

# Spitzenkandidaten and the Democratic Deficit

*How has the Rise and Repudiation of the Spitzenkandidaten Impacted the EU's Perceived Democratic Deficit between 2014 & 2019?*



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## Table of Contents

Abstract.....	3
Chapter One: Introduction.....	4
Chapter Two: Political Philosophy Perspectives on Democratic Legitimacy and the Insulation & Delegation of Power.....	7
2.1: <i>Introductory Remarks</i> .....	7
2.2: <i>Pluralist Perspectives on Electoral Accountability, Competition and Selection</i> .....	8
2.3: <i>Libertarian Perspectives on Voting and Paternalism</i> .....	10
2.4: <i>Social Democratic Perspectives on Paternalism and Gender Mainstreaming</i> .....	13
2.5: <i>Deliberative Democratic Perspectives on Participation, Passivity and Transparency</i> .....	15
2.6: <i>Conclusion</i> .....	18
Chapter Three: Methodological Approach.....	19
3.1: <i>Variables</i> .....	19
3.2: <i>Investigative Methods</i> .....	19
3.3: <i>Theoretical Framework</i> .....	21
Chapter Four: Tracing the (S)election of the President of the European Commission.....	24
4.1: <i>Introductory Remarks</i> .....	24
4.2: <i>Pre-Lisbon Treaty</i> .....	24
4.3: <i>The Lisbon Treaty, 2014 &amp; the Spitzenkandidaten</i> .....	27
4.4: <i>2019 and the Repudiation of the Spitzenkandidaten</i> .....	32
4.5: <i>Conclusion</i> .....	34
Chapter Five: <i>Analysing the Impact of the Rise and Repudiation of the Spitzenkandidaten with the Yardsticks of Political Philosophy and MEP Insights</i> .....	35
5.1: <i>Introductory Remarks</i> .....	35
5.2: <i>Pluralist Perspectives: A Contraction &amp; Expansion</i> .....	35
5.3: <i>Libertarian Perspectives: A Contraction &amp; Expansion</i> .....	37
5.4: <i>Social Democratic Perspectives: A Reduction &amp; Further Reduction</i> .....	39
5.5: <i>Deliberative Democracy Perspectives: A Contraction &amp; Expansion</i> .....	43
5.6: <i>Conclusion</i> .....	45
Chapter Six: Conclusion.....	46
Bibliography.....	48
Appendix 1.....	55

## *Abstract*

The 2014 *Spitzenkandidaten* procedure for nominating a candidate for the European Commission Presidency sought to render the (s)election process more democratically legitimate. However, despite its successful emergence, 2019 saw the repudiation of the *Spitzenkandidaten*. Adopting a multi-method approach that speaks to current literature on the EU's perceived democratic deficit, this thesis highlights that from pluralist, libertarian, social democratic, and deliberative democracy perspectives the 2014 *Spitzenkandidaten* improved the democratic legitimacy of the Commission Presidency, reducing the EU's democratic deficit. This thesis further finds that the repudiation of the *Spitzenkandidaten* in 2019 constituted a retraction of this democratic legitimacy from three of the four philosophical perspectives, expanding the democratic deficit accordingly. Utilising the insights of MEPs further enhances these findings, grounding them in theoretical *and* practical terms. As one of the initial studies that have analysed the impact of the *Spitzenkandidaten* following its repudiation in 2019, this research holds significant potential to inform our understanding of the current shape of contemporary European democracy and the EU's democratic deficit.

## Chapter One

### *Introduction*

*“Remember Democracy never lasts long.  
It soon wastes exhausts and murders itself.  
There never was a Democracy Yet, that did not commit suicide”.*

- John Adams, 1814.

Evolving organically from the European Parliament’s (the Parliament) interpretation of Article 17.7 of the Treaty on European Union (TEU), the *Spitzenkandidaten* procedure for nominating the President of the European Commission (herein, *Spitzenkandidaten*) was lauded as the European Union’s (EU) latest democratic endeavour. The *Spitzenkandidaten* attempted to further incorporate principles of domestic politics into the EU’s supranational governance structure by providing its “executive branch [with] democratic legitimacy derived from the legislature” (Fotopoulos, 2019, p.196). This ‘democratisation’ of the Commission’s leadership aimed at addressing a façade of the Union’s perceived democratic deficit. However, 2019 witnessed a rejection of the *Spitzenkandidaten* with a return to the ‘behind-closed-doors’ tactics of pre-Lisbon Europe as seen through the nomination and election of Ursula von der Leyen. To paraphrase John Adams (1814), the *Spitzenkandidaten* became ‘exhausted’, some might say ‘murdered’ following its initial use in 2014. Understanding how the adoption and subsequent repudiation of the *Spitzenkandidaten* has impacted the EU’s democratic deficit between 2014 and 2019 will be the primary focus of this thesis. This research seeks to meaningfully contribute to the ongoing academic debate on the shape and direction of contemporary EU democracy.

