



CENTRO STUDI SUL FEDERALISMO

PERSPECTIVES ON FEDERALISM



ISSN: 2036-5438

The politicization of the European elections and its potential effects on the EU

by

Roberto Castaldi

Perspectives on Federalism, Vol. 5, issue 3, 2013



Except where otherwise noted content on this site is licensed under a [Creative Commons 2.5 Italy License](https://creativecommons.org/licenses/by-nc-nd/4.0/)



Abstract

A first attempt at politicizing the European elections occurred in 2014. Its main pillar was the selection and indication of party candidates to the post of Commission president by the main European political parties and groups. If the Parliament obtains that the first nomination be given to the party candidate of the group with the most seats in the EP, namely Jean-Claude Juncker, it would probably also rally behind that candidate and ensure his election. This would have long-lasting short-, medium- and long-term effects on inter-institutional relations and European integration that need to be considered. The nomination of the next Commission President is thus a fateful choice. It will not only have very significant political and institutional consequences, but will also set up or prevent a social and political dynamics towards the democratization of the EU.

Key-words:

European Union, 2014 European elections, politicization of the EU



A first attempt at politicizing the European elections occurred in 2014. Its main pillar was the selection and indication of party candidates to the post of Commission president by the main European political parties and groups. The selection procedures were significantly different from one party to another. Eurosceptic parties preferred not to have a candidate. This is coherent, as the very fact of having one points to the transformation of the Commission into a true EU government and gives political and democratic salience to the European election and Parliament – all developments they oppose.

There were some debates among the various candidates, some bi-lateral ones among those by the two largest European parties, and one broadcasted live into all EU countries. Notwithstanding the excitement by EU scholars and practitioners, in several countries the media paid relatively little attention to these debates, and some national parties in different countries did not exploit, or even mention, their candidate for Commission President. Therefore, it was a very partial politicization. Still, it proved enough to invert the constant decline in turnout figures since the first direct election of the EP. The 2014 election showed participation by slightly more voters than in 2009, thus reversing the declining trend, if only by a fraction.

The fact that citizens and media paid relatively little attention can be explained by two important factors. On the one hand, politicization happened for the first time, and the mental habitus takes time to adapt to new realities. On the other hand, many observers believe this a useless exercise, because the European Council would claim the power to choose the Commission president, as usual, and not let the European parties and Parliament impose a candidate.

Therefore, the result of the struggle between the European Parliament and the Council will be particularly fateful. According to Art. 17.7 of the Lisbon Treaty, “Taking into account the elections of the European Parliament and after having held appropriate consultation, the European Council, acting by a qualified majority, shall propose to the European Parliament a candidate for President of the Commission. This candidate shall be elected by the European Parliament by a majority of its component members. If he does not obtain the required majority, the European Council, acting by a qualified majority, shall within one month propose a new candidate, who shall be elected by the European Parliament following the same procedure”. This mechanism resembles very much that of a



parliamentary systems without a direct election of the Prime Minister, but with the election by the Parliament on a designation by the Head of State (president or monarch) based on the electoral results.

If the Parliament obtains that the first nomination be given to the party candidate of the group with the most seats in the EP, namely Juncker, it would probably also rally behind that candidate and ensure his election. This would have long-lasting short-, medium- and long-term effects on inter-institutional relations and European integration that need to be considered.

In the short-term, such a choice would provide the Commission with a strongly legitimised leadership, potentially able to take bold initiatives - renovating its role as agenda-setter, rather than as a further secretariat of the Council - and in a substantial alliance with the Parliament. This would probably push for a change in EU economic policies as the supra-national institutions in the past legislature demanded more investments and growth-oriented policies, while the national governments in the Council decided for an austerity strategy which proved disastrous in both economic and social terms. It would also show that the European citizens' vote does matter, and that the innovations of the Lisbon Treaty did actually start a European democratic process of accountability, notwithstanding the limits of this first experiment.

In the medium-term it would imply an upgrading of the Parliament vis-à-vis the all-powerful European Council. This was a potential result of the Lisbon innovations that some national governments would like to ignore, putting into questions the principles of the rule of law and *pacta sunt servanda* that are so essential for democracy. In other words, it would alter the current (im)balance of power in the inter-institutional dynamic by strengthening the supranational institution in their relationship with the inter-governmental one.

