

## Europeanising European Public Spheres <sup>1</sup>

### ABSTRACT

This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the AFCO Committee, provides a brief overview of the academic debates on Europeanisation as well as contestation and politicisation of the EU and European integration. Against this background, it focuses on the European public sphere(s), in particular those based on the media and parliaments. The study further discusses current reform proposals aiming to Europeanise the European elections and concludes with recommendations on increasing the legitimacy of the European Union.

### Introduction

For a long time, the European project drew its legitimacy from its capacity to solve problems effectively, and the process of integration was largely accompanied by what Leon N. Lindberg and Stuart A. Scheingold termed the 'permissive consensus': despite earlier periods of increasing contestation, European integration was generally based on a broad consensus across the political mainstream on its desirability, and citizens permitted their political representatives to pursue this course without much interference.

Over time, however, the twin processes of increasing European integration and growing Europeanisation of the member states have gone hand in hand with a decrease in public support for the European Union (EU) and a growing politicisation of the integration project. The alleged consensus gave way to something that Liesbet Hooghe and Gary Marks labelled a "constraining dissensus": European integration has become a far more salient, controversial and contested issue, and political parties and issue entrepreneurs try to mobilise and exploit related concerns for their electoral benefit. The key diagnosis presented by eminent scholars such as Simon Hix was that EU politics had for decades pretended that 'real' politics did not exist in Brussels and thereby refused to address pivotal and salient political differences, political debates, and divergent political concepts within a wider and deeper Europe.

Against this background, the aim of the study is two-fold. The first aim is to provide an overview of the related academic debates on Europeanisation, the contestation and politicisation of the EU and EU integration as well as on the European public sphere. The second aim of the study is to present and discuss current reform proposals specifically aimed at a Europeanisation of the elections to the European Parliament (Parliament).

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<sup>1</sup> Full study in English:

[https://www.europarl.europa.eu/RegData/etudes/STUD/2020/654628/IPOL\\_STU\(2020\)654628\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2020/654628/IPOL_STU(2020)654628_EN.pdf)



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## Europeanisation, Politicisation and Democratic Legitimacy

Within political science, Europeanisation is most frequently conceptualised as a top-down or horizontal process through which EU rules and procedures, but also norms, ideas and routines impact domestic institutions and policies. A second, very broad, field deals with Europeanisation from a different perspective, namely with the question of how the EU and European integration affect political culture, citizens' identities and political attitudes in terms of opposition and support. Here, recent debates focus on two related issues, namely growing contestation and politicisation of the EU. Both are intimately connected with the topic of the European public sphere, which, in turn, directly touches upon questions regarding the Europeanisation of mass media or parliamentary communication.

Growing contestation and politicisation are certainly to some extent due to a growing sense of political alienation among EU citizens. This is at least partly based on difficulties in understanding, let alone participating in, remote decision-making at the EU level, and a feeling of helplessness vis-à-vis far-reaching political decisions that affect their daily lives but that they have little voice in or vote on. Citizens are (more or less) familiar with political parties, political competition and government formation at the domestic level(s), while EU decision-making processes are highly complex and difficult to understand, European political parties and groups in Parliament are mostly unknown, elections do not have a recognisable effect on government formation and familiar left-right politics appear displaced by technocratic decision-making. In other words, the EU lacks the familiar structures and institutions that provide input legitimacy.

For some commentators, politicisation has an inherently negative connotation, namely that the EU has failed to successfully isolate issues from public debate and contestation in order to achieve better policy outcomes. From this perspective, increasing politicisation of European integration constrains national leaders from agreeing on the compromises needed to solve urgent policy problems for fear of domestic backlash, especially as Eurosceptic parties and actors aim to mobilise national publics against the EU and further integration. Increasing successes of Eurosceptic parties, in turn, could lead to growing Euroscepticism within the EU institutions, hampering the EU decision-making process or, in the worst case, even threatening the EU itself.

Others, by contrast, welcome politicisation as a desirable development and have proposed a number of mechanisms aimed at injecting a healthy dose of politicisation by openly addressing political conflict in the EU and utilising ideological and political conflicts to increase the visibility, transparency, and legitimacy of policy-making at the EU level. Here, politicisation is supposed to insert elements of drama, and thus to increase public awareness and interest in EU politics with the aim of reinforcing the connection between the EU and its citizens.

