

Good or only good intentions? – Commentary on current proposals for strengthening the democratic legitimacy of the EU

Policymakers and the public are currently discussing three proposals in particular for strengthening the democratic legitimacy of the EU: a) Continuation of the “Spitzenkandidaten” (top-candidate) procedure which was first applied during the 2014 European election: Five of the European party families ran with their own candidates for the office of Commission President. b) Using the seats in the European Parliament (EP) that will become vacant after Brexit to create a Europe-wide constituency with cross-border (“transnational”) electoral lists. c) The proposal propounded by the French President Emmanuel Macron, to carry out “citizens’ consultations” on the future of the EU as of April 2018.

Hypothesis 1: Retaining the “Spitzenkandidaten” – enhancing the process

- 1. The “Spitzenkandidaten” ensure greater transparency and legitimacy:** At the national and regional level, it is always clear which candidate the electorate indirectly votes for Chancellor or for Prime Minister. Similarly, voters should also know which Commission President they indirectly vote for during European elections. What’s more, it will strengthen the political link between the European Parliament and the Commission – and thus also the legitimacy of the latter. Accordingly, only a top candidate from a European political family should be considered for the position of Commission President in the future; this would adequately take into consideration the result of the European election.
- 2. Enhancing the process:** A study carried out following the 2014 elections indicates that active campaigning and a higher profile of the “Spitzenkandidat” had a positive impact on the (election) turnout in the respective EU countries. For this reason, national member parties ought to take measures to improve the visibility of the candidate from the European party family. In the future, top candidates should also make public appearances in all countries in which their party family is represented. Therefore, the top candidates ought to be determined at an early stage (late 2018). The programme of the respective party family should be suitable for the candidate.
- 3. Increasing the visibility of the European party families:** In 2014, there was still very little awareness of the European party families such as the European People’s Party (EPP), the European Socialists (PES), the Liberals (ALDE), the European Green Party (EGP) and their respective parliamentary groups within the EP; this is partly because they were scarcely mentioned by their member parties during the last election campaign. In 2019, the respective European party family should also be listed on the ballot papers, election posters and other electoral material in addition to the national party.

Hypothesis 2: Transnational lists are a well-intentioned, yet unconvincing idea

- 4. Transnational lists would be too far removed from the people.** A European Member of Parliament (MEP) already represents between 600,000-900,000 people in the large EU countries. Certain member states and parties are using regional rather than nation-wide electoral lists, so as to ensure close links with the local citizens. Yet this link would be absent from Europe-wide lists: Could candidates on these lists plausibly claim to be a point of contact for citizens residing both in Tallinn and Seville alike? Such lists stand for centralism as opposed to the ideal of a federal Europe: Even federal states like the USA do not have nation-wide electoral lists.
- 5. Risk of large states playing a domineering role:** There would be a strong temptation to place candidates from the large member states at the top of the list, since they mobilise more votes than candidates from the smaller countries.
- 6. Limiting the efficiency of the European Parliament:** Transnational lists could benefit populists who are more well-known across Europe than politicians with a (special) area of expertise due to populists' high-profile attacks, but who are not in fact interested in the work performed by the EP. Transnational lists could open the gateway for short-term political movements which have failed to gain a foothold in the member states, and which often quickly lose their importance. This could result in further fragmentation of the EP beyond the existing 7-8 parliamentary groups, thereby restricting its ability to function efficiently.
- 7. Exploiting obvious alternatives:** There is a range of alternative measures that would be better suited to strengthening transparency, democratic legitimacy and the efficiency of the EP: a) Improving the top candidate process, b) Raising awareness of the European party families, c) Agreement about a reform of the European electoral legislation with the introduction of a binding minimum threshold for large EU countries.

Hypothesis 3: Citizens' consultations – integrating civil society, managing expectations

- 8. Integrating organized civil society:** The proposal to increase public participation in the European debate is a welcome development (this also applies to the European Commission's White Paper process and existing surveys conducted by European parties). To ensure that consultations reach the citizen, they ought to be carried out at local level in dialogue with organised civil society (clubs, associations, churches, foundations) and with actors who have proven themselves in the area of political education.
- 9. Complementary instrument, not a panacea:** Due to their short-term nature, it will be difficult to exploit the potential of consultations as well as reaching apolitical and Euro-sceptic citizens, for example. Accordingly, it is important to manage expectations so that dashed hopes do not lead to frustration. Citizens' consultations cannot replace representative democracy: For instance, they would not be able to counterbalance potential damage to the image of the European idea caused by abolishing the "Spitzenkandidaten" procedure.

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