate change policy. The political parties were repeatedly involved in the making of the NECP (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 56). This ensures a high degree of presence of generally elected political bodies which results in a presence of political accountability forums. Throughout the first NECP, the provision of information is often touched upon. Examples are “Through standards, awareness-raising, information, consultation and further education, ...” (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 30), “In order to successfully put reduction measures into practice, awareness-raising activities (training, information, demonstration, consultation) must also continue” (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 74), “Maximum transparency in the form of easy and fast access to information and further training should be guaranteed in order to increase social acceptance” (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 97), and “Alongside these measures, information and awareness-raising activities and consultations are planned” (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 130). This shows that the degree of provision of information by policymakers is high in presence. The degree of opportunity for debate and judgement by citizens is medium. As stated before, accountability strongly intertwines with the concepts of inclusiveness and openness. Within these concepts, the requirement of degree of opportunity for debate and judgement will be outlined in detail. Overall, in the first period, Austria scores high on the concept of accountability, keeping in mind that the first requirement is not coded.

In the second period, Austria did not include a table of instruments for the main objectives but did mention the word ‘law’ often. On page 180 (Federal Ministry Climate action, environment, energy, mobility, innovation, and technology, 2024), “procedural guarantees based on the rule of law...” is stated. On page 183 (Federal Ministry Climate action, environment, energy, mobility, innovation, and technology, 2024), it says “the framework under EU law is implemented and adapted...”. There are more examples in the NECP. This leads to a high degree of presence of regulatory bodies and therefore, technical accountability forums are present. The degree of presence of generally elected political bodies is still high in the second period. The political parties are still represented in the National Council and are involved in the committee and in the public consultations, but no comments were received from the political parties (Federal Ministry Climate action, environment, energy, mobility, innovation, and technology, 2024, p. 30). This results in a decrease of the presence of the concept of accountability. The provision of information is still touched upon throughout the NECP of 2024 (Federal Ministry Climate

action, environment, energy, mobility, innovation, and technology, 2024, p. 72/77/133). This requirement is thus high in the second period. The degree of opportunity for debate and judgement by citizens is unclear. This will be outlined more within the concepts of inclusiveness and openness. Austria scored medium in the second period on the concept of accountability keeping in mind that the first requirement is not coded.

5.2.2. Ireland's accountability of the policymakers

In the first period, Ireland has a goal to harmonise rules, regulation, and technical standards within the North Seas Energy Co-operation (Department of Communications, Climate Action & Environment, 2019, p. 28). This provides the presence of technical accountability forums. In Ireland, there has been established a new parliamentary Committee which is called 'the Joint Committee on Climate Action'. It launched a cross-party report which includes consensus for action (Department of Communications, Climate Action & Environment, 2019, p. 22). This shows that the degree of presence of generally elected political bodies is high. These bodies work together to come to a consensus. The degree of provision of information by policymakers is high, because "The National Dialogue on Climate Action involves structures, information flows and events to facilitate discussion and deliberation on responses to climate change challenges" (Department of Communications, Climate Action & Environment, 2019, p. 23). From this sentence, we see that policymakers make sure that information is flowing from the government to citizens and the other way around. Ireland has introduced measures to ensure that citizens become mobilised and engaged to take climate action (Department of Communications, Climate Action & Environment, 2019, p. 11). This and the fact that the Dialogue is set up, leads to a high degree of opportunity for debate and judgement by citizens. Overall, Ireland has a high presence of accountability in the first period, keeping in mind that the first requirement is not coded.

