Mapping the moral foundations of the European Union: Why a lack of moral diversity may undermine perceived EU legitimacy

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Abstract

The stability and effectiveness of supranational organizations, like the European Union (EU), will improve when citizens perceive them as legitimate. Across three studies, two of which were preregistered, and a preregistered pilot study, we combined EU legal expertise with social psychological theory on morality to understand how perceived EU legitimacy is influenced by a sense of moral alignment with the EU. We propose that, currently, the EU gives more weight to values linked to "individualizing" moral foundations (e.g. compassion, social justice, and equality) than to values linked to "binding" moral foundations (e.g. patriotism, religion, and traditionalism). As this may leave people who endorse binding moral foundations feel unrepresented, we investigated whether the EU could gain legitimacy by appealing to values that resonate with binding moral foundations. In study 1, text analyses revealed that the European Commission President's State of the Union speeches indeed appeal more to individualizing than to binding moral foundations. Study 2 ($n = 595$) provided correlational evidence that the negative relationship between binding moral foundations and perceived EU legitimacy was mediated by lower moral alignment with EU law. Finally, study 3 ($n = 567$) showed through an experiment that reframing or rebalancing EU law to better align it with binding moral foundations could increase perceived EU legitimacy among people who endorse these moral foundations. The results illustrate the importance of understanding and attending to moral diversity among EU citizens. More generally, our work shows how a collaboration between social psychology and law contributes to safeguarding the legitimacy of supranational organizations.

Keywords: moral foundations, moral diversity, EU law, perceived EU legitimacy, reframing

Significance Statement

As societal issues increasingly transgress national borders, there is urgency for supranational organizations, like the European Union (EU), to be perceived as legitimate by citizens for effectively addressing these issues. Integrating social psychology with law, we find that perceived EU legitimacy is rooted in a sense of moral alignment with the EU. However, the analyses of speeches and EU laws suggested that the EU relies disproportionally on "individualizing" values (compassion, social justice, equality) as opposed to "binding" values (patriotism, religion, traditionalism). An experiment showed that better aligning EU law with binding values could be a way to increase perceived EU legitimacy among people who feel morally unrepresented by the EU. This work illustrates the importance of recognizing moral diversity in EU law.

Introduction

Supranational organizations like the European Union (EU) rely to a large extent on the public's voluntary acceptance of their authority to be stable and effective. Public legitimacy is, in liberal democracies, not only considered normatively desirable,[a] it also increases citizen participation, strengthens the policy mandate and decision-taking capacity, and increases rule compliance (2). Hence, the effectiveness of these organizations can be limited

when the public does not perceive them as legitimate (3–6). As the number of problems that require effective EU action grows (e.g. climate change, migration, and geopolitical instability), so accordingly does the need to secure public legitimacy of the EU. However, only 49% of European citizens tend to trust the EU (7).

We suggest that part of the EU's public legitimacy problem is rooted in the values perceived to underlie EU communications and laws. It has been shown that an authority will be perceived as more legitimate when people believe in the moral rightness

of its actions and laws (8–11). A sense of moral alignment is thus a condition for perceived legitimacy. We propose that the EU and its legal order is currently more aligned with "binding moral foundations" (which focus on notions of patriotism, traditionalism, and religion) than with "individualizing moral foundations" (which focus on notions of compassion, social justice, and equality). This holds not only for individual legal norms or public statements, but also, on a more fundamental level, for the EU's foundational values and general principles of law. We propose that this relative prevalence of individualizing moral foundations leads those EU citizens whose moral intuitions are based on binding moral foundations to perceive lower moral alignment with the EU than citizens who endorse individualizing moral foundations, and therefore to perceive the EU as less legitimate.

If proof for the suggested psychological process is found, however, this would also enable novel interventions to improve perceived EU legitimacy. Prior research has shown that support for policies can be increased by connecting the values underlying those policies with people's moral foundations (12). Therefore, in this paper, we test the effectiveness of two strategies which intend to create a higher sense of moral alignment with the EU: (i) changing communications about the EU in such a way that they better align with people's values (i.e. moral reframing strategy); (ii) changing the actual moral balance within specific EU norms and legal principles, while remaining within the normative boundaries imposed by the EU legal order, ensuring that these norms better align with certain underrepresented values (i.e. moral rebalancing strategy).

Shared values increase perceived legitimacy

Research suggests that perceived legitimacy—the perception that an authority's exercise of authority is appropriate (13)—arises when people believe that an authority behaves in the way it ought to behave, based on their internalized values about how authorities should make decisions, treat people, respect power boundaries, and create morally right laws (6). Morally right actions and laws thus signal rightful power exercise, leading to an approval of the authority that is not rooted in fear of sanctions (8, 9). In sum, perceived legitimacy is promoted by a sense of shared values (10, 13).

The dominant framework for explaining the perceived legitimacy of authorities in empirical legal studies has been the procedural justice model, showing that authorities are perceived as more legitimate when they demonstrate they treat people in fair ways, make neutral decisions, and engage in fair procedures (14–17). While the importance of procedural justice is widely acknowledged, demonstrating procedural justice is not the only way in which a sense of moral alignment can be promoted. Whereas procedural justice creates legitimacy through the fairness of the *procedures* in which authorities interact with people, legitimacy also requires that the moral underpinnings of *substantive* laws are perceived as consistent with one's personal or group-based values.[b]

Furthermore, research within Moral Foundations Theory (MFT) has demonstrated that people's moral palette goes well beyond concerns about fairness (18, 19). According to MFT, there is a set of universally existing moral intuitions, so-called moral foundations, which are rooted in evolutionary adaptive challenges (20). Two of these moral foundations are focused on protecting the individual from harm and unfair treatment, being the *care* and *fairness* foundations. These foundations emphasize, respectively, human welfare and social equality and justice, and because of their focus on the individual are jointly grouped as the individualizing moral foundations. The three other moral foundations are rooted in

concerns about protecting the group. In these so-called binding moral foundations—*loyalty*, *authority*, and *purity*—the focus is in the core not on protecting individuals but on protecting groups (e.g. societal institutions, families, and tribes). Binding moral foundations emphasize group-binding loyalty and patriotism, respect for authority and tradition, and (spiritual) purity and religion.

