40 YEARS OF EUROPEAN PARLIAMENT DIRECT ELECTIONS

<u>A European Parliament Election of Consequence</u>

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Introduction

'**World peace cannot be safeguarded without the making of creative efforts proportionate to the dangers which threaten it'** is the opening sentence of the Schuman Declaration of 9 May 1950. After seven decades of peace on our old continent that proposition may have lost some of its resonance for younger Europeans but certainly none of its relevance. We meet in the shadow of the recent centenary commemorations of the end of the First World War in November 1918. That war led to the collapse of four empires - the Austro Hungarian, German, tsarist Russian and Ottoman empires. The armistice ushered in an interlude between world wars but not an era of sustainable peace. Less commented on recently than the collapse of empires, but in its own way no less potent, was the US Senate refusal in 1919 to join the League of Nations and its rejection of the Versailles peace treaty. Lessons were learned after the Second World War, not least by the victorious Americans. Engagement and global leadership were the United States chosen form for the self-expression of its enhanced national prestige and global power.

After World War Two, Pax Americana and NATO assured the peace in Western Europe but Europeans sought and found a deeper reconciliation for themselves through the process of European integration, '**through concrete achievements which first create a de facto solidarity,**' in the words of Robert Schuman. An American-led rules based international order has served Europe and the wider world well but the underwriting anchor state of that order, the USA, today seems set to become its great disruptor. Combined with overt and covert Russian aggression in Ukraine, backsliding on the rule of law in some European states, the imminent exit of the UK from the EU and increasingly contested values and policy fundamentals remind us that recent past performance is no guarantee of future continuity or success.

A drift towards more authoritarian models of government abounds. Popular descriptions of Vladimir Putin as a Czar, of Recep Tayyip Erdogan as a Sultan, of Xi Jing Ping as an Emperor capture the zeitgeist. Viktor Orban, the self-declared illiberal democrat, and Donald Trump the want-to-be disruptor exhibit tendencies that are not dissimilar. Open and pluralist democracy is a high water mark but not the long-term norm of human history. The next European Parliament elections will take place in this fraught context. What we value must be nourished, renewed and re-energised by each generation rendering our democracies fit for the times we live in. This is well captured in the words of Il Gattopardo, the Leopard, ' **For everything to stay the same, everything must change'.** Complacency is not an option for those whose choice is open and liberal democracy.

Against the background of the turbulent first half of Europe's twentieth century that we should have a directly elected parliament operating at a supranational level, validated by conferred treaty powers and representing all the peoples of the European Union is a truly impressive and unique phenomenon. It represents a

civilisational and not just a political change. It has no precedent in human affairs and nothing quite like it exists anywhere else in the world. In its early decades the parliament had to assert its democratic mandate as it laid claim to more extensive powers. It now acts as a co-legislator with the Council, as a budgetary authority with influence over all Union expenditure, exercises oversight of the European Commission and all high political authorities at Union level, has the right of assent over international agreements and is buttressed by increasingly substantial inter-institutional agreements with the Commission. This is not the talking shop of early critiques of its predecessor institution the European Parliamentary Assembly established in 1958. Institutionally and politically the European Parliament is an indispensible player in the life and politics of the European Union today. Its ninth convocation since the first direct elections will commence with the elections of May 2019. The feeling is abroad that this time there is more at stake in these elections than before.

Low turnout

Regrettably one observes that though the European Parliament has political and treaty-based constitutional legitimacy it has struggled to find widespread popular legitimacy in line with the rise in its powers and influence. From the first direct election across nine member states in 1979 to the eighth direct elections across twenty-eight member states in 2014 the turnout only ever has declined, from a high of 61.8% to a low of 42.6%. Analytical and academic observations that these are second order elections, that turnout compares favourably with US mid-term elections or that there is no European demos though relevant as explanations do not of themselves compensate for a degree of disappointment that in voter turnout terms this unique experiment in trans-frontier democracy has not found a higher cruising altitude.

One can speculate on many reasons why this participation gap exists. On the policy input side, for most citizens, in spite of decades of exposure to the evolution of EU politics and administration, the system remains complex and opaque. There is widespread ignorance of how the EU including parliament actually works. Many EU legislative acts are framework laws which in time are transposed into national law and thus, if at all, into national and popular consciousness but with a time lag. This obscures the essentially European origin of such initiatives.

The European Parliament, its political groups and its members are among the most active exponents of parliamentary social media activity in the world, across twenty-four official languages and multiple platforms (including official websites, EP News Hub, Facebook, Foursquare, Flickr, Google+, Instagram, Linkedin, Pinterest, Reddit, Snapchat, Spotify, Twitter, Vine and You Tube). This underlines the necessity to appreciate the distinction between communications, in terms of policy and platforms, and communicating, in terms of reaching mass public consciousness and influencing voter participation and behaviour. Paradoxically there is a co-existence

of both simultaneous tsunamis of information and vast reservoirs of popular disconnection. Voter disconnection and low turnout are not unique to the European Parliament in contemporary democracy but these remain sources of concern when one observes the ultra low turnouts in several member states, especially though not only in the Visegrad states.

