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The 2019 European Parliament elections and the *Spitzenkandidaten* System: Democratic, inadequate, or obsolete?

According to many voices, the 2014 elections to the European Parliament should have marked the departure to a more democratic, more representative and more parliamentary European Union. Parties on the European level had seized an opportunity opened up by the Lisbon treaty, which - in its article 17.7 - states about the appointment of the President of the European Commission: "Taking into account the elections to the European Parliament and after having held the appropriate consultations, the European Council, acting by a qualified majority, shall propose to the European Parliament a candidate for President of the Commission."¹ For the leaders of the major European parties, this treaty provision gave them the power to bind the hands of the heads of state and government, when it would come to propose a candidate for the leadership of the Commission. The party or coalition winning a majority of seats in the European parliament would almost automatically gain the right to cast the role of Commission President. Thus, each European party proposed its own candidate for this position, according to a system commonly labeled as *Spitzenkandidaten* (lead candidates): In elections to the German Bundestag, the major parties always nominate such a *Spitzenkandidat*, whom they put forward for the office of Chancellor of the Federal Republic.

The European parties combined wide-reaching aspirations with the introduction of such lead candidates: Firstly, it was supposed to make the EU's political system more representative, by giving the leading party or parties the ultimate choice who should head the European Commission. Secondly, it should get the citizens more involved, by confronting them with clearly identifiable political alternatives embodied by such lead candidates. Thirdly, it should close the frequently deplored democratic deficit of the European Union and turn it into a classical parliamentary system, where general elections normally have a strong impact on the composition of the executive. The outcome of the first experiment with the *Spitzenkandidaten* system was largely positive: High-ranking politicians partly with a long-standing executive experience were to be found among the lead candidates, like Jean-Claude Juncker (EPP), Martin Schulz (Socialists), Guy

Verhofstadt (Liberals), and Alexis Tsipras (European Left). After the election results gave a clear advantage to the EPP, the heads of state and government proposed its *Spitzenkandidat* Jean-Claude Juncker for the Commission presidency, who was elected by Parliament after coalition-like negotiations between EPP, Socialists and Liberals. Still, a setback for the *Spitzenkandidaten* system was that it didn't trigger a higher participation of the citizens, as the voter turnout didn't increase compared to the previous elections of 2009.

How does the *Spitzenkandidaten* system present itself five years later, when we approach the EP elections of May 2019? After the success of 2014, it was evident that the major political forces wanted to renew this positive experience, giving again to the major parties and their voters the key to decide who would lead the next European Commission. However, in the meantime the political scene in Europe had dramatically changed. An EU already severely challenged by the financial crisis had to cope since 2015 with one of the most important waves of refugees, partly triggered by the war in Syria. In June 2016, a majority of British voters decided for leaving the European Union. At the same time, terrorist attacks spread a feeling of insecurity among citizens. Faced with these multiple crises, populist and nationalist forces have been gaining support, who see in the EU neither a valuable common project nor an instrument for coping with trans-border challenges, but rather the source of the major problems of our times.

Under these auspices, the French presidential elections of 2017 anticipated how future political cleavages in Europe might look like: Faced with the rise of the populist and extreme nationalist "Front national", the established political currents of the moderate right and left failed to convince enough voters in order to qualify their candidates for the second round of the presidential elections. Instead, a new political force led by the fiercely pro-European Emmanuel Macron came to the surface, which rejected the division between left and right by promising to embrace values and strategies from both camps "at the same time". According to Macron's

own analysis, the relevant political cleavage is to be situated between "progressives" and "populists", between champions of European integration and "nationalists". Developments in other states support the observation that political divisions will be situated increasingly between advocates and opponents of European integration. The current political situation in Italy can serve as an example, as the government is formed of Eurosceptics and populists from the left and the right.