In the second period, Ireland is still a member of the North Seas Energy co-operation which concentrates on regulatory aspects and methods to overcome barriers (Government of Ireland, 2024, p. 263). Also, Irish and EU law is often mentioned in the NECP. Presence of technical accountability forums is therefore secured. The joint committee on climate action is not mentioned in the new NECP of Ireland, but the All-Party Committee on Climate Action is. A link is provided to the site of this committee (Government of Ireland, 2024, p. 127). This committee stopped working in 2019. Political parties are not mentioned in the NECP, but the government is often mentioned. The degree of generally elected political bodies is low because the parties are not exceptionally appointed in the NECP. The degree of provision of information is high, because within stakeholder engagement, the government is committed to an ongoing dialogue and wants to ensure a continuous flow of information and engagement (Government of Ireland, 2024, p. 31). The Citizens' Assembly created an examination of the issue of climate action. The NECP takes the outcomes from this examination into account. The National Dialogue on Climate Action in the new NECP had the same tasks as in the previous NECP. It facilitated people gathering to discuss and achieve consensus (Government of Ireland, 2024, p. 127).

This secures the opportunity for debate and judgement by citizens. Ireland scores high on accountability in the second period, keeping in mind that the first requirement is not coded.

Overall, from the analysis of this concept, we can conclude that the communicative discourse is harder to code and interpret. Accountability is partly present in Austria and highly present in Ireland, but not all requirements were coded. Therefore, it is hard to draw a conclusion on the input legitimacy based on this concept.

5.3. Transparency of the processes

Transparency can be categorised as the coordinative discourse and is a concept directed towards output legitimacy. Requirements for transparent manner of process are 1) availability of documents, 2) accessible information, and 3) opportunity for citizens to monitor policymakers. The codes to find these requirements are 1) the degree to which documents are available, 2) the degree to which information is accessible, and 3) the degree to which citizens have the opportunity to monitor policymakers.

5.3.1. Austria's transparency of the processes

In the first period, Austria published its final National Energy and Climate Plan to the European Commission on 20 December 2019 which is on time and 11 days before the deadline (European Commission, 2020a, p. 4). Austria set up a national NECP website which is available in the languages German and English (BMLUK, n.d.). Not all documents are available in English. This website ensures accessible information for citizens. Austria scores high on the degree of accessible information. It is not clear if citizens are up to date in terms of the knowledge on which research is executed and when this research is executed. On the website there are publications on current topics, but it is not clear if it is all-encompassing. Thus, the degree to which citizens have the opportunity to monitor policymakers is not clear.

In the second period, Austria published its final National Energy and Climate Plan on 18 December 2024 which was almost six months late (European Commission, 2025a, p. 182). The deadline was on 30 June 2024. This means that the requirements of availability of documents and accessible information are not met. Citizens did not have the opportunity to monitor policymakers, because they had no knowledge of policies which could be monitored and in which adaptations were made. Austria thus scores low on the concept of transparency of the processes.

5.3.2. Ireland's transparency of the processes

In the first period, Ireland published its final National Energy and Climate Plan to the European Commission on the 4th of August 2020 (European Commission, 2020b, p. 5). This was 7 months late, because the deadline was the 31st of December 2019. With this, Ireland did not meet the requirements

for transparency of the processes in the first period, because no documents were available, no information was accessible and therefore no monitoring could be done by citizens.

In the second period, Ireland published its final National Energy and Climate Plan on the 22nd of July 2024. This was a few weeks after the deadline of 30 June 2024 (European Commission, 2025b, p. 48). Once again, Ireland scores low on the concept of transparency of the processes, because all three requirements were not met.

Overall, from the analysis of this concept, we can conclude that the coordinative discourse is not present in the NECPs of both Austria and Ireland. Output legitimacy is not present in the intended way.

5.4. Inclusiveness of the processes

Inclusiveness is categorised within the discourse of communication and with that, the concept is directed towards input legitimacy. The requirement for an inclusive process is the involvement of individuals and interest groups by policymakers. The code for an inclusive process is the degree of involvement of individuals and interest groups by policymakers.

5.4.1. Austria's inclusiveness of the processes

In the first period, Austria made the draft plan with the involvement of NGOs and social partners with a committee called 'National Committee on Climate Change (European Commission, 2020a, p. 4). This committee was active from November 2018 until July 2019. In November 2019, a public consultation was held before finalising the final NECP. Austria stated that comments from citizens and stakeholders were analysed in a thorough way and taken into account where possible, but there was no summary available of how these opinions and comments were integrated in the final NECP of Austria.

