



CENTRE FOR STUDIES ON FEDERALISM

policy paper

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

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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. The European Parliament obtained that the first nomination by the European Council was given to candidate from the party with the largest number of seats in the Parliament, Jean-Claude Juncker. The main political groups then rallied behind him and ensured its election. This will have significant effects in the short, medium and long-term, also on inter-institutional relations and European integration. The nomination and election of this Commission president is thus a fateful choice, that will set a social and political dynamics towards the democratization of the EU.

The **Policy Paper** series of the Centre for Studies on Federalism includes analyses and policy-oriented research in the field of national and supranational federalism. The papers aim to stimulate scholarly and political debate on topical issues by presenting original data, ideas and proposals.

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

Roberto Castaldi

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 from the main European political parties and groups. The selection procedures were significantly different from one party to the other. Euroskeptic 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 development they opposed.

There were some debates among the various candidates, some bi-lateral ones among those of the two largest European parties, and one broadcasted live in 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 a constant tendency since the first direct election of the EP toward a turnout decline. The 2014 election showed a 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 take time to evolve to new realities. On the other, many observers believe this a useless exercise, because the European Council would claim for itself 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 is particularly fateful. According to the Lisbon Treaty art. 17 § 7 “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 the work of parliamentary systems without a direct election of the Prime Minister, but its election by the Parliament on a designation by the Head of state (president or monarch) based on the electoral results.

The Parliament has obtained that the first nomination be given to the party candidate of the Group with more seats in the E.P., namely Juncker, and elected him by a large absolute majority. This will have long-lasting short-term, middle-term and long-term effects on inter-institutional relations and European integration, that need to be considered.

In the short-term, this choice provides 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 with a substantial alliance with the Parliament. This will probably result in a change in the 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 the austerity strategy, which proved disastrous in economic and social terms. It would also show that the European citizens' vote does matter, that the Lisbon Treaty innovations did actually start a European democratic process of accountability, notwithstanding the limits of this first experiment.

Juncker's program presented to the Parliament confirms this perspective. He referred to his democratic legitimacy and to a more political Commission and proposed a program to overcome the crisis including new European investments; the completion of the digital and financial single market; the Energy Union; the social impact assessment of all policies; the replacement of the Troika by a democratic governance, based on the EU institutions and the Community method; an economic government with a budget, fiscal capacity and external representation for the Eurozone. He stressed the need to proceed towards the Four Unions on the basis of the Four Presidents report – that he contributed to draft. Furthermore, he proposed to deepen political integration in foreign and security policy, also exploiting the permanent structured cooperation, to have the means to cope with the external threats and challenges from Ukraine, to North Africa to the Middle East. It is a vast and ambitious program that radically changed the EU political agenda. Its implementation would strengthen the EU significantly and contribute dramatically to the overcoming of the crisis.

In the middle-term it implies an upgrade of the Parliament vis-à-vis the all-powerful European Council. This was a potential result of the Lisbon Treaty innovations that some national governments would have liked to ignore, putting into questions

the principles of the rule of law and *pacta sunt servanda*, so essential for democracy. In other words it alters the current (im)balance of power in the inter-institutional dynamic, strengthening the supranational institutions in their relationship with the inter-governmental one.

However, the most important effects will be in the 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 be set up, producing a significant strengthening of the European parties in political and organizational terms. Second, parties will probably 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 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 highly visible leaders will probably be selected as party candidates to increase the chance of the party. Fourth, eventually this will produce a much higher citizens' and media's attention towards the European election, the candidate debate, 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 Juncker's appointment. Many in the left consider him an old-fashioned supporter of austerity, not suited to steer the needed change in the economic policies. Others are afraid of a politicization of the European Commission, which also has delicate functions of control, not suitable to party partisanship. Other complaint about this democratic process reduces the

number of potential candidates available, depriving the EU of potential excellent president 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, as far as the European elections are concerned. The political offer differs quite significantly from country to country: for example there is no People 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 it 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 in the long term. Therefore, the politicization of the leadership will help create a European debate on the main policy options, provide a clearer picture of the citizens' preferences, and give a 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 had to develop an alliance with other political groups, namely the socialist and the liberal-democrat. This is coherent with the fact that most European legislation is negotiated for a long time and eventually is 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 recalling him about it. 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 and of the need to reform it, 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 government 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 as Prime minister before the 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 that 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 get to 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 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 nomination. In Britain no party got a parliamentary majority after the last election, and a coalition was created between the Tories and the Liberal, but there was little discussion, if any, about the fact that Cameron, as leader of the largest Parliamentary group, was to be nominated Prime Minister.

Let us now consider the potential consequences of the European Council nominating somebody else from Juncker. The first short-term consequence would have been the diffusion of a public perception that in the EU the citizens' vote does not matter. Notwithstanding the fact that the European parties – including the parties of the national government – presented official candidates to the presidency of the Commission, the decision by national leaders acting in the European Council as a European political elite, would have put aside all was said in the electoral campaign, and the citizens' vote. This would have constituted a fatal blow to the EU and the Parliament legitimacy. The outcry against the democratic deficit and the political class self-centredness and autoreferentiality by eurosceptic parties would have been massive and well-received.

Such a choice would have been an explicit challenge to the Parliament. For the nominee it would have then become extremely difficult to get a majority in the Parliament. The institutional interest of the Parliament as such would have been 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 have started an inter-institutional conflict. The most likely result would have been an impasse, and a further push of European citizens away from the EU institutions, seen as unable to cooperate, even in the definition of the EU leadership. A long round of negotiations would have eventually resulted in a compromise solution, that would probably be perceived as everybody's – and especially Europe's – defeat. The end-result would have been a Commission president with a very weak legitimacy and political capital.

In the long-term the nomination of anybody different from Juncker would have made it extremely difficult to convince the European citizens to go to vote at the next European elections. If the European parties were to present their own candidates

citizens would not believe them anymore. Media would not pay attention, expecting the next Commission president not to be picked up 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 election would have been lost.

Juncker's nomination and election as the next Commission President was thus a fateful choice. It will not only have very significant political and institutional consequences, but will set up a social and political dynamics towards the democratization of the EU. This is the reason why after the European elections Stefan Collignon, Simon Hix and myself have promoted the Appeal "Europe's Democratic Moment" (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 tanks directors of different EU countries. There was more than just the next Commission President at stake. The very possibility of a European supra-national or post-national democracy was at stake. Another important step towards European democracy has been made.

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.

CENTRE FOR STUDIES ON FEDERALISM

The **Centre for Studies on Federalism (CSF)** was established in November 2000 under the auspices of the Compagnia di San Paolo and the Universities of Turin, Pavia and Milan. It is presently a foundation.

The activities of the CSF are focused on interdisciplinary research, documentation and information on internal and supranational federalism, the developments of regional and continental integration (notably, of the European Union), the issues related to the world order and the democratization process of the international system.

The CSF promotes an annual **Lecture**, named after Altiero Spinelli, on topical European issues. The CSF publishes **Research** and **Policy Paper**, as well as its own "**Studies Series**", **The Federalist Debate** (also online), the **Bibliographical Bulletin on Federalism**, the online-journal **Perspectives on Federalism**, the **International Democracy Watch**.

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