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The Role of European Electoral Programmes

Francisco Roa Bastos

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How to make the process of European integration more legitimate is the question posed by this book. In other words, how to fill the political/institutional void left by the protracted ratification process of the Treaty of Lisbon and how to recreate a strong political linkage between voters and European institutions. In view of the upcoming 2009 EP elections, five institutes, the Istituto Affari Internazionali (coordinator, Rome), Centro Studi sul Federalismo (Turin), Institut für Europäische Politik (Berlin), Notre Europe (Paris) and The Federal Trust (London), in cooperation with Tepsa and EU-CONSENT, both networks of research centres in Europe, have joined to carry out a study on this crucial topic. The main aim of the initiative was not only to launch (once again) the proposal that European political parties nominate candidates for the post of President of the European Commission, but also to advocate that the European Parliament play a more crucial and central role, in terms of both exercising its power and undertaking inter-institutional dialogue.

DEMOCRACY IN THE EU AND THE ROLE OF THE EUROPEAN PARLIAMENT

Istituto Affari Internazionali (Rome),
Centro Studi sul Federalismo (Turin),
Institut für Europäische Politik (Berlin),
Notre Europe (Paris), The Federal Trust (London)



A Study and a Call

Edited by Gianni Bonvicini



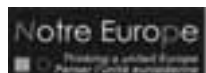
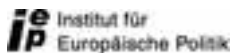
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Centro Studi sul Federalismo (Turin),
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PREFACE

In view of the upcoming 2009 EP elections, five Institutes, the Istituto Affari Internazionali (coordinator, Rome), Centro Studi sul Federalismo (Turin), Institut für Europäische Politik (Berlin), Notre Europe (Paris), The Federal Trust (London) in cooperation with Tepsa and EU-CONSENT, both networks of research centres in Europe, have joined to carry out a study on a crucial topic: how to make the process of European integration more legitimate. In other words, how to fill the political/institutional void left by the protracted ratification process of the Treaty of Lisbon and how to recreate a strong political linkage between voters and European institutions.

Clearly, due to the imminent elections, particular attention has been devoted to the European Parliament and its transnational political parties. The main issues addressed in the four chapters are:

- how to use the powers of the European Parliament best to widen its role as a guarantor of democratic values in European decision-making processes (Franco Mosconi, Antonio Padoa-Schioppa);
- what role European political parties must play to support democratic processes (Brendan Donnelly, Mathias Jopp);
- what programme priorities should be fixed for the next legislative period, with the aim of mobilising the electorate on actual EU policies (Francisco Roa Bastos);
- how to present the names of the candidates for the Presidency of the Commission during the electoral campaign, partially anticipating what is provided for in the Treaty of Lisbon (Gianni Bonvicini, Gianluigi Tosato, Raffaello Matarazzo).

The main aim of the initiative was not only to launch (once more) the proposal that European political parties nominate candidates for the post of President of the European Commission, but also to advocate that the European Parliament play a more crucial and central role, in terms of both the exercise of power and inter-institutional dialogue. Therefore, starting

out from the fundamental need for the EP to revive its political relations with the European Commission (also by nominating a candidate for the Commission Presidency), we set out to analyse the linkages with the Council system. From a more political perspective, we also wanted to consider the EP's connections with European political parties and internal political groups, their political priorities and platforms. Finally, we felt that present and future political-institutional relations with national parliaments have to form part of the picture. A workshop for the authors, the heads of the institutes involved, and a few other experts was convened in Turin on January 23, on the premises of the Collegio Carlo Alberto.

The four background studies provided the necessary evaluations and input for drafting a "call" directed at all political forces, both national and European, to make the role of the European Parliament and other European institutions more comprehensible and palatable for an increasingly sceptical public opinion.

The task of drafting such a "call" fell to Tommaso Padoa Schioppa, President of Notre Europe. The "call", which opens this book, has been undersigned by the five Institutes, as well as the authors of this publication and other prominent European figures.

The whole initiative is part of a multi-annual strategic partnership between the IAI and the Compagnia di San Paolo (Turin) and it has been generously supported by the Institute of European Democrats (Brussels).

GB
Rome, March 2009

GIVE EUROPEAN CITIZENS A VOICE

A Call on Political Parties, EP Candidates, Future MEPs

The citizens of Europe are electing their Parliament in a perilous period for both the continent and the world: a collapse of production and trade; rising unemployment and a risk of widespread social unrest; a marked aggravation of energy supplies and climate emergencies. Europe risks a progressive marginalization from the world scene as well as a breakdown of the large domestic market, thanks to which prosperity has grown and spread geographically over six decades. The world risks an abrupt reversal of both the rise of economic well being and the containment of extreme poverty; the social, political and security consequences could be dire.

None of these risks can be averted by national policies alone, however enlightened they may be. The rising global challenges by far exceed the power of even the largest and strongest states.

The **European Union** *can* exert decisive influence to spur international relations out of the destructive logics of ‘every man for himself’, towards truly cooperative solutions based on strong global institutions. It *can* incite the new US Administration to adopt an open and constructive approach to global issues, be they in the field of security, economic governance or climate change. It can, but it *will* do so only if it proves capable of overcoming its own paralysis. To thwart the threats it is facing inside and outside its borders, Europe needs one thing: to stand out as a single effective policy actor capable of *taking* and *implementing* momentous decisions. This is also the only way to regain the respect and support of its citizens and the public opinion.

The **European Parliament** has unique instruments to break the deadlock and open a new political season in Europe. Unlike the other institutions of the EU, it has direct democratic legitimacy, full independence and institutional access to the public opinion via political parties. With these trump cards and a determined use of all its powers, it is in the position to redirect

the dynamics of EU institutions even before the entry into force of the Lisbon Treaty. This also holds for the definition of a programme guiding the EU institutions in the forthcoming legislative term, for the formation of the new Commission and for the use of the EU budget as an instrument of EU policies. The opportunity to link the coming election to the choice of the next president of the Commission should not be missed, as this is possible even under the existing Treaty.

We call on the political parties and candidates campaigning for the June election and, afterwards, on the newly elected MPs and their groups to commit themselves to:

- *mobilizing public opinion in a truly political debate on the future of Europe;*
- *selecting candidates fully qualified for, and committed to, building a strong EU;*
- *elaborating EU-wide policy programs instead of fragmented national platforms;*
- *rejecting any downgrading of the election to a national contest;*
- *making full use of the powers of the European Parliament;*
- *taking the lead in the formation of the new Commission, its President, its programmes;*
- *overhauling the EU budget to make it an effective instrument of policy.*

In hard times, Europe may rise or fall. European citizens must not be neglected. Give them a voice through a strong European Parliament.

Tommaso Padoa-Schioppa
March 2009

Seminar on

*"How to better involve citizens in the European Integration Process.
Evaluations and proposals in view of the upcoming European Parliament elections"*

January 23, 2009

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LIST OF ACRONYMS

AEN	Alliance for Europe of Nations
AIDE	Alliance of Independent Democrats in Europe
ALDE	Alliance of Liberals and Democrats for Europe
CFSP	Common Foreign and Security Policy
DGA	Déi Gréng Alternativ (The Green Alternative, Luxembourg)
EC	European Commission
ECSC	European Coal and Steel Community
EDP	European Democratic Party
EFA	European Free Alliance
EGP	European Green Party
EL	Party of the European Left
ELDR	European Liberal Democrat and Reform Party
EP	European Parliament
EPP	European People's Party
EPP-ED	European People's Party-European Democrats
ESDP	European Security and Defence Policy
EU	European Union
EUD	EUDemocrats
FI	Forza Italia (Forward Italy)
GUE-NGL	European United Left–Nordic Green Left
IGC	Intergovernmental Conference
LIIA	Latvian Institute of International Affairs
MEP	Member of the European Parliament
MLP	Partit Laburista (Malta Labour Party)
MpF	Mouvement pour la France
MZES	Mannheimer Zentrum für Europäische Sozialforschung
NATO	North Atlantic Treaty Organization

PES	Party of European Socialists
SZDSZ	Szabad Demokraták Szövetsége (Alliance of Free Democrats, Hungary)
TEC	Treaty establishing the European Community
TEU	Treaty on European Union
UEN	Union for Europe of the Nations
UMP	Union pour un Mouvement Populaire (Union for a Popular Movement, France)
VVD	Volkspartij voor Vrijheid en Democratie (People's Party for Freedom and Democracy, Netherlands)

1. MAKING BETTER USE OF THE EUROPEAN PARLIAMENT'S POWERS

*Franco Mosconi and Antonio Padoa-Schioppa**

1. The EP's Evolution (1957-2000)

The European Parliament, an institution composed of “representatives of the peoples of the States gathered in the Community” and elected by direct universal suffrage by the citizens of the member States, constitutes one of the most significant features of the Community’s institutional structure. It has had a great influence on the development itself of the European integration process.

As to its normative function, in relation to both the adoption of internal acts and the conclusion of international agreements (assent procedure), the EP’s role has progressively grown, from that of a mere consultant, to one similar, at least in some aspects, to a national legislator. In fact, on internal acts, the assent procedure, the cooperation procedure and the co-decision procedure have been added to the consultation procedure. The assent procedure gives the Parliament a power of veto. More constructively, the cooperation and co-decision procedures call for the two institutions, EP and Council to collaborate. For cooperation, that implies that the EP can propose amendments without blocking the adoption of an act; and for co-decision it means that no act can be adopted if there is no agreement between the Parliament and the Council. The co-decision procedure, which accor-

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ding to the Lisbon Treaty should become the ordinary procedure for adopting acts and has progressively been extended to an ever greater number of fields (although it is criticized for the length of time it requires and its complexity), turns the EP into a body that participates fully in the production of Community legal norms. A progressive strengthening of the Parliament's power of legislative initiative has also taken place. In fact, although the EP continues to lack one of the endowments of most parliamentary institutions – namely the power to initiate the procedure for adopting an act, which remains the almost exclusive competence of the Commission – the Maastricht Treaty gave it the power to ask the Commission “to submit any appropriate proposal on matters on which it considers that a Community act is required”, set down in Art. 192.2 TEC, and already put into practice by the European Parliament when it solicits the Commission with “resolutions for initiative”.

The EP's greater powers in the adoption of Community acts (granted, in particular, by the Single European Act and the Maastricht Treaty) have been coupled with the Parliament's effort to exploit at least some of the opportunities offered by the Treaties to increase its own role over the years, therefore, through inter-institutional agreements, its own internal rules and joint declarations, the inter-institutional procedures have undergone some changes that have allowed the institution representing European citizens to exercise its influence more effectively.

With respect to the assent procedure, for example, in order to allow the EP to be in a position to have a say on the content of an act, thus exerting an influence on the Council, the Parliament's internal Rules of Procedures (Art.75), state that “Where Parliament's assent is required for a legislative proposal, the committee responsible may decide, in order to facilitate a positive outcome of the procedure, to present an interim report on the Commission proposal to Parliament with a motion for a resolution containing recommendations for modification or implementation of the proposal. If Parliament approves at least one recommendation the President shall request further discussion with the Council”. With regard to the co-decision procedure, the same Rules of Procedure ensure that should a proposal on which the Parliament has been consulted be modified, the Parliament has to be consulted again; and in order to strengthen its control over the Council, they require that after the Council has approved the amendments proposed by the EP, its President has to verify that any technical adaptations of the proposal made by the Council do not affect the proposal's substance (Art. 66).