Austria received a recommendation on public consultation from the European Commission (European Commission, 2024a, p. 8). It states that Austria should ensure inclusive public participation within a reasonable timeframe and broad participation of local authorities and civil society. However, according to the assessment of the European Commission (2025a, p. 188), Austria did not address this recommendation. It provides little information about this public consultation on the draft and final plan. The NECP does not describe how the consultation was carried out and did not provide a summary of the outcome of the consultation or which opinions and comments were made. Austria thus does not meet the requirement of the involvement of individuals and interest groups by policymakers and thus scores low on the concept of inclusiveness of the process.

5.4.2. Ireland's inclusiveness of the processes

In the first period, Ireland launched a public consultation on the draft NECP in late 2018. Ireland closed this consultation on 22nd of February 2019 (European Commission, 2020b, p. 5). Together with the final NECP, Ireland submitted a summary of the feedback which it received from the public. Ireland scores

high on the requirement of involvement of individuals and interest groups by policymakers when it comes to the first period.

In the second period, Ireland, similar to Austria, received a recommendation on public consultation. The recommendation states that Ireland should provide a clear and detailed overview on how the consultation process will take public participation in the preparation of the final updated plan and in addition provide a detailed summary of the opinions and how these opinions have been taken into account (European Commission, 2024b). According to the assessment of the European Commission (2025b, p. 54), Ireland partially addressed this recommendation. It organised two public consultations following the submission of the draft updated NECP. The plan contains the consultation process, and an online seminar was organised to explain this process and the plan. This online seminar took place seven days before the closing of the consultation phase which is a short amount of time. The plan does provide a detailed summary on the outcome of different consultations and explains the impact of these consultations and why some comments were not included (European Commission, 2025b, p. 55). Because Ireland did (partially) address the recommendation of the Commission, Ireland scores medium on the requirement of the involvement of individuals and interest groups by policymakers and therefore scores medium on the concept of inclusiveness of the processes.

Overall, this concept has different scores when looking at the two case studies. The NECP of Austria scored low on the concept of inclusiveness whereas the NECP of Ireland scored medium on this concept. This means that in Austria, the input legitimacy is not present the way it is intended by the Commission (because there is too little presence of the communicative discourse), and in Ireland, the discourse of communication is partially present which causes a presence of input legitimacy the way the Commission likes to see it.

5.5. Openness of the processes

Openness is a concept which is part of the communicative discourse as well. Therefore, it is directed towards input legitimacy. Requirements for an open process are 1) the opportunity for non-state organisations and individuals to become involved, 2) the opportunity to exert interest groups activities, and 3) equal access to opinions of citizens. Codes for assessing the requirements are 1) the degree to which non-state organisations and individuals have the opportunity to become involved, 2) the degree to which interest groups have the opportunity to exert activities, and 3) the degree of equal access to opinions of citizens.

5.5.1. Austria's openness of the processes

In the first period, Austria, as said in the chapter on the concept of inclusiveness, involved national stakeholders and the general public through a public consultation. This consultation was divided into three different activities. The first activity was an online public consultation which received

approximately five hundred responses. The second activity was 'multiple round table events' in which stakeholders could participate to advance a discussion on topics within the NECP. The third activity was a parliamentary enquiry (Federal Ministry Republic of Austria Sustainability and Tourism, 2019, p. 55). In addition, a national committee on climate change was set up, which involved representatives from institutions and social groups like the provinces, the ministries, social partners, industry, energy and consumer information associations, municipalities association, scientific community and NGOs and agencies. The degree to which non-state organisations and individuals have the opportunity to become involved is high; through the online consultation, citizens and non-state organisations could give their opinions. The degree to which interest groups have the opportunity to exert activities is also high. Interest groups get the opportunity to provide informational evidence because the scientific community is involved. Within the round table events, civil society and the scientific community could talk with members of the parties represented in the Austrian Parliament. The degree of interest groups having access to opinions of citizens is medium, because NGOs, social partners and other associations to some extent took part in the online consultation. The fact that this was 'to some extent' leads to this degree being medium present instead of high.