To analyse the impact of the *Spitzenkandidaten* on the EU’s perceived democratic deficit, this thesis adopts a multi-method approach, operationalising both the theoretical insights of political philosophy and the practical insights of former and current Members of the European Parliament (MEPs). This approach builds upon existing literature, particularly that of Andrew Moravcsik (2004) who provided a framework for analysing democratic deficits in world politics. Therefore, this thesis will analyse the nomination process of the 2019 Commission Presidency, comparing it, via a between-

case analysis, to the 2014 *Spitzenkandidaten*, rather than examining the 2019 nomination process in isolation. This analysis will be undertaken by viewing the rise and fall of the *Spitzenkandidaten* through pluralist, libertarian, social democratic, and deliberative democracy philosophical lenses. Open-ended questionnaires completed by current and former MEPs will further inform this theoretical discussion, lending practical, first-hand insights. Combining political philosophy with the contributions of representatives serves to not only provide a more vivid insight into the impact of the *Spitzenkandidaten*'s rise and fall, but also provides the grounds for an academic contribution that is more than theoretical in nature.

To begin, Chapter Two will analyse pluralist, libertarian, social democratic, and direct democracy perspectives on the concepts of democratic legitimacy and the delegation and insulation of power, providing us with philosophical insights into the notion of a democratic deficit. This analysis will serve as both an information tool for later analysis as well as an overview of the literature. Chapter Three will outline the methodological tools to be wielded in the process of applying these philosophical perspectives to the 2014 and 2019 Commission Presidency nominations and elections. Accordingly, Chapter Four will process trace the (s)election of the Commission Presidency since 1979, providing a contextual understanding of how this creature of democracy has evolved in both positive and negative ways, culminating in the democratic highpoint of 2014 with the emergence of the *Spitzenkandidaten*. Chapter Five will continue by applying the philosophical insights from Chapter Two, in conjunction with the first-hand insights of former and current MEPs to the rise and fall of the *Spitzenkandidaten* in order to understand how its fluctuation has impacted the democratic legitimacy of the Commission Presidency, and thus, an aspect of the EU's democratic deficit. Finally, Chapter Six will conclude by compiling the findings of this thesis and offering a roadmap for future research on the intersection between the Commission Presidency and the EU's perceived democratic deficit.

While much has been written about the emergence of the *Spitzenkandidaten* in 2014, and its impact on various aspects of the EU (see Hobolt, 2014; Christiansen, 2015; Schmitt *et al.*, 2015),

little literature exists on the repudiation of the process in 2019 due to its neoteric nature. This thesis, therefore, seeks to meaningfully contribute to the catalogue of academic literature on the EU's perceived democratic deficit, rather than simply adding more noise to an otherwise overcrowded arena. While the acute focus on the *Spitzenkandidaten* will not describe the overarching state of the EU's democratic deficit, this thesis, nonetheless, holds the potential to critically examine the impact that the fluctuation of the *Spitzenkandidaten* has had on a façade of the deficit itself in both practical and theoretical terminology.

## Chapter Two

### *Political Philosophy Perspectives on Democratic Legitimacy and the Delegation & Insulation of Power*

#### 2.1: Introductory Remarks

According to Moravcsik (2004, p.346-347), in many situations “*more insulated and delegated authority of global governance structures might be thought of as more ‘representative’ of citizen concerns precisely because they are less ‘democratic’*”. This occurs due to the ‘second best’ real world nature of democratic systems. Rather than operating in a vacuum, democratic systems must deal with constraints that are distinctly absent from the ‘ideal’ political philosophies of democracy. Accordingly, Moravcsik (2004) highlights how the insulation and delegation of particular posts result from three concepts. Firstly, in areas that require specialist expertise, citizens prefer to delegate tasks in order to permit more efficient decision-making and reduce the costs imposed on citizens. Secondly, democracies tend to restrict the decision-making capabilities of majorities to protect individual and group rights against arbitrary actions by the State and potential tyrannies of the majority. Thirdly, the delegation and insulation of power can be undertaken in order to iron out biases that exist in democratic representation.

Moravcsik (2004) contends that it is for the above reasons that international organisations, such as the EU, while appearing undemocratic, are actually democratic as these practices are deemed legitimate at national level. By adopting a ‘comparative social scientific analysis’, Moravcsik (2004) underscores how national practices, which are deemed legitimate in functioning democratic societies, should constitute the yardstick against which we measure the real world democratic legitimacy of international organisations. This approach is further emphasised by Majone (1998) who perceives the EU’s democratic deficit to be the product of the differential democratic standards to which the EU is held relative to nation states, as well as Moravcsik (2008) who claims that the EU’s democratic deficit is a “Myth” insofar as it is as ‘democratic as its *democratic* Member States’.

Adopting the above approach, this chapter will reconnoitre aspects of the four political philosophies adopted by Moravcsik (2004) – pluralism, libertarianism, social democratic theory, and

deliberative democratic theory - that relate to the (s)election of the President of the Commission with respect to their notions of democratic legitimacy and democratic deficits. This theoretical overview will facilitate a discussion on the impact of the *Spitzenkandidaten*'s rise and repudiation on the EU's perceived democratic deficit in Chapter Five.