However, the most important effects will be long-term. First, all political leaders aspiring to become President of the Commission will be forced to participate in their European party selection procedure and become the party candidate. This implies that more transparent and democratic selection procedure will probably be set up, producing a significant strengthening of European parties in political and organizational terms. Second, parties will presumably tend to select political leaders with an appropriate linguistic knowledge. At an individual level of analysis of political elites, this will also create an



incentive for politicians active at the European level to learn several European languages to be able to campaign effectively in the main countries and increase their chances of being selected as party candidate. Third, all this will probably produce a much higher level of political competition. In other words, top-class and highly visible leaders will probably be selected as party candidates to increase the chances of the party. Fourth, eventually this will produce much higher citizen and media attention towards the European elections, the candidate debates etc. helping to create a European public space, today still in an embryonic form. A process towards a more democratic and accountable European leadership would be set in motion.

If these are the pros, several commentators also see the cons of such an option. Many on the political left consider Juncker to be an old-fashioned supporter of austerity, not suited to steer the needed change in terms of economic policies. Others are afraid that this would result in a politicization of the European Commission, which also has delicate functions of control not suitable to party partisanship. Others still complain that this democratic process reduces the number of potential candidates available, depriving the EU of potentially excellent presidents of the Commission simply because they were not party candidates.

Those ideas are essentially flawed and do not take into account the reality of European politics. I will analyse the first two objections together. The EU is a multi-party political system with an essentially proportional electoral system in all member states, at least as far as the European elections are concerned. The political offer differs quite significantly from country to country: for example, there is no People's party affiliate in the UK. All this implies that it is currently impossible for any European party to get a parliamentary majority. This has consistently been the case since the first direct election in 1979, and even before, and is not going to change unless a different electoral system is put in place. Since 1979, unsuccessful discussions have been held to set up a uniform proportional electoral system. If it was impossible to agree on that, it is even more difficult to agree on a strongly majoritarian system – the only one that could possibly change the described situation, and only so in the long run. Therefore, the politicization of the leadership will help to create a European debate about the main policy options, provide a clearer picture of citizens' preferences, and give stronger legitimacy to the Commission president, increasing his/her



ability to exercise an effective leadership, but it would not substantially alter the bi-partisan composition of the Commission as a collegial body.

This applies to Juncker, too. To get a majority in the EP, he will have to develop an alliance with several other political groups, at least the socialists and the liberal-democrats, possibly also with the greens. This is coherent with the fact that most European legislation is negotiated for a long time and eventually usually approved by a vast bipartisan majority in the EP. It is unequivocal that the election results show that European citizens want to change the EU economic policy and Juncker's allies will keep reminding him about this. Furthermore, it should not be forgotten that Juncker was one of the four Presidents asking for banking, fiscal, economic and political union and complained about the resistance on that path when he left the post of Eurogroup president. So he is aware of the limits of the current EU governance structure and of the need to reform it in order to overcome the crisis.

The third idea deserves a separate analysis, as it is essentially non-democratic. Not to have party candidates increases the possible choices by the national governments in the Council on the one hand, but it provides no choice at all for the European citizens when they vote. It is a well-established practice in Western democracies that parties select their candidate for the post of Prime Minister before an election. A notable exception was Italy between 1945 and 1994, and this resulted in a series of very short-lived governments which very rarely lasted as much as the legislature, and which in the literature are usually taken as an example of weak and inefficient government. Furthermore, this happened within a system of blocked democracy, in which the largest opposition party, the Partito Comunista Italiano, could not enter the government. Today such a system would not be possible, not even in Italy. Similarly, it is a well-established practice that the nomination for Prime Minister goes to the leader of the largest party, unless coalitions were presented before the election - and in that case the winning coalition leader is nominated, even when the largest party is in the losing coalition. Again, even in Italy after the last elections, which produced no majority in the Senate, the President gave Bersani, as leader of the Chamber's winning coalition, an exploratory mandate to try to build a majority in the Senate, too. Only his failure in this attempt opened the way to Letta's nomination. In Britain, no party got a parliamentary majority after the last election, and a coalition was created between the



Tories and the Liberal-Democrats, but there was little discussion, if any, about the fact that Cameron, as leader of the largest parliamentary group, became Prime Minister.

Let us now consider the consequences of the European Council nominating somebody else than Juncker. The first short-term consequence will be the diffusion of a public perception that in the EU, citizens' votes do not matter. Notwithstanding the fact that the European parties – including the parties of the national government – presented official candidate to the presidency of the Commission, the decision is taken by national leaders acting in the European Council as a European political elite, putting aside all that was said in the electoral campaign, as well as the citizens' votes. This would constitute a fatal blow to the EU and the Parliament's legitimacy. The outcry against the democratic deficit and the political class, and the self-centredness and auto-referentiality by euroskeptic parties, would be massive and well-received.