In the second period, as said earlier, Austria is not clear on which steps were taken in consultation. The part on consultation in the updated NECP is short and vague. They use sentences like "numerous opinions were issued, reflecting a very broad range of views on all aspects of the plan" (Federal Ministry Climate action, environment, energy, mobility, innovation, and technology, 2024, p. 60). It seems, because Austria is vague about this, that the consultation did not happen in the way it should. Then, Austria would score low on all three codes of the concept openness, but this is an assumption. It is thus not clear what the scores are for Austria in the second period on openness of the processes.

5.5.2. Ireland's openness of the processes

In the first period, Ireland's climate ministry met with NGOs and social partners to complete the NECP (Department of Communications, Climate Action & Environment, 2019, p. 23). There was set up a Climate Change Advisory Council which consisted of experts who conducted evidence-based analyses on how to respond to climate change. Ireland also set up a National Dialogue on Climate Action (Department of Communications, Climate Action & Environment, 2019, p. 23). This dialogue consists of information flows, events for discussion and deliberation and structures between local, regional, and national levels. It creates awareness, motivation to act on all different levels and engagement. There also were three public consultations and summaries were available. Based on this information, Ireland scores high on the degree to which non-state organisations and individuals become involved. There are three opportunities for these groups to attend a public consultation. The degree to which interest groups can exert activities is also high, because the ministry met with different interest groups to finalise the National Energy and Climate Plan. The degree of equal access for interest groups to opinions of citizens

is also high. Because summaries were provided, interest groups have the information on how citizens reacted in consultations and what their opinions were.

In the second period, Ireland as stated earlier, executed another two public consultations and a summary was given. However, the planning of the consultation was less convenient. There was a 'Citizens Assembly' and a national dialogue. The citizens assembly on Biodiversity loss is explained in detail (Government of Ireland, 2024, p. 27). The Irish government built on the NECP and continued to consult with key stakeholders, society, and individual members of the public (Government of Ireland, 2024, p. 30). The NECP states that the department updates and seeks feedback with stakeholders to develop the NECP. The government wants an ongoing dialogue for informing and listening to stakeholders and citizens for ensuring engagement (Government of Ireland, 2024, p. 31). The government also takes into account research and the scientific community and gives a summary with the research which is done and the activities which the government did for consultation. The section on consultations is detailed and extensive. Ireland scores high on the requirements of the concept openness. The degree to which individuals and non-state organisations have the opportunity to become involved is high, because these groups can participate in an ongoing dialogue. Interest groups can exert activities, because they are informed well and the government has a desire to involve these groups. Also, the degree to which interest groups have equal access to citizens' opinions is high, because the government gives summaries which are detailed. Ireland thus is open in the processes.

Overall, this concept of openness of the processes has different scores within the case studies. The NECP of Austria is assumed to score low, but actually it is unclear whether it is open in the processes. Ireland scores high in openness of the processes. In Ireland, the communicative discourse is present and thus input legitimacy is met. For Austria, this is unclear.

5.6. Results

To give an answer to sub-question 3; *what is the effect of throughput legitimacy on the split-level legitimacy problem of the NECPs from countries Austria and Ireland?*, the five concepts efficacy of the policymaking, accountability of the policymakers, transparency of the processes, inclusiveness of the processes and openness of the processes were used. These concepts were divided into the coordinative and communicative discourse which both are part of throughput legitimacy.

For the first period of Austria, the NECP scored medium within the coordinative discourse and thus on output legitimacy and scored medium on the communicative discourse and thus medium on input legitimacy in the first period. During the second period, Austria scored low on the concepts within the coordinative discourse which means that output legitimacy is not fulfilled. Austria also scored low on the concepts within the communicative discourse which means that input legitimacy is also not fulfilled.