## 2.2: Pluralist Perspectives on Electoral Accountability, Competition and Selection

Pluralist democratic theory rests upon the concept that there exist formal links of accountability between the electorate and elected officials, with electoral incentives and consequences to coerce representatives into behaving in accordance with the general will of the electorate (Moravcsik, 2004; Dahl, 1956). Foundational pluralist scholar Robert Dahl (1999) notes that from a pluralist perspective, international organisations such as the EU are inherently undemocratic stemming from their size and geographical scope. Dahl (1999) states that the distance wedged between policy makers and the electorate is so great in such organisations, that the formal links of electoral accountability over officials and policy outcomes become abstract, diminishing their 'democratic' claims. Through this lens, the existence of a formal link between the electorate, the '*demos*', and outcomes, either in terms of policy influence or representative selection, produces democratic accountability, legitimacy and responsiveness (Dahl, 1956; Dahl, 1973; Dahl, 1999, De Mesquita, 2005). Correspondingly, once such a formal link of accountability is loosened or broken, democratic accountability is reduced, producing a reduction in the democratic legitimacy of the policy or representative in question. Historically, through the rejection of applying normatively democratic practices of leadership selection, Hix (1997) notes that the Commission Presidency is undemocratic as it lacks such formal links of accountability.

The formal links of accountability through pluralist eyes are two-fold. Firstly, the existence of regular elections produces the opportunity for citizens to engage themselves in the political discourse, expressing their preferences by means of the ballot. Such opportunities provided by regular elections allow individuals to 'set the political agenda' by contributing to the election of individuals



whose ideology will determine the general direction of policy (Dahl, 1998). Additionally, the electoral preferences of the electorate hold incumbent and future elected representatives accountable, producing political consequences for representatives who fail to be responsive to their respective constituency (Dahl, 1956; Held, 2018). This responsiveness links contemporary theories of representative democracy to its classical roots as accountability, or rather, ‘responsibility to the *demos*’, is a cornerstone of the Greek tradition (Cartledge, 2016). In representative democracies, such consequences result in the turnover of representatives with unsatisfactory or unresponsive representatives being replaced at the next electoral cycle. The consistent threat of electoral turnover, therefore, provides an incentive for representatives to act in accordance with the will of the majority in order to maintain their democratic legitimacy.

The second source of accountability stems from electoral competition. The mere existence of elections does not render them democratic, but rather it is their competitive nature that does so. This aspect is cumulative to the first in that the existence of electoral turnover is conditional on the existence of *credible* alternative candidates to fill the post. Dahl (1999) notes, however, that competitive elections do not exist on the supranational level. To this end, Dahl’s (1999) outline of pluralist democracy brands the EU as harbouring a democratic deficit insofar as it lacks *truly* competitive elections as seen within its constituent Member States. To remedy this aspect of the deficit, “it would be necessary to create an international equivalent to national political competition by parties and individuals seeking office” (Dahl, 1999, p. 31).

For pluralist democracy to operate, there exist several criteria. Of particular importance to the topic of this thesis are the criteria of ‘effective participation’, an ‘enlightened understanding,’ and the ‘control of the agenda’ (Dahl, 1998). While the ‘control of the agenda’ has been discussed in relation to the expression of the electorate via the ballot, and ‘effective participation’ with regards to the regular interval of elections, an ‘enlightened understanding’ may benefit from an additional note in connection to the competitive nature of elections. Given the pluralist condition for competitive elections, it is also necessary that the electorate have the opportunity to sufficiently learn about

candidates and/or policies (Dahl, 1998). Comprehending the consequences of their electoral choices through public discourse, debates, electoral commission information, or other means, permits the electorate to make informed and rational decisions (Dahl, 1998). It is such an access to information that renders equal the opportunities of each voter (Dahl, 1998; Held, 2018). Absent of such information, there exist power asymmetries in societies as some societal groups command a greater amount of resources, either financial, social or through other means (Dahl, 1961). Therefore, pluralist democratic theory sees the redressing of this power asymmetry as producing an electorate that holds an ‘enlightened understanding’ (Dahl, 1998). To paraphrase Horace Mann (1848, p.59), *information* is the great equaliser. Therefore, similar to deliberative democratic theory, the engagement of the electorate in the political discourse prior to an election, rather than simply through the completion of a ballot, is an essential component of pluralist democratic theory.

### 2.3: Libertarian Perspectives on Voting and Paternalism

Libertarianism, defined by Eric Mack, is the “advocacy of individual liberty as the fundamental political norm” (2018, p.1). As a political philosophy, libertarianism is grounded in the principles of limited government, checks and balances, individualism, choice, and the free market. The attitude of libertarianism towards the EU, however, is less clear cut.