According to MFT, people start off with the same cognitive moral learning modules, but life experiences and cultural and social contexts determine which moral foundations become more important to them and subsequently guide their moral judgments (21). The care and fairness foundations are thought to be the most universal ones; endorsement of these foundations is high among most people (20). However, people from Eastern cultures (22), religious people (23), and ideological conservatives (24–26) show an equally high or even higher dispositional preference for binding moral foundations, which define their norms and values accordingly. As a group-binding type of morality is fundamentally different than an individual-focused morality, people may not always recognize each other's values as moral (24). However, individualizing and binding moral foundations are not placed on two opposite sides of the same axis; endorsement of individualizing moral foundations does not exclude endorsement of binding moral foundations, and the other way around.

Lack of moral diversity in the EU?

While the EU claims to reflect and preserve the common values of the European peoples,[c] we propose that EU legal norms typically reflect more of an individualizing than a binding understanding of what is "right." Ever since the founding of the European Communities in the 1950s, the EU has been highly concerned with the protection of values that trigger the fairness and care foundations, because violations of those moral foundations had been witnessed in the two world wars and should never be allowed to happen again. Therefore, for example, equality and individual human rights are foundational EU values which enjoy constitutional status.[d] On the other hand, values based on the loyalty, authority, and purity foundations may have received less priority. For example, the EU's exercise of competences,[e] the primacy of EU law over all national laws,[f] and voting rules,[g] could be perceived as violations of traditional social hierarchies and loyalty to the national ingroup, which hence sit uneasily with binding moral foundations.

Based on MFT, it could be argued that individualizing moral foundations are indeed more commonly shared among EU citizens than binding moral foundations. However, as discussed, more ideologically conservative people, whose number should not be underestimated considering the rise of right-wing voters across the entire continent, are to an equal or even stronger extent guided by binding moral foundations. This means that a disproportionate emphasis on individualizing moral foundations in EU law—which likely spills over to the value framework in public communications as these communications have to be in line with EU law—could undermine a sense of moral alignment with the EU among people who have a dispositional preference for binding moral foundations. It is, therefore, expected that people who endorse binding moral foundations will perceive the EU to be less legitimate than people who more strongly endorse individualizing moral foundations.

Increasing legitimacy through moral reframing and rebalancing

Research on moral reframing has demonstrated that the moral alignment between a certain position and an individual's values

can be increased (30). Moral reframing is a technique that involves framing a position that a person would normally not support in such a way that it becomes (more) consistent with that person's moral foundations. This technique has demonstrated to be effective in persuading people on opposite sides of a polarized debate to become more open to each other's positions, because it uses arguments and language that people find intuitively more compelling (12). The rationale behind moral reframing is that on certain morally charged issues, moral arguments from the opposite side can be perceived as offensive, leading people to automatically reject them. By changing the moral rhetoric into a style that acknowledges and matches someone's moral foundations, a person is more likely to perceive overlap between the argument and their personal moral convictions (30), more likely to process the information fluently (31), and more likely to see the source of information as an ingroup member who is trustworthy (32). So far, most research on moral reframing has been conducted in the context of moral oppositions underlying the political liberal-conservative divide in the United States to study how support for political issues and political candidates can be increased (33–36). In the current research, we examined whether reframing information about the EU in such a way that it resonates with people's moral foundations could also enhance people's sense of moral alignment with the EU and perceived EU legitimacy.

Whereas moral reframing is about creating moral alignment through rhetoric, we also explored a second, legally more substantive way in which perceived EU legitimacy might be increased: moral rebalancing. Operating on a more fundamental level, moral rebalancing aims to enhance moral alignment by adapting the actual legal norm to a person's moral values. Whereas reframing targets the rhetorical level only, rebalancing substantively alters the EU legal norm to make it more consistent with people's moral foundations, while still staying within the overarching system and logic of EU law.

Overview of the current research

The current research investigates whether public communications from the European Commission president (study 1) and a set of EU legal norms (study 2) resonate better with individualizing than with binding moral foundations, whether this influences perceived EU legitimacy (study 2), and whether moral reframing and moral rebalancing could increase perceived EU legitimacy (study 3).

The preregistrations for studies 2 and 3 (including the pilot study), study materials, anonymized data files, and analysis codes are available via the Open Science Framework: https://osf.io/mrbtq/?view_only=4be09a6920384acfbc5f4bec42e88b76. Study 1 did not involve human subjects. Study 2 was approved by the Psychology Research Ethics Committee of Leiden University. Study 3 was approved by the Ethics and Data Committee of Leiden Law School. All participants provided informed consent.