As regards elections, Euro-constituencies range in size from national to super-regional in scale. While party lists typically are led by well-known personalities lesser-known candidates chosen by party selectorates frequently make up the rest. When a newly elected MEP travels to a first post-election plenary session, largely unknown to their electorate at the point of departure, it is not the real geographic or perceived institutional distance of Brussels or Strasbourg from their electoral base that explains their comparative anonymity. It is the party selection systems at home that must bear the burden of explanation. These essentially are a national and not a European challenge to resolve. A common electoral law that insisted, for example, on open list systems and proportional representation could address this anonymity problem but resistance to change comes from the very sources of national party political power that prefer to manage and/or manipulate today's diverse electoral systems.

Also, European elections remain essentially national in character. Voter mobilisation focuses more on topics and personalities driven by local or national preferences than cross-frontier and pan European issues. This reinforces an existing tendency among member state governments and media to treat EU issues as external rather than integral to national politics, less as a matter of partnership and more as an outside imposition. Even where European policy issues come into play during national European election campaigns they can be highly differentiated from one state to another in terms of preferences and interests.

The Spitzenkanditaten process and its televised debates during the 2014 elections led to more awareness of pan-EU political issues among those who chose to follow them but failed to reverse the secular decline in voter turnout. Elections including those for the European Parliament continue to be fought mostly inside the political and linguistic boundaries of our member states. The role of European political parties has advanced but in truth they still are in effect confederations of broadly like-minded national and regional parties. It is the latter, the national member parties, who are the agents of political expression and activity on the ground in member states on behalf of the European party. No one, for example, expects the EPP European election campaign to sound or feel the same in Hungary under Fidez as it will elsewhere in the EU. Viewed through the respective lenses of creditor and debtor states completing economic and monetary union will be a very different debate in different places even inside the same pan-EU political families, likewise for immigration, European defence and other big ticket policy issues.

Contested politics

On the policy output side, the multiple and consecutive economic and migration crises of the past decade have left their electoral mark across the face of the continent. They have produced greater inter-state tensions and policy cleavages and have led to more contested, more fragmented and more nationalist tendencies in politics. Striking a balance during the economic crisis between fiscal rigour and fiscal rigidity has proved elusive. The immigration crisis has been contained but the radioactive political half-life of its consequences has not. Agreeing an agenda and level of ambition for reform lies trapped between Gallic enthusiasm and Teutonic caution, with the possible exception of a Trump-inspired but contested proposition to deepen EU defence policy. The fundamental values of liberal democracy, truths many thought we held to be eternal, are stress-tested too often for comfort inside our Union.

In state after state the traditional centre left and centre right have been compressed as new parties, nativists and populists of the left and right and new centrists have made electoral gains. In terms of single party majorities and significant minority presence in government there now is an unbroken chain of populists and ethno-nationalists in charge from the Baltic to the Adriatic, one could say from Stettin to Trieste, echoing Churchill's famous Iron Curtain speech at Fulton, Missouri in 1946. Against this background let us reflect on the upcoming European Parliament elections. Nothing is certain but some things are clear.

The distribution of power

Every political group in the European Parliament has always been a minority. Every one of the eight convocations since direct elections has resulted in a power duopoly exercised by the two largest groups, the EPP and S&D. For the first twenty years, 1979-1999, the S&D were in pole position. For the next twenty years, 1999-2019, the EPP has been the largest group. The nature of this duopoly is most visible in the distribution of parliament presidencies by group over the past forty years. These constitutive accords are not formal coalition agreements but are a proxy measure of the distribution and exercise of power. Of the sixteen two and a half year rotations of office the EPP accounts for seven EP Presidents, the S&D for six, counting Martin Schulz twice, the Liberals for two and the British Conservatives for one. The three exceptions outside the duopoly do not disprove the rule but confirm that it was not always enforced with iron discipline. In terms of seat share the S&D peaked in 1994 with 34.9%, while the EPP peaked in 1999 with 37.2% of the seats. In the current parliament these two groups between them account for 54.4% of MEPs. In the light of consecutive national and regional elections since 2014 one can predict with reasonable certainty that this duopoly is about to be ended by the electorate.

Both the EPP and the S&D are set to lose votes. Several poll-of-polls analyses have been published suggesting that the combined strength of these two parties is likely

to drop to 45% or possibly less with both losing voter and seat share but with the centre left doing relatively worse of the two. As a consequence their collective future power political options will be diluted.