### The European Public Sphere(s)

Transparency, openness and politicisation are also intimately related to the notion of the European public sphere as an arena for EU-wide public discourse. The definition of and the functions ascribed to the public sphere differ according to the democratic theories they are based on, yet there is a basic consensus that it should, first, provide citizens with the necessary information to, second, enable them to scrutinise actions of political actors to hold them accountable, third, provide citizens and groups with the opportunity of discussing important political questions and making their voices heard by policy makers and, fourth, foster the development of a sense of belonging to a common (European) community.

Most commentators agree that a unified and truly European public sphere would require a common language, a shared identity and, most importantly, a common infrastructure, i.e. European media - and that neither of these vital elements are seen as fully present or likely to fully develop in the EU within the near future. As a result, the academic debate has turned to the notion of national, but Europeanised and connected, public spheres, and to national media and parliaments as two important arenas for public debate.

With regard to the media the literature presents a mixed picture. While we have undoubtedly witnessed a remarkable growth in European and transnational media over the last three decades, they continue to attract mainly elite audiences, while the reach among the broader European public remains very modest. At the same time, we do observe a growing Europeanisation of the national media. Important EU issues or events get fairly broad coverage, both in terms of vertical and, albeit limited, horizontal Europeanisation. Yet the specific media logic according to which 'the only good news are bad news' also often results in a focus on 'strategic reporting' and thus on personalised conflicts or battles between a small number of, mainly executive, political actors - even by media with a more pro-European editorial line. On the one hand, this commercial logic that favours sensationalism, a personalisation of politics as well as an emphasis on national interests to make EU politics more salient for the readers, can foster a politicisation of EU politics. On the other hand, it also increases the risk of a 'spiral of Euroscepticism' driven by both the supply and demand of negative news about the EU.

Parliament as well as the national parliaments, in turn, often struggle to draw the attention of the media despite their increased efforts to communicate EU issues to their citizens. The media report regularly, albeit selectively, on plenary debates on EU issues but, overall, parliamentary actors tend to play a minor role in EU news compared to executive domestic or EU actors. Indeed, Parliament even has to compete with national parliaments for media attention, and often finds itself on the losing side. Recognisability seems to play an important role here. Outside of European elections, national parliaments' EU activities seem to be more relevant for the media than those of Parliament, not least because journalists still seem to find it difficult to cover a Parliament that is so different to the national parliaments their readers are familiar with.

### **Europeanisation of the European Elections?**

The Europeanisation of European elections has been analysed with two main approaches, the second-order election model and the EU issue voting model. Generally, comparative reviews of these models most frequently find that European elections are still somewhat 'second-order', while there is also evidence for some degree of EU issue voting. Focusing on the timeline from the first European elections in 1979 to the most recent iteration in 2019, the usual consensus is that European elections have gradually become more European. However, this development appears far from a common, linear trend. Essentially, as shown for the 2009 and 2014 elections, common crises which produce common (or at least similar) political problems and campaign issues appear to push for increasing Europeanisation. The lack thereof, as in 2019, often allows for a re-nationalisation of political campaigns (top-down) and of the determinants of vote choice (bottom-up).

Indeed, the 2019 European elections were, according to the campaign material collected by the European Election Monitoring Centre, overall characterised by a 'low-intensity campaign'; in a majority of the member states the campaign was barely perceptible. A common trend across Europe was the continued dominance of domestic over European issues. On average, around two thirds of the campaign content focused on distinctively national politics or blended domestic and European affairs; only around a fifth of the campaign appeals centred on Europe or purely European topics and perspectives. Moreover, even where EU issues were relevant for the campaign, they were very often formulated as a simple binary choice for or against (more) EU integration.

As our analysis shows, the proposals made by Parliament regarding the harmonisation of national electoral rules also had little impact, as most were not implemented by the member states for the 2019 elections. This is the case for most proposals that aim at a harmonisation of national electoral rules and organisation, but also for the proposals to increase the visibility of European political parties in the campaign. Very few member states followed Parliament's proposals to make the names and logos of European parties visible on national ballot papers. Equally, only a small fraction of the national parties made their affiliation to European political parties visible during the electoral campaign.

## The *Spitzenkandidaten* Process and the Introduction of Transnational Lists

Within the debates on how to increase the ‘Europeanness’ of European elections, and thereby the democratic legitimacy of the EU, two key proposals have gained most prominence, namely the so-called *Spitzenkandidaten* (lead candidate) model and the introduction of transnational lists.