The EU is a unique form of international organisation; *sui generis* in the words of Simon Hix (1994). Unlike alternative international organisations, the EU exists as a deep integrational project with considerable and enforceable legal implications on the policies and lives of its constituent citizens and Member States. Libertarianism’s views on the EU are further complicated by the polyphonic nature of the EU itself, working to control behaviour as a regulator and redistributing funds through policies such as the Common Agricultural Policy whilst also abolishing regulatory barriers to free market trade. Viewing the EU as a ‘regulatory polity’ (Majone, 1994) that pushes positive *and* negative regulation, therefore, is met with both alignment and contradiction in libertarian philosophy. Furthermore, the EU also expands *and* limits government through supranational and

intergovernmental competence distributions and decision-making arrangements. However, Moravcsik (2004) notes that libertarian philosophy dislikes the arbitrary bureaucratic nature of EU decision-making, further underscored in studies such as those by Anderson and Burns (1999) that note how the EU has reduced national parliamentary powers and correspondingly increased executive powers, providing an increased scope for arbitrary actions through libertarian eyes. Regardless, the purpose of this section is not to decipher whether or not libertarians agree with the EU as a concept, but rather, to understand libertarianism's views on aspects relating to the Commission Presidency (s)election process.

Voting has evolved as a central issue in libertarian philosophy. Harking from its classical anarchistic attitudes to the mid-twentieth century, an absolute opposition to voting has existed in the libertarian school of thought. Frank Chodorov (1962, p.40) claimed that “in a democracy...a large vote is a prelude” to the “acquiescence of the citizenry”, such is required for the top-down functioning of the State. In this light, the act of voting itself is condemnable as it is such an act that grants consent to be ‘oppressed’ by the State; one’s liberty constrained under government. This strand of libertarian philosophy dictates that one’s time is better spent developing the infrastructure of a free society through individual action. Alternative libertarian perspectives on voting are less harsh, however, based on the premise that voting is irrational due to the miniscule impact that an individual’s vote makes (D’Amato, 2018). Contrastingly, voting is not seen as consent to be ‘oppressed’ by the structure of the State, but rather, voting makes little or no impact on the outcome of an election and, therefore, it matters not if one partakes in the action itself. This perspective has fed into economic approaches to voting, particularly the work of Downs (1957), who utilised cost-benefit analyses to highlight the irrationalism of voting. Against the above, contemporary libertarian professor Janson Brennan (2015; Libertarianism.org, 2016) claims that these anarchic attitudes toward not voting are ill-founded. While individuals exert little power through voting, collectively through free association they have the ability to incite *some* change. While this change might not be ideal, it may be better than the alternative.

However, turning to the foundation of libertarian political philosophy, which takes ample impetus from the works of John Locke, voting can be considered a process that produces limitations on the rule of government. Locke's *Second Treatise of Civil Government* (1948) highlights that

those who were forced to submit to the yoke of a government by constraint, have always a right to shake it off...till their rulers put them under such a frame of government as they willingly and of choice consent to (p.94-95, §192).

Locke's anti-authoritarian perspective highlights that the act of voting legitimises those in power to the extent that they have the consent of the governed to exercise the appropriate power of the office they occupy. The existence of a government and the purpose of voting from Locke's perspective, therefore, differed greatly from the anarchist strands of libertarian philosophy. For Locke, consent as an expression of the people's legitimisation of a ruler is deemed superior to the appointment or successive assumption of an office for it is

The people [that] shall be judge; for who shall be judge whether his trustee or deputy acts well and according to the trust reposed in him, but he who deposes him, and must, by having deposed him, have still the power to discard him when he fails in his trust? (Locke, 1948, p. 118-119, §240).

Therefore, while Locke's belief that government should be maintained as a limited authority has informed contemporary libertarian philosophy, so too has his belief that one's consent to be governed remains essential. The lack of consent embodied in the leadership of the EU, and other international organisations is highlighted by Moravcsik (2004) as reinforcing the fears of arbitrary rule from a libertarian vantage point.

The concept of paternalism is also apt for the remit of this thesis. Paternalism is the notion that those in authority exert restrictive control over the choice, actions and freedom of individuals or those not in authority. To this end, there exist many aspects of paternalistic behaviour. One key cleavage, however, is the strong *versus* weak paternalism dichotomy. Weak paternalism focusses on the intervention by those in authority with the means to achieve an end, with such intervention being legitimate if the means adopted by an individual are likely to disrupt or defeat the ends (Dworkin, 2017). Alternatively, strong paternalism holds the view that individuals "may have mistaken, confused or irrational ends", and therefore, intervention by an authority to disrupt the achievement of

these ends is legitimate (Dworkin, 2017). Paternalism, whether strong or weak perceives state intervention in the liberty or choice of an individual as justified as it is the authority that possesses an elevated knowledge, expertise or moral standing on the respective subject. Paternalism, therefore, is widely opposed by libertarian philosophy as it directly interferes with the liberty upon which the philosophy is based. However, grounded in the Harm Principle devised by John Stewart Mill (2009), libertarians contend that some paternalism, such as the restriction of some crimes, is necessary so long as it is proportional to achieve the ends of protecting the negative rights of life and liberty.

#### 2.4: Social Democratic Perspectives on Paternalism and Gender Mainstreaming

Social democratic theory conceptualises the role of government to be the agent that addresses the societal biases that emerge from the concentration of resources among certain groups and the inherent absence of resources among others (Lindblom, 1977). Stemming from Marxist theory, but developing to merge with democratic principles, the social democratic philosophy has tended to focus on economic equality, namely through the concept of the welfare state. However, social democratic theory also realises that economics are connected to multiple aspects of society such as class, gender, and race. Therefore, social democratic theory seeks to address inequalities that are not purely economic in nature (Meyer with Hinchman, 2007).