Following Brexit the number of seats in the next convocation of the European Parliament will drop from 751 to 705. Estimates suggest that new parties that were not in existence or did not contest the 2014 elections may win up to 80 seats, more than one in ten, of the next parliament. If the traditional centre left and centre right are set to be the big losers, the winners seem likely to be distributed in a nearly symmetrical split between, on the one hand, the more nationalist, more Eurosceptic and more extreme parties of the left and right and, on the other, the new parties of the centre. Politics is also likely to be more contested as the share of Eurosceptic and nationalist deputies is set to increase but their collective policy coherence and its effects remain to be seen. The Greens have being doing well in recent national and regional elections but their prospects for the next European Parliament appear to be relatively limited.

On current projections, after the next elections - the EPP and S&D will not constitute a majority - a coalition of the EPP and all parties to its right would not constitute a majority – nor would a coalition of the S&D with all parties to its left. A coalition of the EPP or the S&D with parties of the centre is unlikely to form a majority if current projections hold. Consequently, power in the next European Parliament and across the institutions will need to be more distributed than in recent years to reflect the new political realities, probably with a shift from a two party duopoly, at a minimum, to a three or four party oligopoly. This will be a more fragmented structure necessitating more consensus building and bargaining and more complex coalition construction not just for constitutive sessions but also on an on-going basis policy by policy.

Spitzenkandidaten

The EPP has selected Manfred Weber to be its lead candidate in 2019. The S&D selection will be made in Lisbon early in December (2018). The ALDE group is fortified by the recent announcement at its congress in Madrid that President Macron's En Marche will join, signalling a rejuvenation of the centre. Others may follow. ALDE has not nominated a lead candidate but will convene early in 2019 in Berlin to propose a leadership team for their EP electoral campaign. This choice leaves the door open to future bargaining in the light of the election outcome. It appears to be resiling from the Spitzenkandidaten logic of five years ago leaving future options open. It avoids for the moment tying President Macron, in advance, to supporting a particular lead candidate or indeed any lead candidate. The Greens meet in congress in Berlin as we speak.

The Spitizenkandidaten experiment continues but in the light of a probable change in the distribution of power its outcome is less clear than in 2014. Declaration 11 of the Lisbon Treaty in relation to Article 17.7 of the Treaty on European Union

designates the European Parliament and the European Council as being '**jointly responsible for the smooth running of the process leading to the election of the President of the Commission**' and refers to '**taking account of the elections to the European parliament**'. It is worth recalling in the event that a candidate for the presidency of the European Commission fails to obtain a parliamentary majority in the European Parliament that Article 17.7 of the TEU provides that '**the European Council, acting by a qualified majority, shall within one month propose a new candidate who shall be elected by the European Parliament following the same procedure.'** In short the rules already anticpate circumstances where the parliament could fail to find a majority for a given lead candidate. This is not to predict that it will fail to do so but rather to illustrate how much will remain to be played for once the new parliamentary arithmetic will be revealed next May.

Conclusion

Let me conclude. I am an Irish European, Irish first and last but not only Irish in terms of my identity. Identity has become a central part of today's divided political discourse. We need to defend a place for layered identity, for a sense of belonging to where we come from undiminished by feeling connected to a larger community of shared destiny.

Pope Francis spoke of the need for a 'memory transfusion' in Europe when he received the Charlemagne prize of Aachen in 2016.

For my part, I fear the rise of xenophobic nationalism with its toxic echoes of the 1930s. I fear the rise of super patriots and fanaticism, of extremist ideologies and the creeping disregard for checks and balances and the rule of law. I fear a world of strong leaders and weak institutions. I recall Mussolini's remark "If you pluck a chicken one feather at a time nobody notices". I remember our continent's history and do not want to turn the clock back.

Today's political battleground is moving from the traditional left-right cleavage, stranding many traditional political parties in its wake. The new battle is more between open and closed not left and right, between pluralist democracy and creeping illiberal majoritarianism. We cannot let xenophobes appropriate what it means to be a patriot. We cannot abandon our capacity for consensus building and compromise. We need to create the space and time for mutually respectful reflection and debate in an age of accelerated and instantaneous communication, which is not easy. We need to acknowledge that not everyone concerned about immigration is a racist or should be labelled as such. Not everyone who promotes openness disrespects national sovereignty or should be accused of such. Not everyone who is disillusioned and angry or bitter is wrong or should be dismissed as such. We need through policy innovation to rediscover the democratic energy of popular politics without populist excess. We owe it to ourselves and to our responsibility before

history to make creative efforts together proportionate to the dangers which threaten us.

I do not like extremes in politics but at my stage of life I can countenance being governed by those who are slightly left or slightly right, slightly liberal or slightly green but I cannot countenance living under those who are only slightly democratic. This for me is the battleground for 2019.

ENDS