The aim of the *Spitzenkandidaten* model was to engineer an open contest for the Commission Presidency. Publicly visible, rival candidates were considered to be suitable vehicles to better aggregate and present the political programs of the European parties, to focus political attention towards the levels of EU politics, and to inject a dose of politicisation into the election contests. The introduction of lead candidates also represented an attempt to strip EU politics of its bureaucratic, distant, and impersonal reputation, but instead to foster the links of European politicians with the European electorate(s) and to improve the perception of political accountability, competence, and leadership.

A key problem of the lead-candidate process, however, is its weak formal institutionalisation in the Treaty on European Union. The formal basis of the *Spitzenkandidaten* model remains rather opaque and only vaguely links the selection of the Commission President to the results of the preceding European elections. By merely stating the Council should ‘take into account’ the outcome of the elections, the lead-candidate process continues to be non-binding and open to strategic exploitation and manipulation.

With vague institutional ‘rules’ that were open to interference by self-interested actors, Parliament-led ‘revolution’ of 2014 was effectively terminated by a Council-led ‘counter-revolution’ in 2019. The European elections of 2014 were successful by installing the *Spitzenkandidat* nominated by the largest parliamentary group as the Commission President. After the 2019 elections, however, Parliament failed to clearly and unambiguously support and defend the lead-candidate process with a clear majority, which ultimately enabled actors from the intergovernmental sphere to intervene and prevent the selection of EPP candidate Manfred Weber, but also of PES candidate Frans Timmermans. The casual abandonment of the *Spitzenkandidaten* process after the election likely frustrated integrationist voters and reinforced the view of Eurosceptics that the EU is an undemocratic system. The damage done will be difficult to recover from, and it is challenging to imagine how voters in future European elections could be motivated to believe in the lead-candidate model and how they could be convinced that their political preference and electoral choice do have a real impact on the selection of key personnel at the European level.

In more empirical terms, our study clearly shows the limited success of the lead-candidate process after its second iteration: its introduction did not boost electoral turnout, and the *Spitzenkandidaten*, who had little name recognition in larger segments of the European publics, failed to successfully communicate the European policies they stood for. Likewise, there is almost no empirical evidence that the lead-candidate process strengthened the electoral connection within the EU or brought about a general trend towards the Europeanisation of political communication, electoral campaigns, and political behaviour.

The European parties invested significant resources into advertising the lead-candidate system and promoting individual *Spitzenkandidaten*. Yet there is ample evidence that these efforts merely helped to connect with voter groups that were young, well-informed, and resolutely integrationist. So as to politicise European elections, the process was most effective among those voters that were already involved and politically aware but failed to impact those strata of the European publics which were alienated from EU politics.

In summary, the idea of the lead-candidate system was celebrated as a meaningful step so as to not only dramatise, politicise and Europeanise the election of the Parliament, but also to directly tie the selection of the Commission top executive to a Europe-wide popular vote. While the empirical reality, by contrast, has been sobering, it also needs to be kept in mind that it takes time for the effects of institutional reforms to materialise, especially if they aim at changing behaviour. Yet to be successful, further iterations of the *Spitzenkandidaten* process would require at the very least unified, cross-party support in Parliament for the procedure and the outcome, and ideally an institutional formalisation in the Treaty.

The common label 'transnational lists', in turn, refers to numerous vague ideas and specific proposals that aim to construct an additional constituency featuring lists of candidates selected not by national, but by transnational actors. What different proposals have in common is that they see the introduction of transnational lists as a further and crucial stepping-stone in the endeavours to turn European elections from second- into first-order contests. On the voter side, the provision of a pool of transnational candidates is expected to focus voter attention upon a diverse group of transnational candidates, the specific policies they stand for, and the European political parties that have fielded them. On the party side, the introduction of transnational lists aims at strengthening the European parties vis-à-vis the national parties, enabling them to formulate coherent positions and to effectively side-line currently dominant national aspects of campaigning, candidate selection, and vote choice.

The most prominent proposal has been put forward by the 'Duff report', named after the British MEP, Liberal Democrat, and federalist Andrew Duff. It suggested that 'each elector would be enabled to cast one vote for the EU-wide list in addition to their vote for the national or regional list'. Supporters of this proposal attempted to use the British withdrawal from the EU by constructing a transnational constituency based on a share of the seats previously held by British MEPs. Although the initiative suggested a very limited pool of only 27 transnationally elected MEPs, it did not win majority support in Parliament.