An essential component of social democratic conceptions of democracy is the notion of paternalism, discussed previously. However, compared to libertarian views, paternalism through a social democratic lens implores the State to intervene when an individual's fundamental rights are at risk. Unlike libertarianism's strict reservation of state-led paternalism for behaviours that would impact one's negative rights of life and liberty, social democratic philosophy encourages paternalist action in areas that impact both positive and negative rights (Meyer with Hinchman, 2007). While such paternalistic action may reduce the liberties of an individual or some groups through the restriction of behaviour or the redistribution of resources, the outcome of equality that is central and celebrated in social democratic philosophy renders the intervention democratically legitimate. The

positive and negative rights that form social democracy's list of 'fundamental rights' include such rights as the right to strike, the right to be free from hunger, the right to equality between men and women, and the assurance of an adequate living standard (Meyer and Hinchman, 2007). Therefore, social democratic theories of democracy legitimise elevated levels of state intervention in order to address societal biases, be they economic or otherwise, in order to produce equality among citizens. Additionally, such intervention is unconditional and immediate, especially when an individual is "unable to furnish their own self-reliant remedies" (Meyer and Hinchman, 2007, p.64). Through this lens, the State is an entity that protects individuals by furnishing them rights through affirmative action compared to the libertarian philosophy which perceives the State as lending an individual rights through the inherent absence of intervention. Moravcsik (2004, p.342) eloquently underscores the nature of this philosophical dichotomy with regards to international organisations such as the EU by noting that "While libertarians criticize the international organizations for doing too much, social democrats criticize them for doing too little."

Related to the remit of this thesis is the legitimate state intervention that addresses gender imbalances in public and private life. Meyer and Hinchman (2007, p.20) highlight that "the political strategy of "gender mainstreaming" must become a central goal of social democracy" as it rests on the principles of equality, representation, and justice. 'Gender mainstreaming' was conceptually defined in 1998 by the Council of Europe as "the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages..." (Council of Europe, 1999). Accordingly, it implores governments and institutions to adopt an affirmative stance towards equal representation among genders. A considerable objective of 'gender mainstreaming' aims to address the systemic under-representation of women at higher levels of public and private life. As such, many political systems have followed social democracy's objectives by introducing gender quotas for the election of government representatives. The Republic of Ireland 2012 Electoral Act, for example, introduced a 30% gender quota for political parties for the 2016 general election, increasing to 40% for the following election

(Buckley, 2013). Other democracies such as Rwanda have employed a more affirmative stance through the introduction of constitutional provisions that reserve seats for female representatives in the Chamber of Deputies and the Senate, thus guaranteeing female representation in the lower and upper houses (International Institute for Democracy and Electoral Assistance, 2020). The EU has also attempted to implement gender mainstreaming measures for the private sector. The European Commission's 2012 proposal for the colloquially known 'Women on Boards' directive aims to address the issue of gender balance on non-executive boards for stock market listed companies, acknowledging the systemic under-representation of women among such posts (European Commission, 2012). Gender mainstreaming, therefore, has become an integral part of contemporary social democratic philosophy, aiming to produce gender-based equality through state action by attempting to "ensure that the priorities and needs of both men and women are consulted whenever political decisions are made" (Meyer and Hinchman, 2007, p.20). Producing such outcomes, therefore, is deemed to improve the democratic legitimacy of the system through the equalising of both opportunities and representation.

### 2.5: Deliberative Democratic Perspectives on Participation, Passivity and Transparency

Simone Chambers (2003, p.317) outlines that a "deliberative model [of democracy] involves citizens at every stage of policy formation." Under a deliberative concept of democracy, political institutions seek to elevate the political capacity and discourse of the citizenry by embracing them in the policy-making process rather than simply consulting them at the end of the process. Citizen's input via the ballot box, while essential, is deemed insufficient for producing adequate political legitimacy as this in itself fails to foster debate, discourse, and deliberation. Such a differentiation sets deliberative democracy apart from direct democracy as there exists an increased emphasis on the continuous deliberation of issues, rather than simply an end-of-line deliberation to produce a particular outcome. To accommodate such a discourse, political institutions must provide and encourage meaningful and effective opportunities for citizen participation (Moravcsik, 2004). By doing so, political institutions

construct the “normative foundations of legitimacy” (Entzoni, 2001, p.xxxvii). In contemporary political discourse, these opportunities take many forms including citizen involvement in political parties, information-sharing, and interest groups through which deliberation emerges (Moravcsik, 2004). Accordingly, while pluralists such as Dahl (1999) perceive the need to foster supranational electoral competition in order to increase accountability, deliberative perspectives view the need for supranational political parties and institutional structures as a necessity in order to facilitate cross-border discourse and deliberation which in turn will improve policies, outcomes, and democratic legitimacy (Bohman, 2007).