Already ten years ago, Liesbet Hooghe and Garry Marks had shown in an article how European public opinion had turned from a "permissive consensus" to a "constraining dissensus", how indifference regarding European integration had changed to strongly felt opinions. For Hooghe and Marks, this was due to the fact that the scope of European politics had widened to more and more identity-sensitive issues, like immigration, border control, and monetary policy. The advance of European integration had opened a political cleavage no longer encompassed by the left-right dichotomy, but formed by those favorable towards globalisation, multiculturalism and the opening of borders versus those attached to the inalienable sovereignty of the nation state.² Since then, it has become increasingly difficult to bridge the gap between pro- and anti-EU forces belonging to the same political party, as demonstrates the British drama around the exit from the European Union. Can Brexiters and Remainers durably stay in the same party, be it Tory or Labour? It is not to be excluded that the British two-party system will be blown apart by the internal divisions around exiting the European Union.

The same observation can be made for the European parties, who find it increasingly difficult to accommodate pro-European and Eurosceptic forces under the same ideological roof. Already in 2009, the British Tories had left the EPP's parliamentary group in the European Parliament, because they felt that the largest center-right grouping was too supportive of a federal, ever more integrated Europe. Nowadays, the EPP is heavily preoccupied by the question how to deal with Fidesz, the party of Viktor Orban, the contested Prime Minister of Hungary and vocal critic of the European Union. The provisional solution found in March, consisting in the suspension but not exclusion of Fidesz from EPP membership, only delays a clash which seems inevitable.

The developments sketched out above are not

favorable for the *Spitzenkandidaten* system, as the large-scale confrontation between pro-European and Eurosceptic/nationalist political forces overshadows the cleavages *within* the EU-friendly camp. Political debate on the EU scale is so absorbed by the fight against the nationalist/populist/Eurosceptic camp that a debate *among* the pro-European parties remains largely inaudible. Most voters will be unable to say for which Europe the Social Democrat *Spitzenkandidat* Frans Timmermans stands, nor which priorities his EPP opponent Manfred Weber embraces. Hence, the pertinent political issues of future EU politics - the fight against climate change, inequality and unemployment - can hardly come to the surface. French President Emmanuel Macron plays an important role in this, as he presents the EP elections of 2019 as a binary, simple but fatefully decisive choice between "those who hate Europe" (i.e. the nationalists) and those "being responsible", wanting "a stronger and more democratic Europe."³

In general, the arrival of Macron on the EU's political stage has been bad news for the *Spitzenkandidaten* system. The French President is strongly opposed to the process, because it curtails the influence of his own political grouping, whose very origin is the rejection of the traditional party cleavages. As long as the system of lead candidates is in place, it is most likely the EPP (and ultimately its major component, the German CDU/CSU), who disposes of the office of the Commission President. The "Alliance of Liberals and Democrats for Europe" (ALDE), the parliamentary group which is arguably the closest to Macron's "La République en Marche", has also refused the logic of the *Spitzenkandidaten*, by nominating not a single lead candidate as in 2014, but a team of seven personalities to be casted for the top jobs in the European Union.

Hence, if the EP elections of 2019 are to be understood as the ultimate clash between progressive pro-Europeans and populist nationalists, the *Spitzenkandidaten* system appears largely inadequate. The choice of the next Commission President should, under these auspices, not depend on the bargaining within and between the European parties, but should fall on the personality most able to embody the firmness of the EU against its opponents. The negotiations around the nomination of the next Commission President promise to be tough: It is to be expected that members of the European Council will strongly resist against any parliamentary attempts to preempt their choice of a candidate, whereas the European Parliament has

reaffirmed its position that only a transnational *Spitzenkandidat* can become next Commission President.⁴ Thus, for the *Spitzenkandidaten* system, the upcoming elections are equally decisive: If one of the lead candidates obtains the position of Commission president, the system will be firmly established. However, if it won't be applied this time, it had a short lifetime.

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References:

¹ Article 17,7 of the Consolidated version of the Treaty on European Union (my emphasis). <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX-3A12008M017>

² Liesbet Hooghe/Gary Marks, *A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus*, in: *British Journal of Political Science* 39 (2008), S. 1-23.

³ Cf. the campaign clip of "Renaissance", the EP elections platform of Macron's movement "La République en Marche". <https://eu-renaissance.org/en>

⁴ Cf: Julius Lehtinen/Dylan Marshall, *Dissecting the Jáuregui Report – Reform of the Spitzenkandidaten Process*. 19 February 2019. <https://europeelects.eu/2019/02/19/dissecting-the-jauregui-report-reform-of-the-spitzenkandidaten-process/>