So far, we therefore do not have similar experiences to draw on regarding the introduction of transnational lists. In our view, however, most related reform proposals are too limited in scope. In light of the continued second-order nature of European elections, we are sceptical whether voters, who frequently fail to notice or to recall the lead candidates and the policies they are supposed to stand for, would be able to connect with a small pool of transnationally fielded candidates. Moreover, limited measures would introduce additional complexity without sufficient benefits, likely further alienate some voter segments, and reinforce the reputation of the EU as an enormously complicated and unnecessary complex political system. A very small pool of candidates might even prove counterproductive, because it makes Parliament vulnerable to accusations of violating the character of a genuine, representative parliament, of creating different groups of representatives within a patchwork institution that lacks clear-cut features of a representative body, and of, to put it bluntly, symbolic politics and window-dressing. To achieve some impact at all on voter information and to foster electoral linkages among voters and their representatives, we believe that any promising reform proposal would need to establish a much more sizeable pool of transnational candidates which covers, ideally, at least half of all MEPs.

### **Recommendations (Selection)**

We strongly recommend focusing on institutional reform proposals which result in a simpler institutional setup of the EU's political system.

Despite the limited success for far, we do believe that the Spitzenkandidaten system – in some form – is worth saving. Yet it can no longer be at the disposal of the political actors involved but must be based on a legal and binding formalisation of the process through which the selection of the Commission President is linked to the election result in Parliament. One option would be a constitutional provision that the lead candidate of the largest political group of Parliament will, quasi automatically, be appointed Commission President. The other, in our view better, option would be for Parliament to elect the Commission President out of the pool of lead candidates.

We also support the introduction of transnational lists for a sizable transnational constituency covering at least half of the MEPs as a means of Europeanising the European elections. It must be ensured, however, that a transnational constituency does not provide incentives for the European political parties to focus their campaigns predominantly, let alone solely, on a few member states with the largest number of voters, which would be fatal for the legitimacy of Parliament. One option here would be to base the transnational constituency on a single EU-wide district, but to field separate transnational lists in each of the member states

or even in cross-border constituencies. As a result, the European political parties would campaign with different transnational lists in the different EU sub-districts.

We encourage Parliament to pursue its proposals for amendments to the European Elections Act with renewed vigour and to push for a harmonised and fully European electoral system. Fundamentally different electoral rules violate the basic democratic principle of equality that ought to inform elections to the supranational parliament. Ideally, provisions regarding European elections ought to be transferred fully into a single set of unified European electoral rules, i.e. a truly European Electoral Law

The suggestions above require revision and ratification of the EU Treaties as well as the European Election Act. Given the EU's large number of veto players as well as their lack of incentives to implement them, the prospects for reforms are not necessarily good. Yet the upcoming Conference on the Future of Europe, currently likely to start in September 2020, may provide a true opportunity.

The success of the Conference will depend crucially on the agenda and how it is set. Putting issues related to institutional matters, including the Spitzenkandidaten system, transnational lists and European election rules on the agenda could allow for a broad public debate and provide citizens with an actual say over their democratic participation in the EU. This requires, however, that possible Treaty changes or amendments of the European Electoral Act are not, formally or informally, taken off the agenda.

The success of the Conference will also crucially depend on how citizens and civil society are involved. Instruments such as citizens' dialogues or online consultations can undoubtedly foster mutual understandings, both among citizens and between citizens and decision makers. Given the experiences with previous exercises, however, an improved approach is needed to take citizens' views into account and to actually transform them into EU policy making.

We welcome the Commission's emphasis on communication as a joint responsibility, on the fight against disinformation and the promotion of media literacy as well as EU education. Yet we caution against any attempt to return, within a corporate communication approach, to a 'neutralisation of ideology' – whether based on allegedly purely factual arguments or on engaging and emotional storytelling.

Finally, the EU also needs take the legitimising potential of national parliaments and inter-parliamentary cooperation and communication more seriously. Here, the introduction of an annual 'European Week' taking place simultaneously in all national parliaments, with debates between MPs, European Commissioners, MEPs and representatives of civil society on the Commission Work Programme could support the emergence of connected inter-parliamentary public spheres. In addition, such an event is likely to attract rather considerable media coverage. We also advocate a formal institutionalisation of the so-called 'green card' as a means to provide national parliaments with an opportunity to engage collectively in an active and constructive inter-parliamentary deliberation on EU responsibilities.

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