It is also worth mentioning the resolutions and recommendations addressed to other Community institutions and/or member states that the EP adopts rather frequently.

In many cases, convergences on specific issues inside the Parliament, already discernible in the aggregation of the parliamentary groups, have an influence on the shaping of the co-decisions procedure through which the EP in various ways participates in Community acts.

The Parliament has also obtained a strengthening of its position in the conclusion of international agreements. This has allowed it, as common practice, to play a role in those agreements for which the treaty does not provide for it to be consulted, and to be compensated in the case of other agreements where consultation is provided only after the negotiation phase is terminated. So, on the one hand, with the Westerterp procedure (1973), it obtained the right to be informed on matters of tariff-related and trade agreements before negotiations start and after they are concluded; on the other, the EP's Rules of Procedure and some atypical acts (among which the framework agreement between the Commission and the European Parliament of July 5, 2000) provide that it be fully informed of every agreement before negotiations start and during the proceedings. Finally, the vague wording used in Art. 300 TEC to define the cases in which the EP's assent is required and, in particular, the fact that the assent procedure is mandatory for agreements with significant financial impact on the Community, has allowed the Parliament to take advantages of the opportunities offered it to take a role in the procedure.

As for the control function, the EP has the power to obtain information on the activities of Commission to vote and censure the Commission, to check budgetary matters, and to appeal to the Court of Justice in accordance with Articles 230 (appeal to annul) and 232 (appeal to act) TEC.

The instruments by which the Parliament acquires information directly are essentially parliamentary questions, the reports presented to the Parliament by various institutions, and the Committees of Inquiry (Art. 193 TEC). Indirect information is received from the European Ombudsman, a body appointed by the Parliament and tasked with receiving complaints for bad administration from "any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State", or from petitions to the European Parliament by the same subjects (Art. 194 TEC).

The procedure for budget approval, for which the EP initially had no more than a simple consultative function, has been radically transformed. In fact,

the EP now has a say during the entire procedure and has the last word on non-mandatory expenses. It can also, for important reasons, totally reject the draft budget (Art. 272 TEC). However, as far as own resources are concerned, the Lisbon Treaty reiterates (TEU/Lisbon, Art. 311) that for “decisions laying down the provisions relating to the system of own resources of the Union”, the EP is simply “consulted” by the Council.

The evolution of the EP’s role is even more evident in the procedure for nominating the Commission. Initially based on a common agreement among member states, the nomination procedure now provides for the approval by the Parliament of both the candidate for President and members of the Commission in its entirety. As in the member states themselves, these measures were taken to create a kind of trustful relationship between the EP and the Community’s “executive”. The EP took advantage of this opportunity to have an influence on the composition of the Commission, establishing the practice of the previous auditing of every single Commissioner and threatening not to approve the entire body if the nomination of even one unacceptable candidate is not reconsidered (as happened with the nomination of the first Barroso Commission).

The European Parliament has always had a “sanctioning” power. The Treaty establishing the European Economic Communities (Art. 144) already was providing for the Parliament to vote a motion of censure to force the Commission to resign as a body, by means of a two-thirds majority of the votes cast representing a majority of its Members. A motion of censure has never been approved, but in 1999 the Parliament’s serious threat to proceed in that direction led the Santer Commission to resign.

2. More Powers with the Lisbon Treaty

If and when the Lisbon Treaty enters into force, the EP’s legislative function will increase because co-decision will become the ordinary legislative procedure. And not at all irrelevant are the two norms that grant the EP “political control” over the Commission (TEU/Lisbon, Art. 14) and oblige the European Council “to take into account the outcome of the EP elections” when proposing the name of the candidate for the Presidency of the Commission (TEU/Lisbon, Art. 17.7) to the EP. The political role of the EP and its democratic legitimacy will be substantially strengthened. In addition, the Parliament will acquire the power to propose revisions to the

Treaties (TEU/Lisbon, Art. 48) without becoming, however, a co-decider with neither the ordinary nor the simplified procedure.

The EP will also have a co-decision role in the “bridging (or *Passerelle*) clause” making it possible to move from unanimity to qualified majority if the Governments so decide unanimously (TEU/Lisbon, Art. 48.7). The end of the distinction between “mandatory” and “non mandatory” expenditures will also strengthen the EP’s budgetary powers.

An innovative aspect of the Lisbon Treaty is the much stronger role it assigns national Parliaments in the procedures for activating European policies, and in particular in the Union’s legislative system (TEU/Lisbon, Art. 12). Not only does it establish binding procedures for providing national parliaments with timely information on the projects for directives and regulations (Protocol 1), but it lays down a precise procedure by which each national Parliament can oppose European norms that in their opinion are inconsistent with the principles of subsidiarity and proportionality (Protocol 2). In addition, every single national Parliament acquires the power to block, with its vote, the already-mentioned “bridging clause” (TEU/Lisbon, Art. 48.7). All this is meant to involve the EU member states more directly in the integration process, but it could end up turning the EU into a vehicle with strong brakes and a weak engine.

There is no doubt that the right to participate in the nomination of the Commission and, in the future, to elect its President taking into account the outcome of the EP elections, as well as the possibility of revoking confidence in the Commission if it fails to meet its obligations, go in the direction of giving political significance to the nomination of the Commission and constructing a relationship between the “Parliament” and the “executive” that is consistent with the nature of a parliamentary democracy. The norm of the Lisbon Treaty stating that the EU is a representative democracy (TEU/Lisb, art. 10. 1) will certainly further strengthen the EP’s role.

3. Towards a Better Use of Powers inside the Treaties

It is true that the EP has expanded its role considerably in the last twenty years as a result of, on the one hand, the new powers acquired with the EU treaties of 1986, 1992, 1997 and 2000, and on the other hand the extended and intelligent use of the powers attributed it by the treaties. It would be wrong, however, to think that the powers conferred by the treaties

(excluding those granted by the Lisbon Treaty not yet in force) are fully used by the EP.

On at least two crucial fronts there is still room for the EP to increase substantially the role that it can (and should) play inside the EU, even before the Lisbon Treaty is ratified.

First, the budgetary powers that the treaties grant the EP should be asserted to help make the decisions taken respond more effectively to European citizens' expectations and needs. The EP has the right to withhold approval of the European Council of Ministers' budget draft and proposal. It should demand a full voice in all matters – and in choosing among different solutions and policies – in which European resources are at stake. It should also exercise its blocking power, if necessary. During the EP's first term (1979-1984) this was precisely the instrument that allowed it to play a central role in the 1984 reform project (the Spinelli Project), whose final outcome was the Single European Act of 1986.

Second, the EP should use its powers in choosing the President of the Commission and the Commissioners not only to verify the personal and professional qualifications of the candidates, but also to demand from each of them (and above all the presidential candidate) a program of concrete actions and initiatives to be taken during their mandate. The EP's approval of the new Commission should be given on the basis of its program. In addition, the President and the individual Commissioners should be called before the EP periodically to show how they are fulfilling their commitments. Censure is a tool that could always be employed (or at least the threat of it) if and when necessary.

4. Future Reform

Despite the significant expansion of the EP's role from 1957 to the present day and despite the opportunities offered by the Treaty to make its voice heard that still have to be used to the full, granting the EP a role equivalent to that of national Parliaments would create a full political power at the European level. This is certainly consistent with the subsidiarity principle. But it is clear that such a role would challenge the sovereignty of the States in those sectors of economic policy in which they are still able to block decisions with their veto and in which the EP does not presently have co-decision power. It is therefore unlikely that such a change could be

achieved by simply taking advantage of the opportunities offered by the present treaties or broadly interpreting the Parliament's powers. It would demand a further revision of the treaties.

The same can be said for the EP's powers (or lack thereof) in the fundamental field of foreign policy. The Lisbon Treaty still speaks of simple consultation and information, albeit on a regular basis, even if one should not underestimate the norm prescribing that the High Representative of the Union for Foreign Affairs shall "duly take into consideration" the views of the EP (TEU/Lisbon, Art. 36). As for European defence, European Parliament has almost no role at the moment, except for those measures requiring budgetary revisions.

The constitutional premise underlying these remarks suggests that a full transition toward a federal model is required (the Union as a federation of peoples and States) based on the principles of subsidiarity, popular sovereignty and a balance of powers (not to be confused with a rigid separation of powers).

This means that the legislative power should be shared by the Council (able to decide in any case and on any matter by qualified majority), the European Parliament, and the Commission. The EP's control over the Union's policy lines should be direct and effective with regard to the Commission and the matters it deals with, mainly in the first pillar. It should be, on the contrary, less direct with regard to the Council, which should, however, duly take the fundamental lines drawn by the EP in each of the three pillars into account, including the basic choices in defence, security and foreign affairs. The Council would not, in any case, be able to act without the EP's approval on all those aspects of Union policies involving own resources and subject to the Union's budget procedure.

Thus the desirable future development of the European Parliament's functions and powers can be summed up as follows:

- a) *with respect to the Union's budget* the EP should acquire co-decision power with the Council on the Union's own resources, including the power to levy taxes, which constitutes the foundation on which modern Parliaments are based and which cannot be denied an elected Parliament;
- b) *with respect to the legislative function* the EP should have co-decision powers, without exception, in all matters (at present, more than forty in the "first pillar" alone) for which the Lisbon Treaty provides for sheer consultation of the EP and requires a unanimous decision by the Council;
- c) *with respect to foreign and defence policy* the EP should be granted the

power to vote on basic policy options, as national Parliaments do, in particular with regard to spending commitments and strategic choices, alliances, and military and peace-promotion operations;

d) with respect to future revision of the Treaties the EP should be granted a co-decision role, removing the requirement of government unanimity (in the IGC) and ratification unanimity, replacing them with a super-qualified majority vote (such as 3/4 of EU governments representing 3/4 of the European population), with the revision coming into force only in the states supporting it;

e) with respect to enhanced cooperations and policies in which not all member States choose to or are able to participate, including the euro, it would be possible for decisions calling for a normative or decisional role by the EP to be taken during sessions of the EP in which the vote is reserved for the MEPs elected by the member States that participated in the enhanced cooperation.

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2. EUROPEAN POLITICAL PARTIES AND DEMOCRACY IN THE EU

*Brendan Donnelly and Mathias Jopp**

50 years after the signing of the Treaties of Rome, there exists mounting criticism of the widening gap between Brussels and its institutions on the one side and the European citizens on the other. Many EU citizens have no idea how decisions are made in Brussels, on what and why. They wish to be better informed and more involved in European affairs. One of the major reasons for this democratic deficit is the missing link between European politics and European citizens as well as between voters in EP elections and the effect of their votes. On the national level, this missing link does not exist so strongly given the mediating function of national political parties and the formation of a government as a result of general elections. Things are different however at European level where the European Parliament has not yet the power, based on the Treaties, to form a government or elect the President of the European Executive/the European Commission. The existing European political parties, which could play a mediating role between citizens and EU institutions, are still far too weak. They are only registered as associations under national law in one of the member states, usually Belgium. Hence, these parties do not possess a legal personality recognised by all member states, which would enable them to operate transnationally, nor are they able to participate directly in European election campaigns in the member states.