However, deliberation can also take far more direct forms, with the State actively recruiting citizens to inform public policy. The Republic of Ireland’s Citizen’s Assembly is a primary example. Comprised of ninety-nine randomly selected citizens, the Citizen’s Assembly facilitates a prolonged process of debate and deliberation on contentious issues, such as abortion and constitutional amendments, with experts providing information and insights, while roundtable discussions provide the forum for consensus formation among the participants. Following the process, the Assembly forwards its recommendations to the Houses of the Oireachtas (the Irish Parliament) for consideration as future legislation and referenda by the government (The Citizen’s Assembly, 2020). While constituting a far more direct form of citizen involvement, the Citizen’s Assembly at its core is founded on the deliberative democratic principle of ‘the *act* of deliberation’. Chambers (2003) notes that such procedures, however, do not necessarily facilitate a fair decision *per se*, but rather, they are primarily designed to facilitate debate. However, Gutmann and Thompson (1997) highlight that such deliberative fora, whether in forms similar to the Citizen’s Assembly or through other means such as interest groups or political parties, ultimately enhance the quality of decisions through such substantive debate. Furthermore, through this process, deliberation is seen as fostering democratic legitimacy within a political system as the act of deliberation itself increases the spectrum of considered perspectives (Bohman, 2007; 2013).



Connected to the notion of public discourse is deliberative democracy's rejection of insulated decision-making. Moravcsik (2004, p.342) notes that this rejection renders "international institutions...particularly suspect" as decisions in closed fora are commonplace, reducing transparency. A prime example is the enclosed and insulated nature of the European Council, with decisions ultimately excluding the public in all meaningful ways. Furthermore, the lack of published minutes or records of the bargaining process renders the concealed nature of Council decisions exclusive and restrictive of public involvement, even post-Council. From deliberative democratic perspectives, such insulated decisions further encourage citizen passivity through exclusion. Schmitter (2000) notes that in international organisations, a lack of citizen involvement produces a passive citizenry, which further encourages technocratic decision-making. The lack of an engaged and politically active citizenry renders meaningful and effective public deliberation difficult, reducing the democratic legitimacy of the political process (Schmitter, 2000; Siedentop, 2000). As such, deliberative democratic theory perceives insulated decisions in international institutions as having a circular and symbiotic effect; reducing citizen engagement, reducing meaningful deliberation, increasing passivity among citizens, which further reduces engagement and so forth. Resultingly, deliberative democratic theory sees the need to encourage citizen engagement with decisions at all levels of politics in order to reverse such a circular pattern, encouraging engagement, decreasing passivity and increasing meaningful deliberation (Chambers, 2003; Siedentop, 2000).

However, the EU does incorporate some aspects of deliberative democratic theory into its policy processes. The consultation procedure of the European Commission when drafting legislative proposals encourages the active participation of civil society organisations, businesses, municipalities, and individuals. Furthermore, the institutional set-up of the Commission is such that despite resource imbalances, it appears that all groups have an equality of influence as legislative proposals appear to be the product of consensus and compromise (Dür *et al.*, 2015). Additionally, Bohman (2010) notes that while there appears to exist a 'deliberative deficit' in the EU with regards

to citizen input, the interinstitutional design of the policy process promotes deliberation and debate, with legislation representing a consensus among institutions.

### 2.6: Conclusion

While not exhaustive, this overview has highlighted a spectrum of philosophical perspectives on aspects related to the (s)election of the Commission Presidency as well as those concerning democratic legitimacy and deficits. As such, this section has explored areas such as participation, voting, gender mainstreaming, transparency, electoral competition and selection, public passivity, and paternalism which will be applied to the analysis in Chapter Five.

## Chapter Three

### *Methodological Approach*

#### 3.1: Variables

The dependent variable is the perceived democratic deficit of the EU between 2014 and 2019, defining the two case studies for analysis. Utilising Andrew Moravcsik's (2004) framework for analysing democratic deficits in international institutions, this thesis will evaluate how the emergence and repudiation of the *Spitzenkandidaten* has painted the nomination and (s)election processes for the Commission Presidency as more or less democratically legitimate between 2014 and 2019. Alternative levels of democratic legitimacy will be translated into either a contracted or expanded democratic deficit, respectively.

The primary independent variable is the *Spitzenkandidaten* procedure for nominating a candidate for the Commission Presidency. Article 17.7 TEU stipulates that the European Council, having taken "into account the elections to the European Parliament and after having held the appropriate consultations" (Lisbon Treaty, 2007) shall nominate to the Parliament a candidate for the Commission Presidency. The ambiguity of what is considered "appropriate consultations" (Lisbon Treaty, 2007) leaves open many avenues for interpretation. The independent variable will be operationalised by analysing its emergence and repudiation through a political philosophy analysis in conjunction with data collected from former and current MEPs via open-ended questionnaires.

#### 3.2: Investigative Methods

This thesis adopts a multi-method approach. Ultimately, this thesis will be structured as a between-case analysis, with 2014 and 2019 standing as the two cases in question.