Results

Study 1

The aim of study 1 was to analyze the relative balance between moral foundations in State of the Union speeches. Using a dictionary-based word frequency analysis, we analyzed the probability that words in these speeches were related to any of the moral foundations (see Materials and methods for details). An analysis of variance revealed significant differences between the average probabilities of moral foundations, $F(4, 55) = 142$, $P < 0.001$, $\eta^2 = 0.91$. A Tukey's honestly significance difference test for differences between groups showed that the probabilities that moral words in all State of the Union addresses were related to care or fairness were significantly higher than that they were related to loyalty, authority, or purity (see Table S4 for details). The probabilities that words were related to loyalty or authority were also significantly higher than that they were related to purity. We thus found that on average across years, State of the Union addresses by the Commission President place greater emphasis on care and fairness than on loyalty and authority, and least emphasis on purity (see Fig. 1 for an illustration). This demonstrates that the moral language used in these speeches does not comprise a well-balanced representation of all moral foundations, but instead mainly resonates with the individualizing moral foundations.
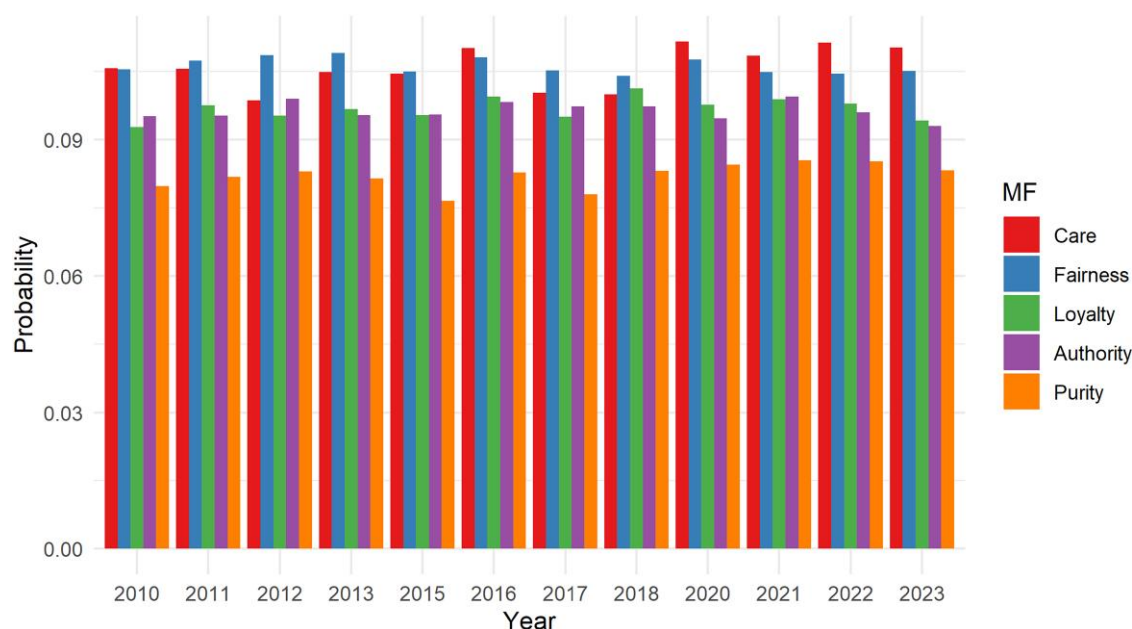

Fig. 1. Probabilities that words from State of the Union addresses from 2010 to 2023, present in the eMFD, belong to each of the moral foundations.

Study 2

The aim of study 2 was to examine whether people with binding moral foundations perceive a lower sense of moral alignment with EU law than people with individualizing moral foundations, and whether this in turn influences their beliefs in EU legitimacy. Our hypothesis was that individualizing moral foundations are positively related to perceived EU legitimacy through higher moral alignment with EU law, while binding moral foundations are negatively related to legitimacy through lower moral alignment with EU law. In an online study, we measured to what extent participants from six Member States experienced a sense of moral alignment with 40 rules of EU law, as well as their endorsement of individualizing and binding moral foundations and perceived EU legitimacy (see Materials and methods for details).

To test the hypotheses, we conducted linear regression analyses using a bootstrap test of mediation. As perceived EU legitimacy was significantly related to age ($r = -0.19$, $P < 0.001$) and political ideology ($r = -0.25$, $P < 0.001$), and the data came from six countries, the models controlled for age, political ideology, and country (dummy coded). All numeric variables were mean centered to reduce multicollinearity. Standardized coefficients are reported.

As illustrated in Fig. 2, the mediation analysis showed support for the hypothesized mediation effect (see Table S5 for details). Moral alignment with EU law was significantly positively predicted by individualizing moral foundations ($\beta = 0.18$, SE = 0.05, $P < 0.001$) and negatively by binding moral foundations ($\beta = -0.12$, SE = 0.05, $P = 0.019$), $F(9, 583) = 5.42$, $P < 0.001$, adjusted $R^2 = 0.06$. Moral alignment, in turn, significantly predicted perceived EU legitimacy while controlling for individualizing and binding moral foundations ($\beta = 0.43$, SE = 0.04, $P < 0.001$), $F(10, 582) = 24.01$, $P < 0.001$, adjusted $R^2 = 0.28$. The average causal mediation effect (ACME) of the relationship between individualizing moral foundations and legitimacy was significant, ab = 0.08, 95% CI (0.04, 0.12), $P = <0.001$, proportion mediated = 0.75. The ACME of the relationship between binding moral foundations and legitimacy was also significant, ab = −0.05, 95% CI (−0.10, −0.01), $P = 0.008$, proportion mediated = 0.64.

Study 2 confirmed the mediating role of moral alignment in the relationship between moral foundations and perceived EU legitimacy. Although the mediation analysis only provided correlational evidence, theoretically, moral foundations underlie moral judgments, so there is good reason to assume that moral foundations indeed predict the extent to which values in EU law align with personal values. This study also found a strong relationship between moral alignment and perceived EU legitimacy. Given this relationship, and since binding moral foundations were found to be less represented in both EU communications (study 1) and EU law (study 2), study 3 investigated whether increasing moral alignment in EU communications or legal norms could increase perceived EU legitimacy among people who endorse binding moral foundations.

Pilot study 3

Before conducting study 3, we ran a pilot study to examine the understandability of the information provided to participants and to establish effect sizes to determine the desired sample size. This was done because morally reframing and rebalancing the law is a new paradigm. The design and procedure of the pilot study and main study were therefore similar, except that the pilot study was conducted in a Dutch convenience sample and the main study in a highly representative Dutch sample.

The aim of study 3 was to investigate whether manipulating the value language (reframing) or the value content (rebalancing) of an EU legal norm could increase a sense of moral alignment with the EU among people with binding moral foundations, and with that, their beliefs in EU legitimacy. The EU legal norm we focused on was the primacy of EU law, because (i) it was one of the norms showing low alignment for people with binding moral foundations in study 2, leaving significant scope for improvement, (ii) it is one of the core legal principles regulating the relationship between the EU and the legal orders of the Member States, and (iii) it is often disputed by right-wing politicians. This principle holds that, in case of a conflict between EU law and a national legal norm, EU law always wins, even trumping the national constitution.