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1. The Nature and Role of European Political Parties

Institutions like the European Commission or the European Parliament try to inform EU citizens on European affairs and stimulate European-wide debates. But it is hard for them to always reach the citizens and get their message across. Other actors, such as national governments could regularly inform their citizens but are doing so only to a limited extent, very much in contrast to their important role in European affairs. Within the European Council and the Council of Ministers, national governments exercise a strong influence on EU decisions, but their understanding of the EU political process is tied to national and not overarching European interests. Mostly, member state governments do not 'sell' Brussels' decisions to the wider public at home. If things in Brussels develop against a country's national interests, the EU easily is blamed and becomes a sort of a scapegoat. This negative communication is one of the reasons for the growing distance between citizens and European institutions.

What would however be necessary are true European debates and not debates on European topics from a national angle, which only tend to undermine or risk the popular acceptance of European integration. Such debates would have to rely to a large extent on true European political parties. Conservatives, Social Democrats, Greens, Liberals or other political party families need to organise debates on transnational themes and make clear to the citizens their respective party profiles. This would in particular be necessary during European elections. Up to now, however, EP-elections are unfortunately either perceived by citizens as politically irrelevant or e.g. as an opportunity to punish the own national government for social, economic or whatever reasons. Up to now, EP elections are obviously not primarily associated with European politics or even Europe as a whole. This means that the quality and content of European elections and the entire debate on European affairs need to be changed. In short, what is required is the establishment of the necessary legal preconditions on the EU level for genuinely European parties, competing with each other on proposals for the EU's future, establishing a true pan-European public space. In this way political parties would play a strong role in making EP elections an important event through single European party programmes, common lists and single candidates running for the presidency of the European Commission. National political parties do not truly have political programmes for the EU which they are following persistently throughout a five years' period in

European politics. National administrations and governments are following their own defined national preferences and, from time to time, take into account internal government party discussions, but not really the interests of European party families or groupings. European parties themselves have the problem to define concrete programmes. A particular problem is that the campaigning for the European elections in the member states is mostly not oriented towards European topics. And since the media pay little attention to the European elections and debates, the European elections appear to be unimportant for many EU citizens. This does not make it easier for European political parties to present themselves in the wider public in an attractive way.

Another problem is that European political parties have formally little or no influence on the selection of the future leading figures in Europe. The proposal for the position of the Commission president is negotiated by the member states behind closed doors. At least, since the selection of the Commission president is taking place after the European elections, there is a chance that the president will belong to the party family which has emerged as the strongest out of the European elections. However, this cannot be taken for granted as long as the Lisbon Treaty (see below) is not in force.

Another difficulty is that European political parties have no individual members as it is the case in national political parties. In the statute of the European Socialist Party, membership is reduced to the membership of national parties. The statute of the European People's Party opens up the possibility for individual membership as it is the case with the European Greens and the Liberals. But individual members also in these cases make up a marginal minority. Also, the communication about European politics is basically not done by the European political parties themselves but through their national member parties in the different national political arenas of 27 member states.

It will not be possible to simply transport the structures of the national political party systems on a one-to-one basis to the European level. But, on the other hand, there are little or no alternatives to looking on for ways and means of strengthening the role of European political parties for the sake of representative democracy in the EU and, hence, developing them step by step further and transforming them into stronger political actors. This was one of the reasons for the European Convention (and the successively signed European Constitution) to give the European Parliament the right to elect the future Commission president in the light of the

European elections and a conforming European Council proposal. It implies that EU citizens with their votes would have an impact on the selection of a leading figure for the coming legislative period and for the “government programme” which is drafted by the European Commission. From the European elections of 2004 the lesson can be drawn that such a procedure can be partially applied already today even without the European constitution or the successor treaty, the Lisbon Treaty being in force. At the time of the last EP-elections the EPP has made clear its claim that, in the case of becoming the strongest grouping in the European Parliament, they would like to see the Commission president coming out of their party family.

2. The Successive Strengthening of the European Political Parties through Primary and Secondary Law before the Lisbon Treaty

The way of underpinning the emergence of European political parties by law was long. Shortly after the establishment of the Parliamentary Assembly of the European Coal and Steel Community (ECSC) there was already the ambition of some members of the Assembly to look for transnational associations or cooperations on an ideological and programmatic basis. But a true institutional dynamic only unfolded before the first direct elections for the European Parliament in 1979. In the second half of the seventies there was some remarkable intensification of party cooperation at European level through linking the institutional development of the European Parliament to ambitions towards developing European political parties.

But the process still lasted long. The real first break through could only be achieved with Article 138a of the Maastricht Treaty which established a small basis for a future European political party system. However, those pushing for a meaningful article were not satisfied by the compromise found in the IGC on the Maastricht Treaty since the article, in essence, only recognized the potential role political parties at European level could play in the development of the integration process through European awareness raising and through “expressing the political will of the citizens of the Union” (TEC-138 a).

Without a clear legal basis for European political parties and their financing it was (and partially still is) very difficult for them to develop their

potential in the process of democratizing European integration. This had been criticized time and again since the existence of Article 138a of the Maastricht Treaty and later of Article 191 of the Amsterdam Treaty which follows in its wording the Maastricht Treaty. Amsterdam was disappointing on that issue since there were a number of initiatives from some member states and, most notably, from the European Parliament before the IGC on the Amsterdam Treaty and during the negotiations. In the Constitutional Committee of the EP the Tsatsos-Report clearly pointed to the relevance of European political parties in the process of European unification and had asked for a solid legal and financial basis of these. This had been repeated by the Dimitrakopoulos/Leinen-Report in spring 2000 which suggested to complement the first sentence of Article 191 through a second one in which the European Parliament and the Council would be committed to adopt, by following the procedure of Article 251 of the Treaty, conditions for the recognition of European political parties, their statutes and modalities on funding (notably from the Community's budget).

Even if the negotiations on the Nice Treaty were very difficult between member states' governments and produced a number of leftovers, some progress could be achieved on Article 191. The Nice Treaty added a sentence to Article 191 by drawing on proposals of the Parliament and the European Commission in the following way: "The Council, acting in accordance with the procedure referred to in Article 251, shall lay down the regulations governing political parties at European level and in particular the rules regarding their funding". This complementation of Article 191 (TEC) did not only provide for the basis for a legislative proposal, but also introduced majority voting on issues of European political parties which helped to overcome the blockade in the Council (previously unanimity) for making progress on the issue.

Not unimportant was the fact that in the year 2000 the Convention on the Charter of Fundamental Rights included into Article 12 (2) of the Charter European political parties as an important element of democracy in the European Union. The article was, however, rather vague and thereby only underlined the difficulties linked to the question of political parties in the supranational context.

After the entering into force of the Nice Treaty on 1 February 2003, the Council and the Parliament, by using the co-decision procedure and qualified majority voting in the Council, concluded on 4 November 2003 on a proposal of the Commission regulation (EC) 2004/2003 which dealt with

regulations for political parties at European level and their financing. This was indeed some progress towards the development of European political parties even if the reluctance on part of the Commission and, most notably, within the Council was significant with respect to accepting the notion of European political parties, preferring instead the notion of political parties at European level. At least, it was a small step towards the development of truly European political parties even if much more would have to be done in primary or secondary EU-law. What would be needed is a statute or regulation on a Europe-wide legal personality of transnational political parties to enable them to become active in the member states on European issues (exclusively) and directly in the electoral campaigns for the European Parliament and, hence, through this protect them from difficulties with national administrations or rivalry with national parties. Also, the maximum level of financial donations for European political parties needed to be defined, including internal party procedures according to democratic principles and the respect of fundamental rights as they are laid down in the Charter on Fundamental Rights, the European Treaties and the jurisdiction of the European Court of Justice.

The European Parliament with the Leinen-Report on the improvement of European political parties' financing and the corresponding EP-resolution on European political parties of 23 March 2006 took the initiative. Also, the Parliament continued to debate the issue of better party financing and the definition of European political foundations and their financing from the EU-budget as organisations who are affiliated with a European political party and would be much more flexible to steer the debate about Europe's future. Parliament and Council on a proposal of the European Commission concluded then on 18 December 2007 Regulation (EC) no. 1524/2007 which amended Regulation (EC) no. 2004/2003 on political parties at European level. This new (respectively amended) regulation did not take up the issue of a European party statute as mentioned above, but led to a clear definition of European political foundations whose tasks would be "analysing and contributing to the debate on European public political issues" through "organising and supporting seminars, training, conferences and studies" between "relevant stakeholders" and "representatives of civil society" (Article 1/addendum to old Article 2 of the 2003/2004 regulation). It also stipulated that political foundations at European level can only apply for support from the budget of the EU through the European political party with which they are affiliated, and that the parties themselves can

receive financing in addition from what they get from the Community budget from natural or legal persons in the form of donations. These have to be listed and published should they exceed 500 Euros; but they should not be accepted if e.g. the donors are unanimous or if the donations would go beyond 12,000 Euros per year.

The 2003/2005 regulation was the first concrete step for securing the funding of European political parties and the control of the financing of their political activities through a body/committee in which the Council, the Commission and the Parliament are represented. This regulation, however, also demonstrated the enormous precaution and mistrust of the member states, their governments and of national parties vis-à-vis the development of a supranational system of political legitimation. Even if the December 2007-regulation took the whole issue a step further, a real break-through towards truly transnational political parties is either not possible or at least not in the cards at present as long as the Lisbon Treaty is not ratified and precaution vis-à-vis any far-reaching steps is the general attitude.

3. Political Parties and the Lisbon and Constitutional Treaties

Both the European Constitutional Treaty and the Lisbon Treaty contain provisions of potential relevance for the formation and activities of trans-European political parties. These provisions can be viewed and indeed implemented in radically different fashions. Critics of the Constitutional and Lisbon Treaties see this Janus-like quality of the documents, which is certainly not confined to their treatment of political parties, as a political and intellectual weakness of both agreements, which has done much to render them inaccessible and unattractive to non-specialist readers. Supporters of the Treaties argue on the other hand that constitutional changes in any political system will always involve an element of compromise, and that new frameworks for decision-making should in any case be sufficiently flexible to allow for different outcomes, as circumstances and the ideological preferences of electors and political representatives evolve.

Two elements of the Treaties have attracted particular attention from those interested in the fostering of a party-based democratic life for the European Union, their general reflections on the central role of “representative democracy” in the workings of the Union and the (arguably) enhanced role of the European Parliament in the election of the President of the European

Commission, envisaged by the treaties. These two sets of provisions are interconnected, but are formulated in such different degrees of specificity as to merit separate consideration.

Article 10 of Title II of the European Constitutional Treaty and Article 1-46 of the Lisbon Treaty contain, under the heading “The principle of representative democracy,” two important general statements about the conception which the signatories of the treaties share of the democratic functioning of the European Union. Paragraph 1 of these articles stipulates that the “functioning of the Union shall be founded on representative democracy.” Paragraph 4 states that “political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union.” The second paragraph is a logical consequence of the first. No modern society has been able to run a system of representative democracy without a corresponding structure of political parties to integrate and mediate between the millions of subtly differing policy preferences prevalent among the voters in any particular political system. Those considerations which have led to the vigorous competition between parties at the national level have their precise counterpart at the level of the European Union. Indeed, European political competition between parties can be regarded as supplementing and completing national political and electoral contests.