Such a choice would be an explicit challenge to the Parliament. For the nominee it would then become extremely difficult to get a majority in the Parliament. The institutional interest of the Parliament as such would be to reject the nominee, signalling to the European Council that it cannot ignore the Parliament. If the European Council was to nominate anybody different from Juncker, it would actually be starting an inter-institutional conflict. The most likely result would be an impasse, and a further push of European citizens away from the EU institutions, seen as unable to cooperate, even in the definition of EU leadership. A long round of negotiations would then start to find a compromise solution which would probably be perceived as everybody's – and especially Europe's – defeat. The end-result would then be a Commission president with a very weak legitimacy and low political capital.

Some think, or hope, that if confronted by the European Council, the Parliament would give in. For the sake of avoiding an inter-institutional stalemate and a political impasse, it would vote for the Council nominee. Why should the Parliament be responsible if the national governments in the Council are not and start a conflict? It seems very unlikely that an ethics of responsibility, against its own institutional interest, can prevail in a collective body of over 750 members, if it cannot in a collective body of 29! But even in the unlikely case that the Parliament accepted the European Council's imposition, the legitimacy of the new Commission President would be low, and there would be few



chances for an alliance with, and a cooperative attitude by, the Parliament, thus making the EU decision-making process particularly difficult.

In the long-term the nomination of anybody different from Juncker would make it extremely difficult to convince European citizens to go to vote at the next European elections. If the European parties were again to present their own candidates, citizens would not believe them. Media would not pay attention, expecting the next Commission president not to be picked from among them. Top-class political leaders would not be available to run as party candidates on the same assumption. The possibility to strengthen European parties, the European public space, and the democratic accountability within the EU through the European elections would be lost.

The nomination of the next Commission President is thus a fateful choice. It will not only have very significant political and institutional consequences, but will also set up or prevent a social and political dynamics towards the democratization of the EU. This is the reason why Stefan Collignon, Simon Hix and myself have promoted the Appeal “Europe’s Democratic Momentum” (enclosed), that was signed by some of the most prominent European intellectuals such as Zygmunt Bauman, Ulrich Beck, Lorenzo Bini Smaghi, Paul De Grauwe, Anthony Giddens, Jürgen Habermas, Christian Lequene, Gianfranco Pasquino, Kostantinos Simitis, Hans-Werner Sinn, Mario Telò, Nadia Urbinati and many academics and think-tank directors of different EU countries. There is more than just the next Commission President at stake in the choice to be made. The very possibility of a European supra-national or post-national democracy is at stake.



Europe's Democratic Moment

When proposing a candidate for the Commission President, the Lisbon Treaty instructs the European Council to "take into account the elections to the European Parliament" and states that the Commission President "shall be elected by the European Parliament". When the EU governments added these words to the Treaty it was widely seen as a significant break from the past, as from now on the choice of the most powerful executive office in the EU would be done in a more open and democratic way.

We find it disingenuous to claim, as some heads of government have done, that these Treaty changes have no meaning. They believe that as Heads of States and Governments they have the right to choose the President of the Commission and the European Parliament should ratify. In this interpretation, the Parliament can veto, but not take initiatives.

The alternative view, taken by the main political parties before the European elections, claims that the Council must take into account the outcome of the elections. European citizens therefore have a word to say about who leads the European Commission, which alone makes proposals for European laws.

The first approach has contributed to the perception that distant "Brussels" takes decisions over which citizens have no control. The second approach aims to return sovereignty to the citizens of Europe. It seeks to balance the excessive power of the Council by the democratically elected European Parliament.

In the spirit of the new Treaty, Europe's party families have nominated candidates for the Commission President before the election. The candidates fought a rigorous campaign, criss-crossing the continent. There were several live TV debates between the candidates and the media have covered the candidates' campaigns. And, crucially, the candidates have argued about the direction of the EU. In short, this was the birth of democratic politics in the EU.

We acknowledge that the system is not perfect. Nevertheless, this was an encouraging start, and in time this process has the potential to enable European citizens to engage with EU level politics far more than they have been able to do up to now.

We hence urge the Heads of Government not to kill this new democracy process at its birth. We urge the members of European Parliament to rally around the candidate who got most seats. The European People's Party has emerged from the elections as the largest group. The European Council should therefore now propose the candidate of the EPP: Jean-Claude Juncker.

This would follow the spirit of the new Treaty and also be consistent with the way the chief executive is chosen in most of our national constitutions: where after an election the president or monarch invites the candidate of the largest party to have the first go at demonstrating that he or she has the support of a majority. Proposing someone other than Juncker would be a refusal to recognise the changes in the Treaty. It would also further undermine the shaky democratic credentials of the EU, and play into the hands of the Eurosceptics across the continent.

The Appeal is open to further adhesions: to sign please contact Roberto.Castaldi@cesue.eu or sign at www.cesue.eu