We presented participants with different reframed and rebalanced sets of information on the primacy of EU law. For both the reframed and rebalanced sets, there was one condition based on the individualizing foundations care and equality, one based on the binding foundation loyalty, one based on the binding
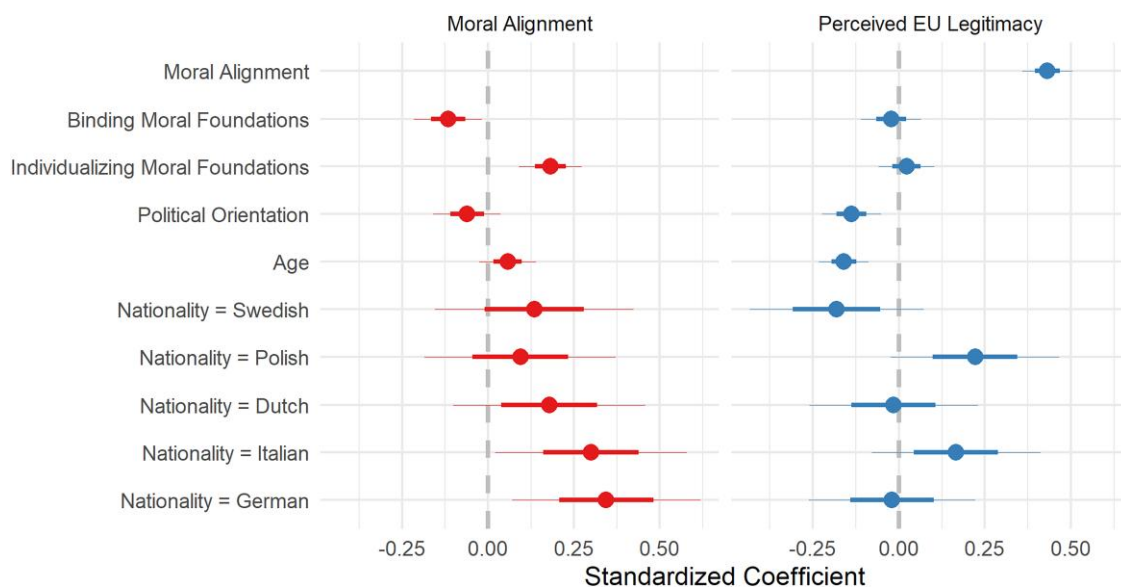

Fig. 2. Standardized coefficients of linear regression models predicting moral alignment and perceived EU legitimacy.

foundation authority,[h] and one based on the value of individual liberty,[h] and one based on instrumental arguments regarding economic growth and prosperity.[i] In addition, there was a control condition that described primacy neutrally without reframing or rebalancing. Thus, in total, there were 11 different conditions. The pilot study showed that understandability was high for all reframed and rebalanced conditions.

Study 3

Following a similar design as the pilot study (see Materials and methods for details), study 3 investigated whether reframing or rebalancing the primacy of EU law could increase perceived EU legitimacy for people who strongly endorse binding moral foundations. The greatest increase in legitimacy for these people was expected in the binding reframed and rebalanced conditions (loyalty and authority). We also measured support for primacy as another outcome variable. See Table S7 for means and standard deviations of perceived EU legitimacy and support for primacy per condition.

To test the hypotheses, we conducted two regression models: one with the reframed conditions and one with the rebalanced conditions. Each model regressed binding moral foundations, a dummy variable for experimental condition (using the neutral condition as reference group), and the interaction between binding moral foundations and experimental condition on perceived EU legitimacy.[j] Significant interactions were followed up with simple slope analyses to test the effects of the experimental conditions for people who scored low (1 SD below M), moderate (between 1 SD below and above M), and high (1 SD above M) on binding moral foundations. Figures S1 and S2 depict the density and summary statistics of perceived EU legitimacy in the different reframed conditions for people low, moderate, and high in binding moral foundations. As perceived EU legitimacy was significantly related to age ($r = -0.22$, $P < 0.001$) and education level, $F(2, 564) = 22.17$, $\eta^2 = 0.07$, $P < 0.001$ (see Table S8 for Tukey comparisons), the models controlled for age and highest education level (dummy coded). All numeric variables were mean centered to reduce multicollinearity concerns. Standardized coefficients are reported.

The model with the reframed conditions revealed significant interaction effects between binding moral foundations and the loyalty condition ($\beta = 0.46$, $t = 1.98$, $P = 0.049$), and between binding moral foundations and the economic condition ($\beta = 0.65$, $t = 3.12$, $P = 0.002$) on legitimacy. Simple slope analysis showed that people who scored high (but not low) on binding moral foundations reported significantly higher perceived EU legitimacy in the loyalty condition ($\beta = 0.79$, SE $= 0.29$, $t = 2.74$, $P = 0.007$) and the economic condition ($\beta = 0.84$, SE $= 0.29$, $t = 2.91$, $P = 0.004$) compared with the control condition. These findings suggest that emphasizing that primacy helps to protect national constitutional identity and traditions, or that it helps to protect economic growth and prosperity, results in higher perceived EU legitimacy for people who strongly endorse binding moral foundations. The model with the rebalanced conditions revealed no significant interactions. See Fig. 3 for an illustration of the interaction effects for both models. See Tables S9 and S10 for details.