It should not, however, be supposed that these general commitments to representative democracy within the Union, and to the role of political parties “at European level” are of themselves of immediate operational significance. At a future date, it might well be that the Union’s decision-makers will wish to invoke these provisions of the treaties as the basis for further political or financial initiatives to foster the creation or activities of trans-European parties. The provisions do not of themselves constitute any such initiatives. Whether such initiatives are eventually taken will depend upon the willingness of decision-makers in Brussels and national capitals, a willingness which until now has been largely rhetorical rather than substantive. Those who favour the concept of transnational European political parties will welcome the recognition by the Lisbon and Constitutional Treaties of their specific role. Those hostile to the concept will be comforted that this recognition is so general and non-committal.

Apparently more direct in its applicability to the evolution of trans-European representative democracy is the new system envisaged by the Constitutional and Lisbon Treaties for the election of the President of the

European Commission. Both texts stipulate that the European Council, “taking into account” the preceding European Elections, should in future propose to the Parliament a candidate for the Presidency of the Commission, a candidate who can only enter into office only with the endorsement of the European Parliament. This arrangement, which in reality is not an entirely new one, has been seen by some commentators as an important step towards the consolidation of transnational political parties, allowing existing political families such as the Socialists, the Christian Democrats, the Liberals and the Greens to nominate before the European Elections their standard-bearers as potential candidates for the Presidency of the European Commission, in the legitimate hope that a good election result for the relevant political family will provide a decisive impetus for the election to the Commission’s Presidency of the candidate favoured by this family. Such a system would immeasurably contribute, so the argument runs, to the prestige and visibility of the European Elections, giving a demonstrable prize to the winners of the elections and, even more importantly, a demonstrable political victory for the voters supporting the winning candidate.

A number of qualifications, however, need to be placed upon the apparently substantial new component of transnational representative democracy opened up by the provisions of the (anyway as yet unratified) Lisbon Treaty on the election of the President of the European Commission. The Treaty only enjoins the European Council to “take account” of the preceding European Elections, a vague formulation which is itself a watering down of the text proposed by the European Convention, which wanted the Council to take account of the “results of the European Elections” It is almost inconceivable that any one particular political family will emerge from the European Elections of 2009 with an overall majority in the European Parliament. There will almost certainly therefore be scope for differing interpretations as to the appropriate electoral message to be drawn by the European Council from these Elections and name of the candidate to be nominated in consequence. Nor is it clear that all the main political formations participating in the Elections of 2009 will be willing to nominate identifiable individuals on whom they will insist as their candidates for the Presidency of the Commission. For the envisaged system to work properly, it is obviously vital that all the main political families contesting the European Elections put forward and publicize appropriately their favoured candidate for the Presidency of the European Commission. Even if individ-

uals are put forward before the Elections by the whole spectrum of European political formations, it is easy to imagine political controversy within the European Parliament after the elections as to whether the electoral performance of a particular individual during the European Elections merited the support in the election for the Presidency of the European Commission of those who otherwise might be political opponents of his or her candidature. If after the European Elections of 2009 the European Council nominates, for instance, a Christian Democrat as President of the European Commission, it is questionable whether Christian Democrat MEPs will be willing to reject that candidate in favour of a Socialist alternative, simply because in the European Elections of that year the Socialist Party had achieved a better electoral result than the Christian Democrats, with neither political formation having an overall majority in Strasbourg. In short, the objective barriers to the realization of the aspiration of a President of the European Commission elected on the (indirect) basis of popular suffrage are formidable. These barriers indeed have prevented the European Parliament in earlier years from taking such steps as could anyway have been taken under previous treaties, to enhance its role within the procedure for electing the President of the European Commission. The Parliament has until now contributed at most marginally to this process, and certainly not in such a way that its contribution was visible to the average European voter. A major reason why European Elections are widely regarded as “second order” elections by academic and political observers is precisely the absence of any political consequences from them discernible to the average intelligent voter. The potential link between the European Elections and the identity of the President of the European Commission is, however, one of the very few tools which the European Parliament has at its disposal to give profile and meaning to the European Elections. Those who follow the work of the European Parliament closely know that its powers have increased substantially over the past decades. The efforts deployed by Europe’s economic and social actors to influence the Parliament are eloquent testimony to this reality. The ideological complexion of the European Parliament undoubtedly makes an objective difference to the tone and content of European legislation. But this increase in the Parliament’s power and its enhanced impact upon the European legislative process are not widely recognized by European electors. The Parliament is in any case only one partner in the legislative triangle of Commission, Council and Parliament. The European Parliament is compelled to partici-

pate in a continuing process of negotiation and compromise, an unending “Grand Coalition” which precludes before the European Elections the sharply-drawn legislative promises offered by competing political parties in national elections. This “Grand Coalition” takes place not merely between European institutions but also within the European Parliament itself. Unlike national parliaments, where routine legislation is normally decided by a simple majority of those voting, the European Parliament can only make its legislative influence fully felt when it deploys an absolute majority of its members behind a specific text. In consequence, the political culture of the European Union is strongly consensual, with the two largest political groups seeking the greatest possible degree of agreement between themselves, not merely on over-arching constitutional questions or on the Parliament’s Presidency, but even on the details of routine legislative texts. The general and unconstraining nature of the manifestos issued by the transnational political formations before the European Elections is a reflection of this complicated institutional reality. Their vagueness is not merely a consequence of the wide range of political opinion demonstrably to be found within these formations, a range which finds itself reproduced in some large national political parties in Europe and most certainly in the two major political groupings of the United States of America. In sharp contrast to most political parties when they contest national elections, political groupings offering themselves to the electorate in the European Elections cannot however plausibly undertake to implement if elected any particular legislative or political programme. The institutional structures of the European Union simply preclude any such detailed programmatic promises by those who aspire to be members of the European Parliament.

But if would-be European Parliamentarians have to tread carefully in their programmatic promises, there is all the more reason for them to press for clarity in the matter of the Commission Presidency. In any national election, the choice of political personalities for office is usually just as important as the competition between political programmes. A direct causal link between votes cast and the identity of the next Commission President would add a number of new dimensions to the democratic, and in particular the party-based democratic life of the European Union. The sense that the electors of the European Union voted corporately and directly for a central element of the European Union’s governing structure would not merely conduce to the transparency and legitimacy of the Union, it would also represent a significant building-block for the creation of the European

Union's "demos." In any serious discussion of this concept, meaningful European Elections have obviously a central role to play. In their turn, transnational European parties have a central role in making European Elections meaningful.

The European Union's harshest critics and its most enthusiastic advocates often find common ground in agreeing that no EU "demos" yet exists. There are few inhabitants of the European Union's member states who are conscious of a political identity for the European Union remotely as robust as that of the Union's member states; and there are not many who attribute to the legislative and political procedures of the Union a legitimacy as great as that which they attribute to the procedures of their national political culture. For many critics of the Union, there will and perhaps should never be a "demos" of the European Union: democracy is for them of its nature a national phenomenon, inapplicable at the European level. Many of the Union's most enthusiastic supporters speak on the other hand of an embryonic "demos" for the European Union, which gradually and ineluctably will emerge as result of greater economic, social and financial integration within the European continent. Each of these analyses, however, is in differing ways an inadequate one. There is no reason whatsoever to believe that the European nation state is the final geographical and political expression of democratic legitimacy. But nor is there any reason to believe that in any serious sense an EU "demos" is quietly gathering strength and substance, ready to emerge fully-formed at an indeterminate date in the near future. Historically, the formation of a political "demos," of an identifiable group of individuals willing to take politically important decisions in common, usually through shared institutions, has rarely occurred spontaneously. It has rather been the product of a process of interaction between the potential members of the "demos" and the political institutions by which they were in fact governed. There are very few European nation states in which political institutions were not themselves of fundamental and autonomous importance in the creation and sustenance of the national "demos." Sometimes, as in Czechoslovakia or in the former Yugoslavia, common institutions have not sufficed to create or consolidate a state-supporting "demos." In other cases, notably the United Kingdom, there would never have been a national "demos" without "demos-creating" political institutions. It would be surprising if the "demos" of the European Union developed in a way entirely different to that in which the "demoi" of its member states have developed. In all the European Union's member states, national elections are a central ele-

ment in the sustaining and consolidation of the national “demos.” It is a striking contrast between national and European practice that until now European Elections have contributed so little to “demos-building” in the European Union. The absence hitherto of any generally recognizable outcome in terms of policies or personnel to the European Elections is one reason for this lacuna. Until such an outcome can become a constituent element of the European Elections, it is difficult to see how these Elections can ever realize their potential contribution to the self-realization of the European Union’s “demos.”

It is clear that, in so far as there is in the short term a plausible effective response to this challenge, responsibility lies with the political formations contesting the European Elections. If all these formations were to agree to put forward and vigorously support their own candidates for the Presidency of the European Commission during the campaigning for the European Elections; and if all these formations were also to agree that after the European Elections they would support in their negotiations with the European Council one of these candidates for the Commission Presidency, and reject all other candidates who might be put forward by the European Council, the political and constitutional quality of the European Elections in 2009 would be transformed. These steps would not require the preceding ratification of the Lisbon Treaty. If the political will exists, among the Members of the European Parliament and among their political allies in national capitals, these measures can perfectly well be implemented under the existing treaties and competences of the European Parliament. Sadly, it would be a distinctly optimistic assessment to believe that enough political will can be mobilized over the coming months to make a reality of this project.

4. The Central Role of European Political Parties

In the proposal that transnational political parties should agree to put forward their differing candidates for the Presidency of the European Commission, an interesting parallel exists with the practices of the American political system. Both the main American parties conduct most of the political activities in a highly decentralized fashion, with their political stances and rhetoric varying greatly between the differing regions of the United States. One of the few decisions genuinely taken in common

between what are essentially quasi-independent parties in the states of the American Union is the nomination of the Presidential candidate every four years. For European political formations to agree every five years on their Presidential candidate for the European Commission would be a powerful element of cohesive collaboration in the development of European political parties, a development which is essential if the representative democracy to which the Union aspires is to function successfully. Nor would the cohesive effects of this procedure be confined to the nomination and election of the European Commission's President. The political interaction between the President and his or her political formation, and indeed the political interaction between an unsuccessful candidate for the Presidency and his or her political formation could be expected to continue between European Elections. This would be a substantial contribution to the elaboration of a "European public space," making less likely the simple disappearance from public view between European Elections of those transnational political formations which claim to play a role every five years, but impinge not at all on public consciousness between elections.

European political parties unquestionably have a central role to play in the development of a "demos" for the European Union. Those leading European politicians genuinely committed to building a democratic and integrated Union have an obvious contribution they could make to this construction by facilitating the emergence of genuine European political parties and supporting their European activities. All too often, these leading politicians have failed to match their action to their rhetoric in this regard. The sovereignty of national political parties is apparently even more resistant to sovereignty-pooling than is that of national governments. The leaders of national political parties have shown little enthusiasm for the proposition that "their" candidates for the European Elections should offer themselves as representatives on the ballot paper of transnational rather than national political groupings. When in opposition, national political leaders sometimes like to use the rudimentary structures of the European political party to which they are affiliated as a lever to increase their international profile and influence. When elected to national office, this enthusiasm for trans-national politics is often, if understandably, supplanted by the preoccupations and opportunities of national office.

