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Key changes to be introduced in the European political system

Olivier Costa

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OUR EUROPEAN FUTURE

Charting a Progressive Course in the World

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edited by Maria João Rodrigues

OUR EUROPEAN FUTURE

The Foundation for European Progressive Studies (FEPS) is the think tank of the progressive political family at EU level. Our mission is to develop innovative research, policy advice, training and debates to inspire and inform progressive politics and policies across Europe. We operate as hub for thinking to facilitate the emergence of progressive answers to the challenges that Europe faces today.

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Our European Future

CHARTING A PROGRESSIVE COURSE IN THE WORLD

Edited by
Maria João Rodrigues

With the collaboration of
François Balate

FEPS
FOUNDATION FOR EUROPEAN
PROGRESSIVE STUDIES

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Key changes to be introduced in the European political system

By Olivier Costa

Effective reflection on the key changes to be introduced in the EU political system for the next phase of the European project needs to be based on three observations.

First, it must be remembered that the EU regime has, since its origin, been shaped by long-term trends. We need to identify those trends and assume they will continue: it is virtually impossible to swim against those trends, and if they are to be successful, reforms will have to surf on them.

Five main tendencies can be distinguish in this respect, and all of them are to some extent intertwined. The first is the empowerment of the European Parliament. This trend has been ongoing since the 1970s, and it continues treaty after treaty, day after day. The second is the politicization, governmentalization and presidentialization of the Commission, mostly as a result of internal changes and the involvement of the European Parliament in its appointment. The third trend is the emergence of a supranational political space in which European political parties and their representatives interact over various ideas and programmes for the EU. The fourth is the increasing connection between national politics and EU politics and the growing interest of citizens in EU affairs. And finally, we need to consider the increasing polarization between anti-Europeans and pro-Europeans, both at the level of each member state and within the main institutions of the EU (the European Parliament, the Council of the European Union, and the European Council).

The second of our three observations is that there is a need for meaningful reflection about the EU political system if we are to avoid any taboo. We must consider the EU as it works concretely today, and not as it is *supposed* to work. For instance, the College of

Commissioners is still described as an independent and non-political organ by the treaties and by those who oppose its politicization. However, it obviously is a political body, and has been for quite some time. It is closer to being a government than an agency or an independent administrative authority, and it is composed of politicians, acting as politicians. Some also refuse to consider the Council as a high chamber because it is a peculiar body that also has executive functions and that can sometimes simply be an arena for debates between member states. But its main function today is to act as a high chamber and this should be accepted.

The third observation is that any democratic political system should be understandable by its citizens. We cannot evaluate the degree of legitimacy of the EU if we only assess the rules on which it is based and the way those rules are implemented, or by measuring its capacity to take into account citizens' expectations and to provide them with public good and sound policies. We need to also consider the subjective perceptions that citizens have. In this regard, the EU system obviously needs to improve its transparency, clarity and readability: values that are key to the propensity of citizens to acknowledge that a system is legitimate.

For instance, people believe in national institutions if there is a simple narrative about the way they are designed and function that is known. This is not the case for the EU political system, which is seen as being too complex and obscure. Massive reform is therefore needed, to make it simpler and more coherent, and further politicization and a more central role for European political parties are required.

At the national level, most citizens do not have detailed information about given initiatives of their government, but they nevertheless have opinions about them, because parties have them. In most cases, they align with the position of their preferred party or political leader, either to support or to oppose it. We need a similar process of identification at the supranational level, allowing citizens to position themselves according to the various activities of EU institutions. To achieve this we need to continue the process of parliamentarization of the EU by increasing the centrality of EU elections, the European Parliament and European parties. Doing so will increase the

readability of the EU political system. Strong mobilization will be required to achieve this goal because 'parliamentarization' competes with two alternative approaches to the functioning of the EU.

The first of these alternatives is intergovernmentalism, which has regained much relevance since the Treaty of Lisbon and during the crises that have hit the EU since its adoption. The European Council has been institutionalized and has become the main actor in the EU's management of crises. It also plays a key role in setting the agenda – something that was not expected. There is also a new decentralized and intergovernmental approach to EU policymaking, based on the contribution of national administrations.

The second alternative is the Community method. It is praised by actors who wish to retain the status quo: they oppose further parliamentarization of the EU, and they dislike the idea of further renationalization. They believe in the central role of the Commission, and they propose that we focus on improving the existing treaties: via the Better Regulation strategy, by searching for 'evidence-based policies', through the generalization of impact assessments, by consultating with stakeholders, and so on. Some also recommend a process of 'agencification' of the Commission: they suggest the transformation of some of its Directorates-General in charge of policies – like competition or trade – in executive agencies, acting in an independent way, like the Commission was doing before its politicization.