Exploratively, we ran the same regression models on support for primacy (see Tables S13 and S14 for details). The model with the reframed conditions revealed a significant interaction effect between binding moral foundations and the economic condition on support for primacy ($\beta = 0.42$, $t = 2.00$, $P = 0.047$). Simple slope analysis showed that only people who scored high on binding moral foundations reported significantly higher perceived EU legitimacy in the economic condition ($\beta = 0.69$, SE $= 0.29$, $t = 2.34$, $P = 0.020$) compared with the control condition. The model with the rebalanced conditions revealed a significant interaction effect between binding moral foundations and the authority condition on support for primacy ($\beta = 0.43$, $t = 2.29$, $P = 0.023$). Simple slope analysis showed that people high on binding moral foundations ($\beta = 1.03$, SE $= 0.29$, $t = 3.60$, $P < 0.001$) and people moderate on binding moral foundations ($\beta = 0.60$, SE $= 0.21$, $t = 2.84$, $P = 0.005$), but not people low on binding moral foundations, reported significantly higher support for primacy in the authority condition compared with the control condition. This result suggests that providing information that EU law only has primacy when it does not exceed the competences conferred upon the EU by the Member States improves support for primacy among people who moderately or strongly endorse binding moral foundations.
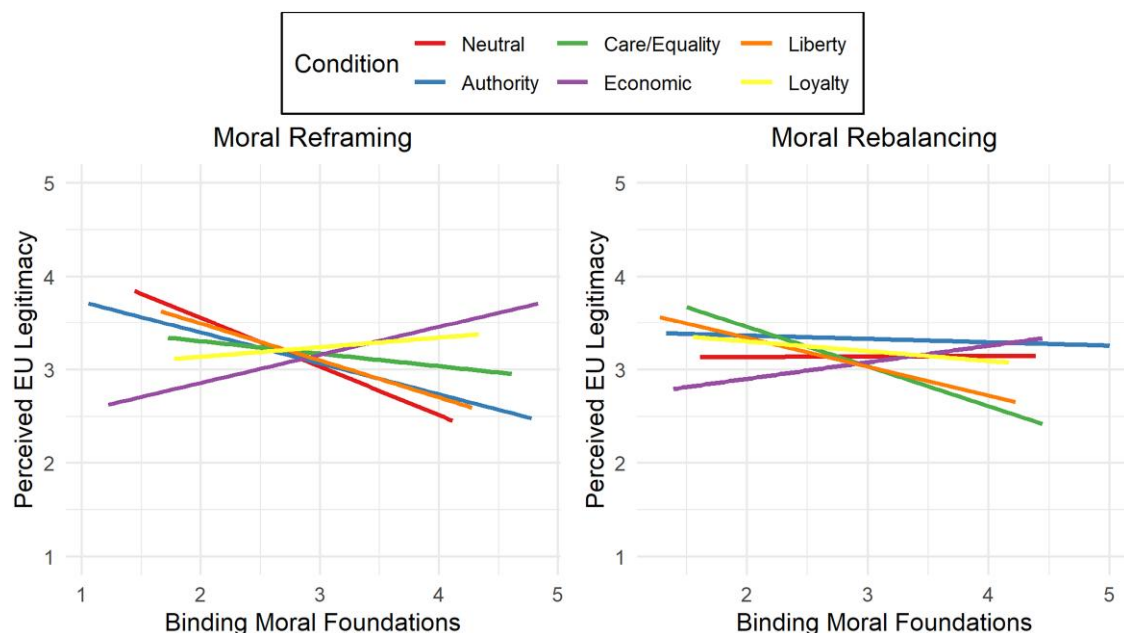

Fig. 3. Changes in perceived EU legitimacy as a function of binding moral foundations endorsement and reframed and rebalanced conditions.

Finally, we analyzed whether reframing or rebalancing the primacy of EU law in consistency with binding moral foundations decreased perceived EU legitimacy among participants with high individualizing moral foundations. Most studies have found nonsignificant effects of moral reframing for the untargeted group (i.e. people who already support the position that is being argued for) (12). In line with this, we found that there was no significant interaction between individualizing moral foundations and the reframed binding (loyalty and authority) conditions. However, regarding the rebalanced conditions, there were significant negative interactions between individualizing moral foundations and all rebalanced conditions (see Tables S11 and S12 for details). This suggests that making the primacy of EU law conditional upon any other value has a risk of decreasing perceived EU legitimacy among people who strongly endorse individualizing moral foundations.

Discussion

Supranational organizations that are liberal democracies, like the EU, can more effectively tackle societal challenges if they are legitimate in the eyes of citizens. These organizations, however, may threaten some people's moral intuitions about ingroup loyalty and respect for tradition because they challenge traditional constructs such as sovereignty and national identity. The current research suggests that EU communication and EU law currently appeal more to individualizing than to binding moral foundations, and that this explains lower beliefs in EU legitimacy among people who endorse binding moral foundations. In study 1, we found that there was a higher probability of words related to individualizing than to binding moral foundations in the State of the Union speeches from the European Commission president. In study 2, we found that for a selection of 40 important rules and principles of EU law, on average, moral alignment was lower among participants with high binding moral foundations and higher among participants with high individualizing moral foundations. We also found that this difference in moral alignment explained the extent to which participants perceived the EU to be legitimate. These results, which were in line with the preregistered hypotheses and conducted according to preregistered analyses, were found in a sample comprising multiple EU Member States.

As moral reframing research has demonstrated that moral alignment with a position is malleable (12), the current research also investigated whether perceived EU legitimacy among people who typically have lower beliefs in EU legitimacy (i.e. people who strongly endorse binding moral foundations) could be increased by morally reframing or rebalancing a norm of EU law. Focusing on the legal principle of "primacy," one of the core legal principles regulating the relationship between the EU and the legal orders of its Member States, study 3 showed that appealing to the loyalty foundation (i.e. emphasizing that primacy helps to protect national constitutional identity and traditions) or to economic benefits (i.e. emphasizing that primacy helps to protect economic growth and prosperity) resulted in higher perceived EU legitimacy for participants who strongly endorsed binding moral foundations. Importantly, these frames did not lower perceived EU legitimacy for participants who strongly endorsed individualizing moral foundations, in line with prior work showing that moral reframing has no effects on the untargeted group (12). In contrast to the reframing strategy, study 3 showed that the rebalancing of primacy could lead to both positive and negative results as a function of moral alignment. That is, although rebalancing in a way that improves alignment with the authority foundation increased

support for primacy among participants high on binding moral foundations, each rebalancing condition decreased perceived EU legitimacy among participants who endorsed individualizing moral foundations. Thus, unlike reframing, rebalancing might generate negative effects in the untargeted group. These results were obtained in a nationally representative sample with sufficient statistical power.

We deem our interdisciplinary approach, integrating social psychology and EU law, novel, and promising. By combining expertise, the study materials of both studies were developed in such a way that they formed a sound measurement of psychological phenomena and simultaneously connected to the legal reality. As validated by a panel of experts in EU law, all reframed and rebalanced descriptions of primacy stayed within the realm of the legally feasible, meaning that the experts consulted thought that the reframed or rebalanced formulation would not be incompatible with the fundamental principles and doctrines underpinning the EU legal order. This significantly enhances the ecological validity and practical applicability of the research findings. To illustrate, the authority and care/equality rebalanced conditions described the primacy of EU law as conditional upon respectively an ultra vires check and a fundamental rights check by national courts. The data showed that participants reported higher support for primacy when they read these reframed descriptions compared with the neutral description of primacy. Although these interpretations of primacy conflict with the current case law of the Court of Justice of the EU, the EU legal experts that were consulted during the design phase of the conditions confirmed that the reformulation of primacy could be viable if the ultra vires and fundamental rights checks are conducted by the Court of Justice and not by national courts, or alternatively, if these checks are accompanied by sufficient procedural and substantial safeguards. These conditions thus require some legal evolution, but remain within the realm of the legally possible. This example shows how a collaboration between social psychologists and EU lawyers can deepen the understanding of societal issues and facilitate the concrete application of behavioral knowledge to legal practices. The already promising findings set the groundwork for further interdisciplinary research on this topic.