It is unsurprising that those countries of the Union unenthusiastic about deeper European integration, such as the United Kingdom, should always have regarded with suspicion the prospect of genuinely trans-European

political parties. More surprising is the equal tepidity with which such integration-minded countries as Germany and Italy have approached this question. It would be difficult to name a single government of the European Union that has distinguished itself by its effective lobbying for a structure of genuinely competing political parties at the European level. National and European funds for the vestigial parties that exist are extremely limited, in flagrant contrast to the substantial public and private funding assigned to national political formations, the role of which in sustaining national political life is universally recognised. The hope is sometimes expressed that the European Elections can be an occasion for the European Union to be brought "closer to the citizen." In reality, this greater closeness to the citizen is only likely to be realized through the intermediation of robust European political party formations. As currently practiced, European Elections contribute little to the robustness of political activity at the level of the European Union. Transforming these elections into a political contest for the Presidency of the European Commission would be a decisive contribution to constructing a vigorous, party-based representative democracy in the European Union. Without such a political contest, the European Elections and the European party structure on which they depend for their credibility, will always be condemned to a shadowy, uncertain existence on the margins of political and democratic reality.

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3. THE ROLE OF EUROPEAN ELECTORAL PROGRAMMES

*Francisco Roa Bastos**

The European electoral programmes, also known as “Euromanifestos”, are the most visible expressions of the existence of “European political parties” (or “Europarties” as I will call them from now on). But the publication by most Europarties of a Euromanifesto for every European election does not mean, of course, that these Euromanifestos have the same relevance for European elections as national manifestos do for national elections. This paper aims to ascertain the exact relevance of these programmes. Although this work takes into account all ten existing Europarties, it will focus more specifically on the six main groupings¹: the European People’s Party (EPP); the Party of European Socialists (PES); the European Liberal Democrat and Reform party (ELDR); the European Democratic Party (EDP); the European Green Party (EGP); the Party of the European Left (EL).

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¹ The other four Europarties have not the same relevance for our purpose although they are going to take part in the next European elections: the Alliance for the Europe of Nations (AEN); the European Free Alliance (EFA); EU-Democrats - Alliance for Democracy in the EU (EUD); *Libertas*, the new Europarty created by the Irish millionaire Declan Ganley in order to fight against the ratification of the Lisbon treaty by his country and which has been recognized by the EP Bureau on the 2nd of February of 2009 (although there is still a doubt about the validity of their political credentials). Another Europarty, the Alliance of Independent Democrats in Europe (AIDE) has just been disbanded (31st of December 2008) and some of its members are going to enter *Libertas* (for instance the French MPF of Philippe de Villiers).

1. What is a Euromanifesto And Why Does it Matter?

Scholars like Olivier Ihl have underlined the theoretical relevance of electoral programmes as *'major elements of the democratic theory of mandate'* (Ihl, 2005). His argument, based on previous work by other scholars (Rose, 1980; Rallings, 1987; Budge, 1994) stresses that electoral programmes in a democratic polity have two main functions: *"to prove that the measures adopted by party members have become a real "policy programme" "* and *"to give the voters a guarantee that these measures are meant to be put down on the government agenda, in case of victory"*. But Ihl also notes that electoral programmes have another far more pragmatic function: they allow voters to choose between parties and politicians. Since 1979, the European Parliament (EP) has been elected by direct universal suffrage. In order to take part in these elections, the federations of political parties operating at the European level (now known as "European political parties" or "Europarties") have been encouraged to issue specific electoral programmes for these European campaigns.

The last European election (2004) was a good example of this apparent consensus among European Politicians about the importance of having this kind of electoral platform, as almost every Europarty issued a "Euromanifesto" on that occasion. The "Euromanifestos Project", directed by Professor Hermann Schmitt from the MZES of the University of Mannheim,² gives an interesting overview of the manifestos issued by the main Europarties since the first direct election of the EP in 1979. According to this research, the main Europarties have all issued a specific Euromanifesto for each European election since their creation.³

Thus, national and European politicians appear to be well aware of the important functions of manifestos at the national level and have thus tended to imitate this practice at the European level. But a question still remains: are these Euromanifestos real and effective political tools or is this mere gimmickry?

Scholars like Oskar Niedermayer (Niedermayer, 1983) have suggested that the mere existence of Euromanifestos does not in itself mean that these

² <http://www.mzes.uni-mannheim.de/projekte/manifestos/>. The «Euromanifestos project» covers five of the six Europarties taken into account in this paper, which means all of them but the EDP. The project takes into account European elections from 1979 to 2004.

³ Considering that the EGP has been created in March 1984 and the EL in April 2004, it can be assumed that their first true European campaign was respectively that of 1989 and that of 2009. Both of them issued a Euromanifesto for these campaigns. The EPP, the PES and ELDR have all issued a Euromanifesto on each European election since 1979.

organizations are truly integrated. Niedermayer has built a theoretical model for European party organizations which posits three stages of interaction between national parties at the European level: “contact”, “cooperation”, and “integration”. According to this model, Euromanifestos are one of the criteria required for Europarties to be considered as something more than simple “umbrella organizations” for national parties. But Niedermayer underlines that the mere existence of Euromanifestos doesn’t mean that Europarties have reached their last stage of development: these documents could be purely symbolic. Indeed, the interaction stage reached by a Europarty depends on the preciseness of its Euromanifestos.

In order to contribute to the further integration of Europarties and thus to a better involvement of citizens in the European integration process, Euromanifestos have therefore to be: 1) well-defined; 2) taken into account by national parties during European electoral campaigns; and 3) effective, which is to say capable of reaching concrete implementation through parliamentary work in the EP.

2. The Insufficient Definition of Euromanifestos

Though today it might seem impossible for a big “Europarty” to take part in European elections without a presentable “Euromanifesto”, there is but scant mention of these electoral programmes in the statutes of these party organizations. This lack of rules concerning the existence, elaboration, and use of Euromanifestos gives the members of Europarties a great deal of room for manoeuvre on that matter. But it also supposes that most of these rules remain informal and that the content and effectiveness of Euromanifestos actually rests on the goodwill of national party leaders.

As shown in table 1, there are only two Europarties which explicitly mention “Euromanifestos” in their statutes: the PES and the ELDR. Other Europarties don’t mention any electoral programme for the European elections at all (the EPP, the EGP and the EDP), or mention only vague “common guidelines” (the EL).

Despite of the fact that three Europarties have changed their statutes since 2004 (the EPP in March of 2006; the PES in December of 2006; and the EGP in June 2008), none of them has added any new mention or further details on the question of Euromanifestos in their statutes. This may be indicative of a lack of political will and/or difficulties in achieving political compromises among national parties on this question.

Only the PES has changed one minor detail: in 2004, the Council was meant to adopt “a manifesto” whereas now it is meant to adopt “the PES Manifesto”, which seems to presuppose that this Manifesto has become, for the Socialists, an obvious obligation for every single European election. Thus, this Euromanifesto appears to be the sole programme of European socialists rather than one of many.

Not only are Euromanifestos practically ignored in the statutes but they also tend to be very vague in their content. Generally, they might be described as brief ideological platforms presenting some of the main principles, ideals and/or aims shared by national party members. Given the heterogeneity of these members and also the need to reach a consensus, these platforms remain mostly in the abstract and suggest few (if any) concrete proposals. That is why some scholars consider these Euromanifestos “*bland, offering little more than platitudes [...] and little in the way of hard policy proposals*” (Smith, 1999).

The 2009 election could be somewhat different on this matter if we consider those Euromanifestos adopted already, particularly the PES Manifesto. The PES adopted its new Euromanifesto on a Council Meeting in Madrid (1st and 2nd of December 2008). The elaboration of this Manifesto was something of a novelty. The PES launched in October 2007 a European “Manifesto Campaign”,⁴ which lasted more than a year and allowed individual activists to participate for the first time in the preparation of the common electoral programme for 2009. This could be the first step towards a new approach to Euromanifestos by Europarties and could represent an interesting means of better involving of activists in “Europolitics”.⁵ It must be stressed, also, that the PES Manifesto for 2009 tries to appear more precise and therefore presents 71 numbered proposals for the coming legislative term of the EP.

Nevertheless, these novelties shouldn’t be overestimated, for at least three reasons:

- Members of the PES themselves recognized that national parties remain the ultimate “agenda makers”.⁶ There is no political proposal

⁴ For further details, see the website of this campaign: <http://elections2009.pes.org/>

⁵ There is an obvious connection between this fact and the recent possibility given to national activists by the PES to become Euro-activists through the PES website (May 2006). There are today about 12000 PES registered Euro-activists (including 4000 French activists of the PS).

⁶ See the MCSinfo’s special report on «Europarties» and above all the articles: “Au PSE les militants se cherchent une place” and “Dans le cambouis des europartis”. A PES administrative employee stresses that “*No political position has been adopted without approval of our parties [...]. During the elaboration of the Manifesto [...], the Secretariat was permanently in close touch with national parties in order to reach compromises*”. For further details see: <http://mcsinfo.u-strasbg.fr/europartis/>

in the PES Manifesto which hasn't first been agreed upon by all national parties.

- Individual activists still scarcely involve themselves: in the end the PES received only 13 contributions for the Manifesto, some of which were collective.
- Most of the 71 proposals within the Manifesto remain evasive, failing to define clear legislative measures that could lead to implementation.

Therefore, the first condition for Euromanifestos as real electoral programmes is not quite fulfilled. There is no specific stipulation in most Europarties' statutes about their elaboration and they remain, for the most part, vague in nature. The 2009 election may see some changes in this respect. But even if these changes occur, a second condition must be met before Euromanifestos can be considered effective political tools: they must be taken into account by national parties during European election campaigns, which has not been the case thus far.

3. National Parties and Euromanifestos during the 2004 European Electoral Campaign

Every Europarty considered in this paper (except the EL) issued a specific Euromanifesto for the 2004 European election. Yet, as underlined by the "Euromanifestos Project", national parties appeared reluctant to accept these Euromanifestos as their own manifestos for the 2004 European elections. Actually, most of the national parties issued their own national manifesto in spite of using that of their Europarty. Whether these national manifestos were a mere adaptation of the Euromanifestos or completely new ones is a question that needs further research. But for the moment, the preliminary results of the aforementioned "Euromanifestos Project" already flag up an interesting point. An analysis of the tables provided shows that, in 2004, there were only seven national parties all across Europe that adopted the Euromanifesto of their correspondent Europarty as their own manifesto for the European election. These national parties were part of four different Europarties:

- Three of them were part of the European Greens (the German "*Bündnis 90/Grüne*" (Greens/Alliance 90); the Spanish *Los Verdes - Partido Verde Europeo*; the Green Alternative of Luxembourg (*DGA - Déi Gréng Alternativ*)).

- Two of them were part of the ELDR (the Hungarian SZDSZ (*Szabad Demokraták Szövetsége* - Alliance of Free Democrats); the Dutch VVD (*Volkspartij voor Vrijheid en Democratie* - People's Party for Freedom and Democracy).
- One of them was part of the EPP (the Italian *Forza Italia*).
- One of them was part of the PES (the Maltese Labour Party (MLP - *Partit Laburista*)).