For the first period of Ireland, the NECP scored medium on the concepts of the coordinative

discourse which means that output legitimacy is medium fulfilled. The NECP of Ireland scored high on the concepts of the communicative discourse and thus input legitimacy is fulfilled. In the second period, the NECP of Ireland scored low on the concepts within the coordinative discourse which means that output legitimacy is not present. Ireland's NECP again scored high on the concepts within the communicative discourse which means that input legitimacy is present.

To compare, it seems like the country with the least acceptance over time for energy policy, which is Ireland in this research, acts more on getting more acceptance from the public. It takes the public opinion seriously and does something with input. Austria, which is the country with more acceptance for energy policy, scores medium and low on accomplishing input legitimacy. Furthermore, output legitimacy is harder to accomplish. In both case studies, output legitimacy was not accomplished (completely) in both of the time periods.

Throughput legitimacy is in this research a causal mechanism which can explain the process from the European Union level to the national level. The effect of throughput legitimacy, which is the combining of the outcomes from the discourses, on the split-level legitimacy problem of the NECPs from countries Austria and Ireland is complex. Because the findings for the outcomes of the discourses vary, it is hard to put a 'negative' or 'positive' as an answer to the effect. Because the communicative discourse directed towards input legitimacy and the coordinative discourse directed towards output legitimacy, we can say what the input legitimacy does for the throughput legitimacy and what the output legitimacy does for the throughput legitimacy. Based on this for Austria in the first period, we could conclude that there is a medium positive effect on the split-level legitimacy problem and in the second period, there is a negative effect on the split-level legitimacy problem. For Ireland in the first period, there is a medium positive effect on the split-level legitimacy problem and in the second period, there is a negative effect for the output legitimacy and a positive effect for the input legitimacy.

6. Conclusion and reflection

This chapter provides an answer to the central question of the research with the answers to the sub-questions. The findings will be discussed in relation to the theoretical logics from this thesis. Later, a reflection on the execution and limitations of this research will be discussed. Steps for further research and explanations for the use of results by policymakers to their benefit will be given.

6.1. Conclusion

Combining the findings will give the opportunity to draw a conclusion on the democratic legitimacy of the European Union when talking about the goal of becoming climate neutral. This research utilised two dimensions from the theory of Schmidt (2020) to analyse how the European Union guarantees this democratic legitimacy; throughput legitimacy and split-level legitimacy. The central question that flowed from this, was as follows: *how does the European Union guarantee and safeguard the democratic legitimacy and solve the split-level legitimacy problem in the context of the National Energy and Climate Plans?*.

We first found that input legitimacy and output legitimacy are related through throughput legitimacy. This throughput legitimacy has norms which are required to fulfil this legitimacy which are efficacy of the policymaking, accountability of the policymakers, transparency of the processes, inclusiveness of the processes and openness of the processes. These norms can help answer the question 'how to govern?'. Throughput legitimacy can be divided into two discourses, namely the coordinative discourse and the communicative discourse which can be linked to input legitimacy and output legitimacy. The legitimising mechanisms of input, output and throughput are also divided between the level of the EU and the national level which is called split-level legitimacy (Schmidt, 2020, p. 56). The goal of this research was to analyse if the European Union's governance system allows for citizen representation which operates responsively (input) and responsible with creating proper outcomes (output) effectively through the criteria of accountability, transparency, inclusiveness, and openness (throughput).

After explaining the policy framework and context of the case studies, the analysis was performed. According to the analysis, it is complex to come to conclusions regarding this research. The variety in outcomes from the norms and discourses and thus from throughput legitimacy makes it hard to give an overall answer to the question what the effect of throughput legitimacy is on the split-level legitimacy problem of the NECPs from Austria and Ireland. We can say that based on the case studies it seems that countries with low acceptance on climate policy are more active on improving the input legitimacy. We can also say that based on the case studies it seems that countries with higher acceptance on climate policy score low on throughput legitimacy in general.