Theoretical and practical contributions

Our work makes several important contributions. First, we illustrate how the collaboration between two distinct fields (social psychology and EU law) could contribute to the understanding of the complex and multidimensional societal issue of EU legitimacy, and might, eventually, be key to solving it. Second, we show that legitimacy beliefs rest not only on perceptions of procedural justice during interactions with an authority (14–16), but also on the experience of moral alignment with substantive norms, which is affected by the moral foundations a person endorses. In this way, as a third contribution, we broaden the use of MFT, which has been mostly used to understand political attitudes in the United States, to the European context. As a theory of morality, MFT offers a framework to analyze alignment between a person's personal values and the values enshrined in EU communication and law. It allows recognition of which moral foundations may be lacking weight, and as such MFT has legal utility and offers a tool to strengthen legitimacy. Finally, we find evidence that emphasizing the economic benefits of an EU legal norm could increase perceived EU legitimacy among people who strongly value loyalty, authority, and purity, or among people who find care and equality less important. This confirms the suggestion

by prior work that, in addition to moral judgments, instrumental considerations related to economic interests and other benefits also shape perceived EU legitimacy (38).

What do our findings imply practically? First, the appeal to the presumed universally shared values of fundamental rights protection and equality (27) might not work as well as the EU may hope or expect. As our findings show, not all people are persuaded by these values. Appealing to these values, therefore, does not effectively target those people who more strongly endorse other moral foundations.[k] This raises the question whether protection of care- and equality-based values is a sufficient justification for the violation of other, more binding values, or whether perceived legitimacy is potentially harmed by undermining these moral principles. An alternative way of legitimation may be to complement a common values discourse with laws and policies that more explicitly also recognize and engage with group-based (i.e. binding) concerns. Future research should help to explore the conditions under which this could be effective while conforming to the normative limits imposed by EU law. Furthermore, while our findings do not raise concerns as to the potential backlash of such a strategy among people who are in favor of EU integration or who endorse individualizing values, more evidence is needed to estimate potential backlash.

Second, because rebalancing targets the values underlying a legal norm, it might have been expected to produce larger legitimation effects than reframing. However, this was not the case. This might suggest that people are indeed more likely to respond to more subtle rhetorical messages than to substantive transformations of the law that are not communicated in a morally appealing way. In a way, this could be seen as a promising result, because institutional legitimation strategies require more time and effort to implement in practice than discursive strategies. They also face greater legal challenges within the overarching structure and nature of EU law. For example, the interpretations of primacy as presented in some of the rebalanced conditions might require Treaty change or a significant evolution in the case law of the CJEU, both of which are not easy to realize. Moreover, the rebalancing conditions even harmed perceived EU legitimacy for people who strongly endorse individualizing moral foundations, casting further doubt on the desirability of this strategy in the context of primacy.

Finally, our findings show that people can be convinced by economic and other instrumental arguments. While instrumental considerations may not form a sufficiently stable basis of EU legitimacy because they are sensitive to changing circumstances (42), meaning that building legitimacy on values may be more sustainable, economic arguments are more morally neutral and could therefore overcome morally sensitive debates. Research has shown that redirecting the focus from values to economic interests may be a way to deal with moral conflict and bridge the divide between people with diverging values (43). Emphasizing economic benefits could thus be a first step before legitimation through values becomes possible, because people with binding moral foundations are more likely to accept rules that are economically attractive to them. An interesting avenue for future research is therefore the interaction between instrumental and moral arguments in shaping perceived EU legitimacy, something that we did not investigate in the current research.

It is important to note that psychological insights must be grounded in thoroughly developed and tested empirical work if they are to be used to develop practical interventions or inform legal debates (44). For example, it is essential to understand whether a sense of moral alignment with EU law and perceived EU legitimacy are *caused* by moral foundations, because assuming that people's concerns are rooted in moral foundations implies that they are not amoral or immoral and thus *should* be tolerated and valued following a normative perspective on legitimacy (20). If moral alignment and perceived EU legitimacy are not the causal result of moral foundations but of another psychological process, the normative conclusion might be different. In addition, even when empirical conclusions are substantial, the normative desirability of moral reframing or rebalancing depends on the purposes of these strategies. It is important to reflect on these purposes before implementing empirical conclusions in the practical reality.

Limitations and conclusion

Several limitations of the current work must be mentioned. First, the correlational nature of study 2 prevents drawing conclusions regarding the causal nature of the relationship between moral foundations, moral alignment with the EU, and perceived EU legitimacy. A central question thus remains whether notions of right and wrong in the context of EU law are the *result* of stable, dispositional moral foundations. The causal relationship flowing from moral foundations to moral judgments and political ideology, as posed by MFT (21), is disputed. Some studies have provided evidence for the reverse causal relationship, showing that moral judgments are post hoc justifications of existing political beliefs, group values, and other ideological worldviews, rather than that these worldviews are informed by moral foundations (45–47). Binding moral foundations are, in that perspective, considered expressions or by-products of conservative preferences (48). In line with research on motivated social cognition (49), binding moral foundations, just like other conservative values serving certainty, safety, and predictable order, are thought to be the product of underlying psychological needs to reduce uncertainty and threat (48). Experiences of threat have for example been related to higher endorsement of binding moral foundations (50). This could mean that moral foundations are less stable and dispositional than assumed by MFT, and that binding moral foundations are, instead, predicted by chronical or temporally activated feelings of uncertainty and threat, such as political rhetoric. As this would influence the normative implications of empirical findings on legitimacy, more research is needed to disentangle these processes.