The first method to be utilised is a process tracing approach. Chapter Four will adopt a process tracing approach in order to trace the evolution of the Commission Presidency nomination, selection and election procedures since the Parliament's investiture as a directly elected institution in 1979. This approach will outline how the nomination of the Commission and its Presidency have become

increasingly political and accountable through parliamentary actions and treaty reforms as well as how these democratising efforts of accountability have not been consistent nor linear over time. To undertake such a task, primary EU documents and publications supported by secondary academic and media sources will be employed to develop the timeline accurately. This approach will provide indispensable contextual information about the Commission Presidency and how the *Spitzenkandidaten* sought to address such issues as democracy and accountability.

Secondly, this paper will adopt what Moravcsik (2004) terms a ‘comparative social scientific analysis’. This approach seeks to examine whether or not the actions of international organisations in delegating or insulating power are more or less ‘democratic’ by making a comparison to national level democratic practices. The assumption is that if a practice is deemed legitimate and democratic at national level, so too should it be at the supranational level. Therefore, Chapter Five will employ a comparative social scientific analysis between the actions of the EU through the emergence and repudiation of the *Spitzenkandidaten* (outlined in Chapter Four) and the philosophical perspectives on what deems actions ‘democratically legitimate’, as discussed in Chapter Two.

Chapter Five’s analysis will also draw upon the practical insights of former and current MEPs. Data has been collected using open-ended questionnaires (Appendix 1). The use of open-ended questionnaires has been chosen for practical reasons. Firstly, compared to semi-structured interviews, open-ended questionnaires provide the grounds for increased consistency as each interviewee is faced with the same questions in the same tone which further ensures that responses are comparable. Additionally, due to national and international travel restrictions resulting from the ongoing Covid-19 pandemic, the arrangement of interviews, either in person or through alternative means has been rendered significantly more difficult. The difficulties introduced by MEPs working from home and travel restrictions have, therefore, rendered written responses more feasible. The open-ended questionnaires ask MEPs to answer a range of questions surrounding the EU’s democratic deficit, their perception of representation and the European Commission, the *Spitzenkandidaten* and its ‘democratic’ nature, as well as their perception of what is meant when something is ‘democratic’.

These insights will help bind the theoretical discussion on the *Spitzenkandidaten*'s impact to the practical reality of the situation.

This mixed-methodological approach has been employed so as to ensure this research is both “*philosophically coherent and pragmatically viable*” (Moravcsik, 2004, p.338). This is required as Moravcsik (2004, p.337) outlines that analyses of ‘real world democracies’ “should not be compared to ideal democratic systems”. Combining the practical insights of former and current MEPs with a political philosophy analysis, therefore, seeks to address this issue and ‘calibrate’ this thesis’s findings to be practical as well as theoretical in nature.

### 3.3: Theoretical Framework

As the ‘executive of the EU’, the Commission President largely represents the direction of EU policy, especially where the EU has explicit or shared competences. Accordingly, the nomination procedure of the Commission President, absent of accountable or democratic means, can be reasonably assumed to harbour a democratic deficit (Hix, 1997). In line with literature on domestic political systems, leaders absent of democratic legitimacy, cannot be deemed ‘democratic’ (Dahl, 1973; de Mesquita *et al.*, 2005). A loosening of the relationship between the EU’s supranational institutions and European citizens, therefore, can be considered a contributing factor towards an increase in the EU’s democratic deficit (Dahl, 1999; Hix, 2008).

Accordingly, a second assumption will be that the Commission exists as a ‘political Commission’ (Juncker, 2014). Rather than conceptualising the Commission as a civil service or simply technocratic institution, this thesis will assume the Commission to be a political entity as defined by Jean-Claude Juncker in 2014 as incoming Commission President. This assumption is supported both by Juncker’s assertions as well as academic literature which has noted that the increased levels of accountability brought on by Juncker’s appointment has produced a process of ‘normalisation’ whereby the Commission Presidency has become increasingly ‘presidentialized’ and less technocratic (Wille, 2013). Additionally, Juncker’s re-structuring of the Commission upon

assuming office has been noted to be evidence of an increasingly political Commission (Deckarm, 2017). The theoretical assumption that perceives the Commission as a political entity is important as it will impact the evaluation of the democratic nature of the *Spitzenkandidaten* as a nomination procedure.

A third assumption will be made if the *Spitzenkandidaten* is found to have constituted an increase in the EU's democratic legitimacy. If such legitimacy is well founded, then we can reasonably argue that the subsequent 'rolling-back' of the *Spitzenkandidaten* procedure in 2019 can be considered to constitute a retrenchment of the pre-Lisbon democratic deficit, broadly speaking. Furthermore, if the 2014 *Spitzenkandidaten* is found to have increased democratic legitimacy, to be subsequently curtailed at the next electoral cycle, then this should hold further consequences for the democratic deficit as it was not by institutional design, but rather political behaviour that such a democratic deficit was produced.

A fourth assumption relates to the translation of political actions into reputational characteristics of the EU and the Commission Presidency as being democratically legitimate, and therefore, harbouring a democratic deficit, or not. Similar to literature which has conceptualised the EU to be 'as democratic as its Member States' (Majone, 1998; Kelemen, 2017), with its constituent members determining the democratic legitimacy of the organisation, this thesis will assume the Commission Presidency 'to be as democratic as the process that produced the nominee', with the constituent process determining the democratic legitimacy of the position. This point is of key relevance as absent of this assumption, the process of nominating an individual for the Commission Presidency is of an irrelevant nature.