It is worth stressing that, with the relevant exception of *Forza Italia*, most are small parties, from small countries. That could suggest that Europarties are a more important resource for small countries and small parties (or parties in difficulty) than for bigger ones. Europarties can provide useful assistance and programmatic ideas to their smallest members, but bigger member parties prefer to retain the right of issuing manifestos of their own. Nevertheless, big parties can sometimes use Europarties and Euromanifestos as a legitimization resource: it is certainly true that *Forza Italia* (*FI*) cannot be considered a “small party” or a party from a “small country”, but the arrival of *FI* to the EPP is recent (1998) and has been criticized by EPP members themselves, making *FI* a party in difficulty within the EPP and possibly explaining their goodwill in endorsing the common Euromanifesto in 2004.

The lack of relevance of the specific Euromanifestos for the overwhelming majority of national parties has been confirmed by qualitative research, for instance an empirical inquiry made by the author in 2005-2006 in France.⁷ The political actors interviewed during this research (French MEPs, members of the International Office of national parties, members of the Europarties) were all convergent. According to them, the Euromanifestos are merely “symbolic”.⁸ These Euromanifestos are particularly useful to small parties in small countries which value the synthesis provided by the common organization.⁹

⁷ Roa Bastos, Francisco. *Des “Fédérations européennes de partis” aux “europartis”: une approche du phénomène partisan au niveau européen. Etude des interactions entre partis français, fédérations européennes de partis et groupes politiques*. Dissertation for Master's degree, IEP de Paris, 2006.

⁸ See for instance the interview held with the French MEP Alain Lamassoure the 24th April of 2006: “Alain Lamassoure: For the European elections, we laboriously prepare a sort of manifesto or electoral programme [...] that nobody reads and nobody uses, but we still need to make the thing. Question: Would you say that is something symbolic? A.L.: Yes. It's something symbolic.”

⁹ Interview held with Arnold Cassola (former Secretary General of the EGP) in Bruxelles, the 26th of November 2008, during a Conference organized by TEPSA (“Electing the European Parliament”). For further details, see also the article mentioned above, “Dans le cambouis des europartis”.

National Parties have no incentives to adopt Euromanifestos as their own electoral programme and are not compelled to do so. Indeed, the power and influence of Europarties over their national members is still very weak. For instance, national parties are completely free to choose their candidates to European elections without referring to their correspondent Europarty. Europarties are powerless and can't supervise the electoral activities of their members. Neither can they compel them to adopt and use the common manifesto. Besides, national parties have no incentives or interest in fighting a truly "European" campaign: political research has pointed out that European elections are, above all, "second order" national elections (Reif & Schmitt, 1980). And according to recent declarations from national party members, this is unlikely to change in 2009.¹⁰

Thus, Euromanifestos seem to remain mostly "symbolic" platforms "for the parade". National party leaders are well aware of the image benefits they can obtain from this public display of consensus, but such vague manifestos are far too limited to give Europarties real programmatic substance.

4. Parliamentary Coordination and Legislative Work as a Manner to Define Concrete Policy Programmes

Since the beginning of European integration, parliamentary groups have been the main locus of political coordination. Parliamentary work in the EP can claim many concrete achievements, above all since the introduction of codecision procedure established by the Maastricht Treaty (art. 251). For instance, the recently adopted "REACH" or Services Directives have been influenced in large part by the legislative work of political groups in the EP. And many scholars (Hix, 2001; Hix & Kreppel, 2003; Hix, Noury & Roland, 2005) have noted the increasing cohesion of EP political groups. But recent examples have demonstrated that there are still huge differences between MEPs of different countries and that EP groups can split on important votes (See for instance the French defection within the PES group on the Services Directive, 15 of November of

¹⁰ See for instance the MCSinfo's special report and the article "Avant tout une élection nationale pour l'UMP": an UMP official declared for instance that "*the European elections are a national election with a European thematic*".

2006). Besides, some EP groups, such as the UEN, remain only “technical groups” and can’t be seen as homogeneous groupings. This heterogeneity and these localized disagreements are simultaneously a cause and a consequence of the lack of effectiveness of Euromanifestos. If European party leaders want to move towards a more integrated stage of interaction for their Europarties, they need to foster better cooperation within the EP groups during the coming legislative term.

As was noted at the beginning of this paper, manifestos are supposed to define policy agendas for the executive power (Ihl, 2005). This programmatic role is one of the most important functions they have at the national level. However, Euromanifestos as we know them today could hardly serve as concrete policy programmes: they are but short declarations with few concrete proposals. The EPP manifesto for 2004, for instance, was only three pages long. It addressed 13 issues but presented only 11 concrete proposals (5 issues out of the 13 didn’t lead to any concrete measures. *For further detail, See Table 3 in the appendix*). And the same could be said about other Europarties and their platforms. It is not surprising that there is no obvious connection between these manifestos and the annual “Legislative Programmes” of the European Commission, which can’t rely on Europarties to define the policies to be implemented. Further research on this matter would therefore be interesting in order to conduct a systematic comparison of the manifestos of political majorities in the EP and the “Legislative Programmes” of the Commission for each legislative term.

Thus, there is no real political platform at the European level and European citizens have no possibility to check at the end of the EP legislature whether Europarties have been active or not. This could play a large part in the persistent, or even growing, criticism levelled against the so-called “democratic deficit” of the EU and the lack of accountability of European political actors. Yet, there is room for this possible influence and for a relative politicization of the European executive function. The election of the President of the European Commission by qualified majority vote since 2004 and demands for the selection of a candidate for the Commission Presidency before the European elections could lead to a closer connection between political programmes and executive action. Visibility and accountability would certainly be better ensured if Europarties were to present detailed electoral platforms endorsed by every single national party member and heralded by a candidate for the

Commission Presidency, nominated by each Europarty before European elections. But are national parties and national party leaders ready to reach an agreement on these matters?

5. Towards More Effective Euromanifestos

This paper aimed to consider the question of Euromanifestos and to assess their possible contribution to greater involvement of European citizens in the European integration process. Its final assessment is not very positive for the period between 1979 and 2004. Firstly, Euromanifestos are not sufficiently well-defined and remain for the most part mere symbolic platforms which are far from compelling for national parties. Secondly, national parties barely use the specific Euromanifestos issued by their respective Europarties, as it is shown both by quantitative and qualitative research. And thirdly, the persistent heterogeneity of these groups does not encourage Euromanifestos to be more precise and constraining.

There are some elements though, which suggest possible evolutions towards a more “integrated” stage of interaction between Europarties.

Some Europarties appear to have devised new dynamics regarding the elaboration of Euromanifestos. The PES Manifesto for 2009 has been prepared in association with individual members of national parties. Although the participation of individual members remains very limited, it could turn out to be a lasting innovation and also a good incentive for other Europarties to do the same.

This direct inclusion of individual members in the elaboration of Euromanifestos has been made technically possible by the increasing use of the Internet. Thanks to this new technology, Europarties are now technically able to hear the voices of individual members from the 27 member States of the European Union, having them collaborate on concrete projects like the elaboration of Euromanifestos at a very low cost. What’s more the Internet makes individual membership a new challenge for Europarties, a question which has never been seriously addressed.

Crucially, the new regulation for Europarties adopted in December 2007¹¹ has created interesting possibilities for Europarties:

¹¹ Regulation (EC) No 1524, 2007 adopted by the Council and the EP on the 18th of December of 2007.

- Firstly, Europarties are now able to create “**European political foundations**”. These European Foundations are meant to be the official “*Think Tanks*” of each Europarty. These new political organisations could come to provide a great number of legislative proposals, becoming major actors in the elaboration of more precise and effective Euromanifestos.
- Secondly, **this new regulation allows Europarties to finance truly European campaigns** for the European elections. This could herald a major shift in terms of the role of Europarties during European electoral campaigns, provided national parties accept this new role for their European party organizations.

Future changes largely depend on one question: how well-disposed are national parties and national party leaders towards these possible evolutions? There is, although, room for manoeuvre in order to encourage political actors to produce more detailed platforms and to conform to them. This could be made principally by publicizing more widely their programmes, even if these platforms remain vague. Citizens, scholars, journalists but also party activists themselves may make Euromanifestos more compelling for political actors only by taking them into account. The spreading and broadcasting of Electoral platforms is a good means to make them count because it makes possible contradictions visible. There is also plenty of room to watch and supervise how these programmes are implemented. Some initiatives have been taken in order to publicize parliamentary work in the EP for the next legislature. For instance, the European Policy Centre has launched a Project called “Vote Watch EU” (<http://www.votewatch.eu/>) which is meant to provide updated information on all MEPs’ voting records during the next legislature. This initiative is a good example of what can be done by those who want to make European legislative work more accountable. A systematic comparison of these voting behaviours with the relevant Euromanifestos theoretically endorsed by each MEP could give an interesting overview of the true influence of these platforms on concrete legislative work. This is one of the research prospects for the next EP legislative term that could also prove of great benefit for political actors.

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<http://www.mzes.uni-mannheim.de/projekte/manifestos/>
- Project *Vote Watch Eu* of the European Policy Centre (EPC), under construction
<http://www.votewatch.eu/>

Appendix

Table 1 - Statutes Stipulations on Euromanifestos (1st of January of 2009).

Mention of a "Euromanifesto"	Europarty	Details
Explicit mention	PES	Art. 3.3: "More specifically, the aims of the PES are: [...] to adopt a common manifesto for elections to the European Parliament". Art. 20.3 : "The Council adopts the PES Manifesto for the European elections"
	ELDR	Art.10: "The following powers are restrictively reserved to the Congress: [...] 4. Approval of the common political programme for the European elections." Art. 15: "The following powers are restrictively reserved to the Council: [...] d. preparation of the common political programme for the European elections to be approved by the Congress"
Indirect mention	EL	Art. 10 : "The Congress: [...] elaborates common guidelines for the elections to the European Parliament"
None	EPP	
	EGP	
	EDP	

Table 2 - Euromanifestos for 2009: the Current Situation

Europarties	EP Group	Current Status of the Euromanifesto for 2009
EPP	EPP-ED	“Draft EPP Election Document 2009” Approved by the EPP Political Bureau on 29-30 January 2009 Has to be formally adopted at the Warsaw Congress (April 2009)
PES	PES	“People first – A new direction for Europe” Adopted by the Council Meeting in Madrid, 1 st - 2 ^d of December of 2008 http://www.pes.org/downloads/PES_manifesto_2009-EN.pdf
ELDR	ALDE	“European Liberals’ Top 15 for EP Elections” Adopted by the Stockholm Congress, 31 st of October 2008 http://www.eldr.org/images/upload2/adopted_manifest_fr.pdf
European Free Alliance (EFA)	Greens/EFA	<i>Currently in preparation</i>
EGP	Greens/EFA	“A Green New Deal For Europe” Has to be formally adopted at the Brussels Congress (March 2009) http://europeangreens.eu/menu/egp-manifesto/
Alliance for Europe of Nations (AEN)	UEN	
European Left	GUE-NGL	“Together for change in Europe” Adopted by the Berlin Congress de Berlin, 29 th -30 th of November of 2008 http://www.european-left.org/english/news/electoral_platform/
EDP	ALDE	“Résolution du PDE – Bâtir sur les décombres de la crise” Not officially a Manifesto : this document is made up of 2 political resolutions adopted at the Brussels Congress, 5 th of December of 2008 http://www.mouvementdemocrate.fr/actualites/europe/telechargement/MANIFESTO-PDE-051208.pdf
Alliance of Independent Democrats in Europe (AIDE)	ID	This Europarty has been disbanded on the 31 st of December of 2008. The main national party of the AIDE (the “Mouvement pour la France” - MPF) will be campaigning in France under the banner of the new Europarty <i>Libertas</i> .
Libertas		<i>Currently in preparation</i>
EU Democrats (EUD)	ID	<i>Currently in preparation</i>

By Maria Pallares, Notre Europe. Situation as of the 1st of February 2009.