Here, the cross-sectional research designs could not test for the causal nature of the relationships found. Although our data are not conclusive about the causal direction of the relationships, the results of study 2 do show that moral foundations have additional explanatory power beyond left-right ideological preferences in predicting moral alignment with EU law. Furthermore, even if ideological values and not moral foundations underlie moral alignment with EU law, this does not mean that the concerns in which these values are rooted are different from the intuitions reflected in moral foundations. That is, moral considerations and political ideologies are closely intertwined and may address the same underlying needs. In other words, ideological values about the inferiority of other groups are related to the loyalty foundation and ideological commitment to tradition is related to the authority foundation (46, 48). In that regard, our findings show that (i) EU law in general better reflects the concerns of people who endorse individualizing moral foundations than those of people who endorse binding moral foundations, regardless of whether these concerns are rooted in moral foundations or in ideological preferences, and (ii) the protection of national identity and authority form important "binding concerns."

A second limitation is that the experimental effects of study 3 were not consistently found for both dependent variables and in each strategy. However, all effects that were found were in line with the preregistered hypotheses and no opposite effects were found. Clearly, more research is needed to replicate the findings directly and conceptually, but provided that the current research is the first to examine moral reframing and rebalancing in the context of EU law, we believe the results provide a promising starting point for exploring the potential of these legitimation strategies for the EU, and more generally, for other supranational and regional organizations.

Finally, it must be noted that the field of EU law is broad and that it is therefore inevitable that the studies focused on specific aspects of EU law or specific institutions. Study 1 focused on the State of the Union speeches, which only reflect the position of the Commission President directly, and of the Commission indirectly, and not that of other institutions including the Council and the European Council. Study 2 focused on a subset of 40 EU legal norms, and study 3 on the principle of primacy. At the same time, the subset of norms in study 2 was created in collaboration with a group of EU law experts so as to form a representative selection of the most important norms and principles of EU law, as well as a balanced selection in terms of primary/secondary law and fields of EU competence. In addition, primacy is a foundational EU legal norm which applies in all fields of EU law. More research, however, is needed to investigate the legitimating effects of reframing and rebalancing EU law beyond the principle of primacy. Possibly, because primacy is such an abstract principle, these effects might be even stronger and more consistent for more concrete laws and policies. Future research should also examine these strategies in other European samples, because study 3 was conducted in an exclusively Dutch sample, which puts limits on the generalizability of the findings to other European samples.

Notwithstanding these limitations, the current research should be seen as a demonstration of the idea that one of the reasons for reduced perceived legitimacy is that people feel a moral distance from the EU, either through the way EU leaders address them or through the incapacity of EU law to sufficiently represent an important subset of citizens' moral concerns. Our work provides suggestive evidence that perceived EU legitimacy can be safeguarded by being mindful of the full spectrum of citizens' moral concerns and the moral inclusiveness of the EU and its legal system. This result raises a range of interesting further questions, both for political scientists (e.g. how would changing the value rhetoric by the EU affect interactions between political actors?), lawyers (e.g. what are legal possibilities to accommodate for citizens' different values?), and psychologists (e.g. could the European community or institutions be the object of group-binding foundations?). More broadly, our work illustrates how integrating social psychology and law could be an innovative way forward to creating more effective and sustainable supranational organizations.

Materials and methods
Study 1
Since their introduction by the Lisbon Treaty (2007), 12 State of the Unions have been delivered. The texts were retrieved from the official website of the European Commission (https://ec.europa.eu/) and analyzed using the extended Moral Foundations Dictionary (eMFD) (51) in Python. This dictionary-based word frequency analysis calculated the probability for each word in the text that was found in the dictionary, the probability that it belonged to one of the moral foundations. These probabilities were averaged, resulting in the average moral foundation probabilities. We performed this analysis for each of the 12 speeches. We also conducted an analysis of variance to test whether the moral foundation probabilities were significantly different from each other.

Study 2
The required sample size to have sufficient power (>0.80) to detect small indirect effects with a percentile bootstrap test of mediation is 558 (52). To ensure a relatively representative sample of EU citizens and to account for potential dropout, we invited 100 participants from each of 6 Member States (France, Germany, Italy, The Netherlands, Poland, and Sweden) to participate in the study. The total number of participants included in the final sample was 595. No participants had to be removed for incorrectly answering the attention checks. Demographic characteristics (age, gender, education level, political ideology, and prior knowledge EU law) of the entire sample and country subsamples are summarized in Table S1.

Participants were recruited via the online recruitment platform Prolific. The study was administered in Qualtrics. All materials were translated to participants' native languages by professional translators. After participants provided demographic information and indicated their prior knowledge about EU law, endorsement of moral foundations was measured with the 30-item Moral Foundations Questionnaire (MFQ-30) (19). Two attention checks were included. In line with previous conceptualizations (19), the items measuring harm and fairness were combined into the scale "individualizing moral foundations" ($\alpha = 0.75$), and the items measuring loyalty, authority, and purity were combined into the scale "binding moral foundations" ($\alpha = 0.86$).

Participants were then asked to read several descriptions of rules from a list of 40 rules. This list was designed to cover the most important rules and principles, including constitutional setup and decision-making procedures, general principles, market freedoms, fundamental rights, and secondary legislation in various main fields of EU competence. All rules were either based on Treaty articles, case law of the CJEU, or secondary legislation, and were described in a few sentences to make them understandable to a nonexpert audience, while staying as close as possible to the original legal formulations (see Supplementary material for stimuli). Participants were not informed that these were rules of EU law, although this might have become clear upon reading them and answering the question about knowledge of EU law. To avoid fatigue, a random subset of 13 rules, rather than the entire list of 40 rules, was presented to the participants. After each rule, participants were asked to answer the question: "On a scale from 1 to 5, how wrong or right do you consider it [the rule in question] to be?". Answers could be provided on 5-point Likert scales ranging from *very wrong* to *very right*. For each participant, we averaged all scores for the 13 rules that were presented to that participant. This mean score was used as a measure of moral alignment with EU law.

Perceived legitimacy of the EU was measured at the end of the survey with a single item, as is common in scholarship on perceived legitimacy of international organizations (53): "How much confidence do you personally have in the EU on a scale from 1 (no confidence) to 10 (complete confidence)?". The study took ~15 min. After the study, participants were debriefed and redirected to Prolific where they were reimbursed with £2.50.