Both the intergovernmental approach and the 'Community method' of EU governance fail to pay attention to the issues of democratization and citizen participation. Parliamentarization does address these issues. The objective is not to transform the EU into a parliamentary system: some specificities of the EU need to be preserved because the EU is not integrated and homogeneous enough to function as a federation. We need to preserve the hybrid nature of the existing political system, and its virtues, especially when it comes to favouring the emergence of a consensus at various levels: among the member states, within each institution, and then between them. Six reforms could nevertheless be considered in order to clarify the overall design of the EU polity, to increase the level of participation of citizens, and to formalize the role of European political parties in the Union's functioning.

The first one is the institutionalisation of the *Spitzenkandidaten* (lead-candidates) procedure. In its current form – an informal procedure that may or may not be implemented – it is highly problematic. It has demonstrated its capacity to mobilize citizens and to give them the sense that European elections have a major impact – by contributing to the choice of the President of the Commission and the definition of its programme – but a codified procedure is needed.

The second reform is very much connected with the first: it is about the creation of transnational lists for EU elections and the reinforcement of the role of European parties in this matter. It would help if campaigns focused on EU issues and on the programmes of European parties in this matter. It would also give more visibility to the lead-candidates, who would, by definition, draw up those lists. Transnational lists would also be a symbolic affirmation of the existence of an EU polity, and they would constitute a step forward for EU citizenship.

The third reform is the generalization of primaries. As the lead-candidate of the party that wins an EU election would automatically become President of the Commission, it is crucial for that person to be perceived as having been chosen by a large number of people, and not just by the board of their party. Primaries are also key to creating real political debate within each party, fueling exchanges within the European public space around the main political issues and better involving citizens and activists in the lives of parties. This would show people that EU policies are not solely the result of intergovernmental negotiations, the adjustment of private interests or debates between experts, but of political choices expressed by the different European parties and, within them, by the candidates competing in the primaries.

A fourth reform would be to acknowledge the right of the European Parliament to initiate legislation – which is currently a privilege of the Commission. While this may be less important than it seems, as most legislative texts are drafted by the executive power in all advanced democracies, it is important symbolically because most citizens do not understand why the European Parliament is deprived of such a basic right when it is the central institution described by the treaties.

A fifth reform would be to constrain the Council to behave and work as a high chamber. Today, it is partially described as such by the treaties, but it does not really deliberate as a legislative body. It still does not play the game when it comes to transparency or politics. The Council is mainly a place for intergovernmental negotiations and not for political deliberation, and it tends to leave every key decision to the European Council.

Finally, our sixth reform would be to clarify the relations between the European Parliament and the European Council. The latter is a kind of collective head of state – one that has to escape the control and pressure of the European Parliament – but the current situation is not democratically satisfying: the European Council has become a major actor in EU policymaking but it is not accountable in any way. It is totally disconnected from citizens' representatives.

All of these six changes would make more sense if they were decided upon at once. These institutional reforms require a global approach if the permanent institutional tinkering is to stop and if we are to avoid the unintended consequences of half-baked modifications. The Conference on the Future of Europe is the right place to undertake such a reflection – even if it has not been encouraged to do so. It is also crucial to link any institutional reform with further developments in EU competences. Reforms that were focused solely on institutions would probably – like the Constitutional treaty – fail to be approved by citizens because of an insurmountable communication hurdle: justifying the necessary reforms would require explaining that the EU's current institutions are not democratic enough, thereby proving the Eurosceptics right. If the institutional reforms instead saw further development of EU policies – as was the case for the Single European Act and the Treaty of Maastricht – they could be justified through the requirements of deepening European integration.

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Our European Future

Charting a Progressive Course in the World

The world is facing many great challenges: from pandemics to climate change, and from increasing inequality to the issues surrounding digitalization. In a new and rapidly changing global landscape, Europe must look for solutions to these difficulties to follow up on its impressive decades-long process of integration. Europe has the capacity to chart a progressive course in the world.

Our European Future offers solutions to rethink our socioeconomic model in the glare of the environmental and digital transformations; to redefine Europe's role in the world to contribute to renewed multilateralism; to strengthen investment in public goods; and finally, to re-invent our democratic contract. The book brings together the insights of renowned experts from across Europe, and it should prove a handy guide for any progressive thinker, policymaker or activist, and for any citizen who would like to take part in the necessary democratic debate about our future.

This book, edited by Maria João Rodrigues with the collaboration of François Balate, is a first contribution from the Foundation for European Progressives Studies to the Conference on the Future of Europe and beyond.

Maria João Rodrigues is a European politician with a long track record in different European institutions: EU Presidencies, the Council, the European Council, the European Commission and the European Parliament. She played a relevant role in the Lisbon Treaty, the Lisbon Strategy, Eurozone reform, the European Pillar of Social Rights and the interface with the EU's external strategic partners. She is currently the president of FEPS, a European political foundation based in Brussels that supports EU policymaking and debate. She has been a professor of European economic policy at several universities and was the chair of the European Commission's advisory board for socioeconomic sciences.

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