Table 3 - Issues Addressed by The EPP Manifesto in 2004 And Concrete Proposals

Issues addressed by the 2004 EPP Manifesto	Orientation and main lines of EPP Manifesto	Concrete Proposals or Measures
Europe of citizens	Develop mobility through Europe	Extend SOCRATES and ERASMUS programmes
Social market economy	Develop "free enterprise, a stable currency and efficient national social security systems"	
Unemployment	Develop free enterprise ("more- and more secure-jobs by ensuring favourable conditions for free enterprise throughout Europe")	
Health and pension systems	"Reforms in these areas are needed to consolidate our social security"	
Economic growth	"Reducing trade barriers and liberalising markets"	
Research and Innovation	"Supporting research in innovative and future-oriented technologies like biotechnology, and information and communication technologies"	
Education	"Education and training systems in EU Member States need to be developed".	"We recommend to the Member States to alter their education system so that the teaching of two foreign languages becomes a reality"
Political Stability and Security in Europe	"The EU should speak with one voice on all key foreign and security matters."	"This includes making European Security and Defence Policy in close cooperation with NATO"
Terrorism	"International terrorism must be met with suitable strategies, new mechanisms of conflict prevention and management, as well as a reassignment of our defence capabilities"	<ul style="list-style-type: none"> - "Europol should be given more competencies" - "Eurojust should be developed to become a genuine communication and early warning network linking national prosecution authorities"; - "Definitions of crimes such as trading in enslaved women, drug trafficking, Internet crimes, money laundering and acts of racism should be harmonised in all national legal systems to establish common EU minimum standards"; - "We support the creation of a European Public Prosecutor."
Immigration	"Master and manage immigration and combat illegal immigration, crime and trade in enslaved women [...]]Illegal immigration must also be nipped in the bud through improved	<ul style="list-style-type: none"> - "A European border police corps should be available if requested to assist colleagues in Member States in reinforcing the EU's external borders" - "We support harmonised asylum procedures to be dealt with within six

	<i>cooperation with source and transit countries "</i>	<i>months "</i>
Sustainable policies	<i>"We support consistent environmental protection on the basis of strict rules throughout the EU..."</i>	<i>"...rules based on the principle that the polluter pays, and that the rules are strictly policed"</i>
Climate change	<i>"To stop climate change should remain a top priority. [...] We want to reach this goal by supporting renewable energies, the use of innovative technologies, and by transport policies which mean less damage to the environment"</i>	<i>"A European road map for more rapid implementation of the Kyoto Protocol is intended to make the EU a world leader in this area"</i>
Food safety	<i>"Food security needs to be given top priority"</i>	<i>"Ensuring agricultural production which is more sensitive to the environment, through greater transparency, and through effective monitoring of the entire food chain"</i>

4. SHOULD EUROPEAN PARTIES PROPOSE A CANDIDATE FOR EUROPEAN COMMISSION PRESIDENT?

*Gianni Bonvicini, Gian Luigi Tosato, Raffaello Matarazzo**

In facing the not altogether new theme (Notre Europe, 1998) of possible recommendations from the major European parties of candidates for the role of President of the Commission, it will be necessary to start with the stalled process of institutional reform, which has suffered a double stop in the last three years because of failed or delayed ratifications: first, of the Constitutional Treaty, and second, of the Treaty of Lisbon.

1. The Crisis of the Institutional Reform Process

This deep crisis of the reform process of the community's system leads us to reflect on three elements:

First, the **role of the European citizens**. The fact that the two failures derive from negative results in popular referendums in States fundamental to the EU is, apart from the various interpretations, a signal of growing detachment between the citizens and the institution/politics of the EU. This detachment appears even graver when the incontrovertible

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data are looked at, which show a progressive drop in the percentage of voter participation at elections for the European Parliament, a drop from 66% in 1979 to 48% for the last election in 2004. Of all the European institutions, the Commission is perceived by citizens as being the most distant from them.¹ This is despite the fact that, according to the Eurobarometer, more than 50% of citizens continue to be in favour of the process of integration (a percentage which has, however, dropped during recent years). For years, the community's institutions have tried to find ever more advanced methods of communicating with citizens in order to gain their favour (recently, "EU Tube"). But the results have been rather modest and, in any case, have not avoided the repeated "no" of the national referendums. It is therefore necessary to look to the creation of more direct instruments of democratic control, which can also be interpreted as such by Europe's citizens.

Second, **political dynamics are no longer guaranteed.** The system of progressive and functional integration seems to have exhausted the drive which started with the Single European Act (1986) and permitted notable progress in the unification of Europe. The institutional reforms which marked the more significant political steps are blocked for the moment, and, for the first time, a (massive) enlargement of the EU was not accompanied by a counterbalancing strengthening of procedures and institutions. As the dynamics of the reforms are an intrinsic aspect of the integration process, one must ask how long the European Union can resist the disruptive forces that an excessive number of national actors may trigger, favoured politically and psychologically by the failure of the reform process. It is therefore urgent that we reactivate political processes – not only those of institutional reform – which maintain the dynamics of the community system high.

Third, the process of institutional reform which the pertinent national and European politicians have emphasised during the last twenty years, has not enjoyed sufficient support in European public opinion. In fact,

¹ According to the latest Eurobarometer, only 22% of Europeans feel their opinion counts for the Commission, against 25% for the Parliament and for national governments. "The European Union and its citizens, in *Eurobarometer* 69, November 2008, p. 28-37, http://ec.europa.eu/public_opinion/archives/eb/eb69/eb69_part2_en.pdf

quite the opposite has been the case, so much so that several European experts talk of a “**deepening fatigue**” which parallels the “enlargement” one. This observation appears even more of a paradox if one considers that, in the course of the last twenty years, the progress made in terms of the EU’s spheres of competence has been extraordinary, much more than was hoped for when the single market/Single European Act was launched in the mid-eighties.

This expansion of competencies - with the new treaties and beyond them - has not been accompanied by a corresponding increase in control and democratic participation on the part of Europe’s citizens. These citizens have in fact expanded their habit of ‘directly’ electing their own governing representatives at local, regional, and national levels, but not at the European level.

This is one of the main reasons for the paradox that the distance between the strengthened institutions of the EU and its citizens has notably increased instead of lessened, as would be expected in view of the institutional progress made during the last twenty years. Above all, it emerges clearly during the referendums regarding the Treaties and the elections for the European Parliament that national political processes prevail (because they are easier to control democratically) while democratic access at the European level remains limited and feeble.

2. Reasons for the Crisis

We are confronted therefore by two problems: for what reasons do national political processes continue to prevail over European processes, and what remedies can we adopt?

As far as the first is concerned, various experts and several reports produced by the European Parliament (among them the recent report by Andrzej Wielowieyski, 2008²) have tried to define the reasons for the disaffection of the citizens. The primary explanation is not, obviously, the **complexity of the decision-making processes** and the difficulty the average citizen has in

² Andrzej Wielowieyski, *Working document on Challenge of democracy: empowering the EU citizen* (PE 416.377v01-00), European Parliament Committee on Constitutional Affairs, 27 November 2008.

[http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COM-
PARL+PE-416.377+01+DOC+PDF+V0//EN&language=EN](http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COM-
PARL+PE-416.377+01+DOC+PDF+V0//EN&language=EN)

comprehending these processes, using his/her own national model as a point of reference.

The second explanation may arise from the **enfeebling of the constitutive reasons for the process of integration**, in which the Union, paradoxically, is the victim of its own success story: the accomplishment of peace on the continent, its re-unification, the economic development, the single market, the four liberties, etcetera. There exists, in other words, an ideological weakness which arises out of the difficulty of identifying new goals and common horizons. This makes the European model more difficult to 'sell', and causes it to surrender, especially in times of crisis, to the more familiar and assuring national models. The expectations citizens have for the European Union have grown dramatically, which makes the Union an object of citizen criticism and discontent when they believe these expectations – especially those regarding social plans – have been disregarded. Several studies into the 'no' vote in France demonstrate this.

Some also claim that **globalization** has had a negative effect, because the dynamics of European integration do not provide instruments of protection which citizens feel are effective or even perceptible. In particular, the workplace does not appear to be sufficiently protected, while at the same time citizens observe a decline in social-welfare policies, a decline which seems more evident in times of economic crisis and which spurs the need to indicate the exact use of the EU to its own citizens.

A separate discussion should concern **the failure of the communication policy** of the Commission and the European Parliament, which despite repeated attempts, has had a very limited impact; the figure of a European 'Speaker' is missing, someone who is able to interpret the expectations of the citizens and translate the deliberations of the Union into political messages. There is also a lack of events significant enough (for European citizens) to communicate, and the Union appears unable to communicate those issues which warrant information (for example, the role of the Euro in the recent financial crisis).

It is not sufficient to offer palliatives such as the "green papers", Plan-D of the Commission or other similar initiatives, which are not connected to a concrete exercise of democratic rights to give legitimacy to acts and to community policies.

In the end, the fact that citizens may select their governing representatives at a national level more or less directly, deciding whether or not to confirm the selection after a trial period, is certainly among the causes of the grow-

ing disaffection toward the European community's institutions, which are perceived as ever more invasive but, at the same time, without controls.

In our opinion, therefore, these criticisms can together be seen as a structural deficit of legitimate democracy and accountability, identifiable under the theme of '**political responsibility**'. It is a characteristic which is easily identifiable, in various degrees, in the individual national systems, but which is clearly missing at the community level.

In effect, the plurality of decision centres – the Commissions, the Council of the European Union and the European Council, the High Representative, the Central Bank – let alone the intermingling and the overlapping of competencies, functions and powers which exist between them, make it difficult for citizens to locate the political point of reference to which they might attribute the responsibilities of 'government', and over which (via the European Parliament) an effective democratic control might be exercised. A simplification will not be easy to arrive at under the present community institutional system, but it must be accomplished somehow in order to avoid a widening of the chasm between the European powers and authorities (today rather substantial) and the citizens' desire to be able to control these powers and authorities in a democratic manner.

3. An Increase of 'Political Responsibility' for the President of the Commission

A first element of a possible route toward a clearer definition of 'political responsibility' might be a clearer political indication of the figure of the President of the Commission, creating a connection between his/her nomination, the European Parliament elections and the role of the European political parties.

The idea of a 'direct' investiture of the President of the Commission was in any case already circulated during the Convention on the Future of Europe in 2002. John Bruton, the former Premier of Ireland and the current Ambassador for the EU to Washington, also formulated a proposal,³ which foresaw a two-ballot electoral mechanism and an ad hoc ballot card with

³ John Bruton, *A proposal for the appointment of the President of the Commission as provided for in Article 18. bis of the Draft Constitutional Treaty* (Conv 476/03), European Convention Secretariat, <http://register.consilium.eu.int/pdf/fr/03/cv00/cv00476fr03.pdf>

the names of the candidates, using a procedure which vaguely echoes that of the American electoral system. The proposal prompted a degree of interesting debate during the Convention.