Pilot study 3

Participants for the pilot study ($n = 195$, see Table S2 for participant characteristics) were recruited via Prolific. The effect sizes for the interaction effects between endorsement of binding moral foundations and experimental condition on perceived EU legitimacy were $\eta^2 = 0.05$ (reframed conditions) and $\eta^2 = 0.06$ (rebalanced conditions). This means that for a desired power of 0.80, and an α level of 0.05, the required sample size for linear multiple regressions with 11 predictors (binding moral foundations, 5 dummy variables for experimental condition, and 5 interaction terms) is 327 for detecting effects of reframing primacy and 273 for detecting effects of rebalancing primacy (G*Power). Participants were reimbursed with £1.35.

Study 3

Based on the sample size calculation of the pilot study, the data of 603 participants were collected via the Dutch research company Flycatcher. Participants were randomly sampled from the Flycatcher panel balancing for gender, age, education, and province (see Table S3 for demographic characteristics). Participants completed the survey online in Dutch in Qualtrics and were recruited and compensated for participation via Flycatcher. We excluded the responses from 36 participants because they failed to correctly answer the attention check, resulting in a final sample size of 567.

We first measured endorsement of moral foundations with the updated version of the MFQ: the MFQ-2 (22) (see Supplementary material for the results of a confirmatory factor analysis). Participants were then randomly assigned to the control condition or to one of the reframed or rebalanced conditions (see Supplementary material for stimuli). The information provided in the control condition was neutral information about the primacy of EU law. Participants in the reframed conditions read information about primacy that was rephrased to better align it with either one of the moral foundations, the value of individual liberty, or the instrumental argument of economic growth and prosperity. In the rebalanced conditions, information was not just rephrased, but its content was substantively changed to better align it with one of the moral foundations or values. The formulations of primacy in the rebalanced conditions were thus not similar to the current interpretation of primacy by the Court of Justice of the EU, but were inspired by competing interpretations by national constitutional courts.[1] At the same time, we ensured that the rebalanced norms did not transgress the outer boundaries of the legally feasible within the EU legal order. To that end, we submitted each rebalanced norm to a panel of five legal experts within the field of EU law. Based on their feedback, the texts in the rebalanced conditions were adapted to improve legal feasibility. We reduced variability between the texts in terms of length, level of abstractness, and ingroup/outgroup related terminology, so that they only varied regarding the moral foundations or values that were manipulated.

After the experimental manipulation, participants filled out a comprehension check, showing that most participants understood the texts very well (64.0%) or fairly well (28.8%). We then measured support for primacy by asking for agreement with the statement "The primacy of EU law over national law is a good thing" on a scale from 1 (*strongly disagree*) to 5 (*strongly agree*). Finally, perceived EU legitimacy was measured with eight items (see Supplementary material for items), capturing four dimensions of perceived EU legitimacy (trust, morality, legality, duty to obey) on a 5-point Likert scale ($\alpha = 0.95$).

Notes

[a] See, for example, the Preamble to the Treaty on European Union: "resolved to continue the process of creating an ever close union among the people of Europe, in which decisions are taken as closely as possible to the citizen in accordance with the principle of subsidiarity." See also Ref. (1).

[b] Importantly, this is about subjective moral alignment, and it is, therefore, irrelevant for perceived legitimacy whether these behaviors are considered desirable in normative frameworks (10). To illustrate, granting more rights to native residents than to immigrants may align well with some people's moral concerns and accordingly create legitimacy for the decision-making authorities in question among these people, regardless of whether procedures leading to such a decision are perceived as fair or unfair, and regardless of their normative legitimacy or even legality.

[c] See preambles to the Treaty on European Union and the Charter of Fundamental Rights. The Court of Justice of the European Union (CJEU) has also repeatedly held that the EU is founded on values that are common to the Member States (e.g. Case C-619/18 Commission v. Poland). In addition, the State of the Union addresses employ a "Community of values" narrative, which emphasizes moral similarity and overlap among EU citizens (27).

[d] Article 2 Treaty on European Union. Research has shown that human rights are primarily supported by people with higher individualizing moral foundations, while greater reliance on binding moral foundations reduces endorsement of human rights (28).

[e] The EU may only act in those areas in which the Member States have conferred competences upon the EU (Article 5 Treaty on European Union). However, the EU also manages to legislate in those areas where it does not have competence, a phenomenon known as "competence creep" (29).

[f] The principle of primacy—established in the judgment *Costa v. ENEL* (ECJ Case 6/64)—asserts that when there is a primacy between a provision of national law and a provision of EU law, EU law will prevail and the national law must be set aside by national judges.

[g] For example, the Council of Ministers adopts in principle (i.e. except where the Treaties provide otherwise) legislation through quality majority voting (Article 16 Treaty on European Union). This means that single Member States cannot block legislation.

[h] Although liberty is not considered to be a canonical moral foundation, moral judgments may also be explained by this value (37). We were therefore also interested in the effects of a liberty frame.

[i] Another explanation of beliefs in the legitimacy of the EU focuses not on morality but on self-interest. Although moral processes are potentially more relevant in establishing legitimacy perceptions, utilitarian processes, such as calculations about the costs and benefits of EU membership, may also play a role in how people construct the legitimacy of the EU (38). In fact, the explanatory power of identity-based vs. utilitarian-based factors in predicting support for the EU and Euroscepticism has been topic of scholarly debate ever since the rejection of the Constitutional Treaty (39–41). As this question remains largely unresolved, the potential effects of utilitarian considerations should not be ignored in research on perceptions of EU legitimacy. Therefore, we also exploratively test effects of an economic benefits reframing/rebalancing on legitimacy.

[j] To reduce the length of the article, we did not run separate regression models for each of the moral foundations, deviating from the preregistration.

[k] This finding is of particular relevance now that the CJEU is increasingly relying on the foundational values of the EU in its case law, not in the last place in high-profile cases against Poland and Hungary on the rule of law.

Supplementary Material

Supplementary material is available at *PNAS Nexus* online.

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Author Contributions

E.G. designed the research, collected the data, analyzed the data, and wrote the article. D.S. and A.C. contributed to the research design and interpretation of the data and edited several versions of the article.

Data Availability

The preregistrations, study materials, anonymized data files, and analysis codes are available via https://osf.io/mrbtq/?view_only=4be09a6920384acfbc5f4bec42e88b76.

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