To answer the central question, we need to have the definition of the term democratic legitimacy sharp. Democratic legitimacy is "a state of affairs in which an elected government is accepted as legitimate by its citizens because it governs effectively while responding to their expressed preferences

in ways which benefit the public interest and are in keeping with common values” (Schmidt, 2020, p. 26). The European Union guarantees and safeguards the democratic legitimacy by thoroughly monitoring the Member States and giving them recommendations on how they should improve and implement the National Energy and Climate Plans. They also demanded two versions of the NECPs from the Member States. Therefore, the European Commission carefully tried to influence the throughput of Member States. But does the European Union solve the split-level legitimacy problem in the context of these National Energy and Climate Plans? Based on this research, we can conclude that it is complex to derive a clear view on that. The split-level which lies between the European Union and the national level is a gap which is different for the different Member States. Because every Member State is unique and has other problems to deal with, it seems logical that the distance between a Member State and the European Union is unique. Solving this gap problem is hard and complex for the European Union because it cannot adjust its policy to every Member State specific.

With the analysis of this research, we gained more insight into democratic legitimacy within the split-level legitimacy design. We often write about input and output legitimacy in the literature, but we do not write enough about (the importance of) throughput legitimacy. Often, throughput is hidden, for example in this research the throughput was hidden in the recommendations of the European Commission. It appears to be important to uncover the throughput, because without opening the black box of throughput legitimacy, it would be even harder to comprehend split-level legitimacy.

6.2. Reflection

The first reflection point is the validity of this research. As pointed out in paragraph 3.6, the internal validity would have been better when triangulation was performed. This research used only one method to perform the analysis. When interviews with Commissioners, policymakers of climate policy, and/or writers of the NECPs were conducted, this would add to the triangulation and internal validity of this research. Also, the external validity could be improved. With two case studies, the conclusions are not generalisable for all Member States or the entire society of the European Union. It is hard to acknowledge if a conclusion is a coincidence or not. In terms of time within this research, more than two case studies analysing was impossible, but for future research it would be a good addition to the research to analyse more case studies.

The second reflection point is the reliability of this research. The reliability of this research is secured through detailed operationalisation. However, during the performance of the analysis, the researcher was compelled to interpret and score the codes. Because the researcher did this independently, it could influence the conclusions and could make the research inaccurate. When another researcher had done this interpreting and scoring, it might lead to other conclusions.

A third reflection point is the fact that the researcher did not find articles from all countries about the social acceptance from citizens of climate policy in their Member State. It could be that other

countries than the case studies chosen, which were Austria and Ireland, score lower or higher on the social acceptance of climate policy. This could influence the outcome of this research.

A fourth reflection point concerns the operationalisation in terms of content. The codes of the concepts transparency and accountability were not as useful as other codes of concepts. With the transparency codes, they were not all findable. The accountability codes were also not all findable due to the fact that the reflection was on the NECP and not on policymakers, the codes were harder to score, because the opinion of the researcher could glide through when analysing the policymakers in terms of trustworthiness, integrity or fairness.

Suggestions for future research could be to research how Member States score the safeguarding of the democratic legitimacy by the European Union. In that research, the analysis could be done by interviewing citizens and policymakers from member states instead of the document analysis of the NECPs. The research is then viewed from another perspective which could be interesting. It could also be interesting to analyse the future NECPs or the implementation of the NECPs which were set up in 2024. Because the last NECPs were recently published, the implementation phase is now in progress. Gathering information on if the policies improve after the new NECPs are implemented is important to know for reaching the goals of the Paris Agreement.

Policymakers could use the results from this research to critically reflect on their way of implementing the recommendations of the Commission. Also, Commissioners could use the results to critically reflect on their way of drafting the recommendations.

This research had an abductive approach. Abductive research is exploratory and adaptive. As stated in the methodology, it is perfect for areas in which phenomena cannot be fully understood or are constantly evolving. The National Energy and Climate Plans are a good example of such a phenomena. Our climate is constantly changing, and we should keep exploring and adapting to come to solutions for this problem.

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