An important precedent toward the 'politicisation' of the President of the Commission occurred following the European elections in 2004, when the PPE, affirmed as a force of relative majority in the European Parliament, declared explicitly that it would not have approved the naming of a President of the Commission who had not come from within its ranks, as indeed was the case for José Manuel Barroso.

Various levels of European civil society movements have registered diverse petitions originating from popular initiatives in favour of an institutional development in this direction.⁴ They have enjoyed a growing consensus, thanks to the multiplicative power of the internet. It is worth noting, in any case, that every time the proposal of a direct investiture of the President of the Commission is the subject of a survey by Eurobarometer, the majority of the responses have been favourable.

4. The Aim of the Proposal

The arguments which have been developed hereto indicate clearly that the time is ripe for the completion of another, clearer step in this direction. The procedure (voluntary) to be followed would essentially be to convince at least the major European political forces - popular, socialist, liberal-democrats - to select their own candidates for the President of the Commission. After the election, the European Council could proceed to name the candidate indicated by the winning party or coalition.

If this proposal were followed, the process of candidate selection alone would result in a better identification of political responsibility:

1) It would give greater strength and cohesion to the European political parties, obliging them to close ranks around the figure of a leader; at the same time it would give ideological strength to the party programmes. With the presence of a European political leader, the parties would be able to differentiate their programmes from those of the competition; moreover, it

⁴ <http://who-is-your-candidate.eu/index.php>; and <http://www.whodoicall.eu>

could encourage minor or fringe political forces to form alliances with larger parties and possibly allow the smaller group to participate in future parliamentary majorities which would supply the candidate for the role of President of the Commission.

2) It would help to personalize - via the choice of a name and a 'face' which had been clearly selected - European political competition, which otherwise risks remaining largely abstract.

3) It would give a renewed 'European' impulse to the electoral campaigns, which have become increasingly concerned with national themes, obliging the candidates for the Presidency to promote initiatives in all 27 of the member States and on national television channels. At the same time, it would reinforce the relationships between the parliamentarians who campaign alongside the candidate, and with the territories covered; it would effectively make the elections for the renewal of the European Parliament a trans-national event.

4) It would enable a more precise political control of the European Parliament in matters concerning the Commission, through a clearer play between majority/opposition.

5) It would help to bridge the distance between the citizens of Europe and the heads of the community's institutions, making the first a direct participant in the process of naming the President of the Commission.

More generally, in the precarious balance between the decision-making bodies of the EU, a popular 'investiture' could partly **reinforce the role of the President of the Commission**, a role which has suffered a progressive 'shrinking'. From the Santer Commission onward, the objective weakening of the figure of Head of the Executive has become a concern, despite the improvements introduced with the Treaty of Amsterdam, which partially increased its degree of legitimacy toward the European Parliament.

In effect, the partial shifting of the traditional role of the Commission as engine and promoter of the integration process, the development of the 'pillars' (CFSP, ESDP and Justice and Home Affairs) external to that of the community, the new figure of High Representative, and the ever-expanding roles played by the Council and the European Council have weakened the power of the President of the Commission.

The increase of the Commission to 27 members, one for every current member State, has further inhibited its decision-making capabilities. The entry into force of the Treaty of Lisbon could weaken the Commission's

role, with the creation of an ever more powerful High Representative/ Vice President, and of a President of the European Council elected for two and a half years, with the possibility of a second mandate.

The proposal that the parties present their candidates for the presidency of the Commission, and the consequent electoral ‘investiture’ by the citizens, would block the decline of the role of an institution which remains key for areas relevant to European integration, and it would stabilize the balance between Union bodies which the Treaty itself could make, for diverse reasons, even more precarious and uncertain. In addition, through this new procedure, political processes would be set in motion which for some time have tended to stall and be worn down through institutional changes which have been very difficult for citizens to understand. Finally, the proposal goes in the same direction as that indicated in the Treaty of Lisbon in Article 9D, which foresees a tighter relationship between the Parliament and the President of the Commission. It would, in short, reinforce the popular legitimisation of the Commission, which, not coincidentally, is perceived as the European institution furthest from its citizens.⁵

5. The Centrality of the European Citizen

Ways to make the process of the construction of Europe more democratic and more valid, with more involvement on the part of European citizens, as well as ways to restore an authentically European political significance to the elections of the European Parliament, have been investigated for some time now.

The Treaty of Lisbon introduces a series of innovations in this direction:

- it is proposed, for example, that the President of the European Commission be proposed by the European Council, “taking into account the European parliamentary elections”, and then elected by the European Parliament, which retains the right to reject the name proposed by the governments;
- in addition, the legislative powers of the European Parliament would be increased, through an extension of the procedures for co-decision making, financing, and above all, through the elimination of the distinction

⁵ 61% of Europeans see the Commission as not taking any account of their opinion. See *Eurobarometer* 69, cit., p. 28-37.

- between compulsory and non-compulsory costs. Regarding international agreements, the European Parliament must always be asked for a confirming opinion;
- the Treaty also reinforces the role of the national parliaments, increasing the value of the democratic controls on them and allowing a greater level of participation in the activities of the EU. The biggest change involves their information, the control of the principle of subsidiarity, the mechanisms for evaluation in the areas of freedom, security and justice, and the revision of Treaties;
 - finally, the possibilities for a European citizen to participate in the community's political processes will be enriched by new rights of initiative, whereby a million European citizens from a certain number of member States may send the Commission a proposal regarding a matter which lies within the competencies of the EU.

The theme of "European citizen" is gradually recuperating political space in the Union. Apart from the launch (with the Treaty of Amsterdam) of a European citizenship in addition to that of the national State, the right of personal petition before the European Parliament will now be recognized. These aspects of the centrality of the citizen are the subject of new parliamentary proposals, such as that relative to "the initiatives of European citizens" addressed to the Commission (Kaufmann Report, 2008⁶). It is just as Article 8 of the Treaty of Lisbon reminds us, when it speaks explicitly of representative democracy and says that "the EP shall be composed of representatives of the Union's citizens", which substitutes the previous wording of "...of the peoples of the States brought together in the Community" (Duff Report, 2008⁷).

The proposal to request European political parties to indicate a President of the Commission for the coming electoral campaign moves in this same

⁶ Sylvia-Yvonne Kaufmann, *Working document on guidelines for a proposal for a regulation of the European Parliament and of the Council on the implementation of the European Citizens' Initiative (III) - Specific issues* (PE 414.327v01-00), European Parliament Committee on Constitutional Affairs, 15 October 2008.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-414.327+01+DOC+PDF+V0//EN&language=EN>

⁷ Andrew Duff, *Working document on the Election of the European Parliament (III)* (PE 400.478v01-00), European Parliament Committee on Constitutional Affairs, 18 January 2008.

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+COMPARL+PE-400.478+01+DOC+PDF+V0//EN&language=EN>

direction. It is a way, perhaps more effective than a series of information and communication campaigns, of bringing citizens closer to the European Parliament and to the Union, and of rendering the electoral campaign a little less national and a little more European, as in theory it should be.

6. Difficulties to Overcome

There are several difficulties to overcome, some contingent, others structural. Among those contingent are the opposition of various European governments to the ‘politicisation’ of the figure of the President of the Commission; the unwillingness of the European Council to accept a reduction of its role in the procedures for naming the President of the Commission; and the engagement of many Prime Ministers (including socialist) in a push to reconfirm Barroso.

Among the structural difficulties to be faced is the objection that the role of the President of the Commission — who holds the power of initiative, is the guardian of the Treaty and must guarantee the continuity of the execution of policies decided upon by the Council of Ministers — must therefore be bipartisan. At the same time an investiture would mean that he/she would be party-political, or “partisan” (Micossi, 2008⁸). But apart from the fact that almost all the Presidents of the Commission have represented “partisan” figures, a bipartisan counterweight could probably be found in the appointment of positions of control from the opposition, such as those of the European mediator and of the President of the Court of Auditors.

It also should not shock us that some of the Commission’s functions, including some of administrative, regulatory or quasi-judicial nature, will clearly assume political responsibilities. In fact, in the vast majority of cases, this is already true, and the clarification of the process of nominee selection can only contribute to transparency and control in the eyes of both the Parliament and of the citizens of Europe.

It must also be asked what the reaction of the European Council might be in response to the recommendation that the Parliament makes based on the election result; a refusal on the part of the governments to take into consideration the candidate from the winning coalition could provoke a political

⁸ Stefano Micossi, “Un laboratorio di democrazia”, in Stefano Micossi and Gian Luigi Tosato (eds) *L’Unione europea nel XXI secolo*, Bologna, il Mulino, 2008, p. 275-303.

crisis and the paralysis of the institutions of the Union. The question is in fact uniquely political, one of the relationship between the European Parliament, parties and the European Council, and the solution can only be political. But it is difficult to imagine, in light of what has been stated above and of the tendency toward a 'democratisation' of the procedures for naming the President of the Commission (revealed in the texts of the Treaties), that the European Council would want to or could even easily contradict a similar move if it resulted from the election. It is, in any case, a risk worth taking.

Finally, in the event that a crisis of the Commission occurs during the course of the legislative period, which then leads to the resignation of its President, the responsibility for proposing the name of the new President of the Commission to the European Council would lie in the hands of the parliamentary majority which had won the election. In the remote possibility that the majority also finds itself in crisis, the new name would be proposed to the Council by the new majority (absolute or relative) which is formed following the 'crumbling' of the preceding majority.

7. The Need for a Greater Democratic Legitimation of the EU

Today more than ever, the European Union is in need of leadership and courageous political choices.

A leadership able to synthesise the diffuse (and often scattered) competencies found in the European institutions, transforming policy into clear action. A leadership capable of asserting Europe's point of view in face of the strong re-emergence of inter-governmental and nationalist pressures. A leadership legitimised not only by national governments and the Council, but also and above all by the European Parliament and the citizens of Europe.

The authority of its institutions, the clarity of its regulations and the transparency of the selection procedures are the basic pre-requisites for today's Union to put such a leadership in place. Methods for selection of the political personnel are fundamental in order to let the best candidates in the European Union emerge in a competition which must be fair and transparent. The proposal to allow the citizens of Europe to express their opinions regarding the candidates to the Presidency of the Commission goes exactly in this direction.

The time is ripe for this choice, even if it appears too late for 2009 EP's election. The citizens of Europe, in various ways, have requested it for some

time. And the time has come for the elites of Europe to listen and face this new challenge.

This proposal is not, obviously, the only possibility open to us.

The democratic legitimisation of the Union will also occur through other steps:

- a stronger connection and greater interaction between the European Parliament and the national parliaments;
- a closer relationship between the European Parliament and the Council of Ministers in decision-making processes;
- in addition, a greater involvement of the High Representative both in the work of the Commission as well as in that of the European Parliament (here as well the new articles of the Treaty of Lisbon are important);
- an increase in the mechanisms of parliamentary control over the Eurogroup and the European Central Bank.

It is our opinion that what should interest us most is the fact that a President of the Commission who has been legitimised by the majority of Europe's voters and who enjoys a privileged relationship with the European Parliament could initiate a process of clarifying political responsibility, which today tends to be evasive and bounces from one institution to another, creating decisional dysfunction between institutions and political disaffection among EU citizens.

Putting a face to European Democracy (Notre Europe, 1998) could help to reverse the ever decreasing amount of trust citizens have in the European Union.

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