A final assumption is, acknowledging that the EU does not exist as a State and, therefore, there exist complications when analysing its behaviour, this thesis assumes the EU to exist as a *sui generis* institution (Hix, 1994). Unlike other international organisations, the EU exists as a deep integrational project with direct legal and policy implications for the citizens of its constituent Member States. Its lack of ubiquity, as noted by Majone (1998) and Moravcsik (2004) compel us to

compare its behaviour to that nation states in order to determine if its actions can be considered democratically legitimate, and by extent, harbouring a democratic deficit. This assumption justifies the methodological approach of this thesis, particularly the use of a ‘comparative social scientific analysis’.

## Chapter Four

### *Tracing the (S)Election of the President of the European Commission*

#### 4.1: Introductory Remarks

This chapter will trace the evolution of the process for nominating, selecting and electing the President of the Commission since 1979. Divided into three substantive sections, this process tracing approach will evaluate how the procedure has evolved from one that excluded the Parliament, to one in which the Parliament has the power to ‘elect’ the President of the Commission. Highlighting how the ‘democratisation’ of the process has not occurred in a consistently positive nor linear fashion will provide invaluable information about the interinstitutional relationship between the Parliament and the Commission and how these relations permitted the rise and repudiation of the *Spitzenkandidaten*.

#### 4.2: Pre-Lisbon Treaty

The Treaty of Rome left absent any provisions for involving the European Parliamentary Assembly in the process for nominating and approving the President of the High Authority (Devantier, 2014). However, like the modern day EU, which has evolved slowly over time through treaty amendments and incremental changes, so too has the relationship between the Parliament and the President of the Commission developed.

Since its investiture as a *directly* elected European institution in 1979, the Parliament has consistently called for greater involvement in the process for nominating, approving and appointing incoming Commission Presidents. This desire to be involved in the process was buttressed by the Parliament’s enhanced democratic legitimacy stemming from its new popular mandate (Moury, 2007). Resultingly, the Parliament adopted a resolution in 1980 calling for its ‘consultation when Commission President’s mandates are renewed, with a public debate and vote of confidence taking place to ratify their appointment’ (European Parliament, 1980). In 1981, newly appointed Commission President, Gaston Thorn, voluntarily participated in a public debate in response to the Parliament’s resolution. Thorn’s participation resulted in a post-investiture parliamentary resolution



which noted Parliament's confidence in the Thorn Commission and reiterated its preference for greater involvement in future nominations (European Parliament, 1981).

The 1980's would continue to see the Parliament press for greater responsibilities in the Commission Presidency nomination and appointment processes. The 1983 Stuttgart Intergovernmental Conference produced the *Stuttgart Solemn Declaration* which granted consultative privileges upon an enlarged Bureau of the European Parliament for future Commission Presidency nominations (Secretariat-General of the Commission of the European Communities, 1983). However, these consultative privileges held no legal basis in the Treaties (Westlake, 1998). Despite the lack of legal basis, however, the 1985 appointment of the Delors Commission would see the engagement of the Parliament through consultations with the European Council (Devantier, 2014). Additionally, a 'vote of confidence' in the Commission *as a college* took place one week after its investiture (Devantier, 2014). On July 18<sup>th</sup> 1988, the Parliament moved further by amending Rule 29 of its *Rules of Procedure* by adopting Rule 29a which stated that the Parliament "shall pass a vote of confidence in the new Commission" (European Parliament, 1988). This move secured the Parliament's future involvement in the Commission Presidency nomination process.

Treaty reforms in the 1990's gave a legal basis to the Parliament's involvement. Article 158.2 TEU (1992), also known as the Treaty of Maastricht, stated that Member States can nominate a President for the European Commission only "after consulting the European Parliament", thus, lending a legal basis to the 1988 amendment of Rule 29a. Following this nomination, the College of Commissioners *as a whole* would also be subject to a "vote of approval by the European Parliament", following which the Member States would appoint the College to their posts (Treaty of Maastricht, 1992). While the procedure outlined in the Treaty of Maastricht contained the Parliament to the realm of consultation rather than granting it absolute powers of nomination, its provisions legally bound the Commission as accountable to the Parliament via a formal vote of confidence. Furthermore, the Parliament amended its *Rules of Procedure* in September 1993 to enshrine parliamentary hearings of Commissioners Designate as the new norm. The newly amended Rule 29a noted that the Parliament

may “request the candidates nominated to appear before the appropriate committees according to their prospective fields of responsibility” (European Parliament, 1993, p.58). Additionally, the Parliament’s amendment of Rule 29 noted that if the Parliament rejected the Council’s nominee by way of a failed vote of confidence, the Council would be required to propose a new candidate for the Commission Presidency (European Parliament, 1993, p.57). Combined, both Treaty provisions and amendments to the Parliament’s *Rules of Procedure* worked to tighten the relationship between the Parliament and the Commission Presidency nomination process.

Signed in 1997, the Treaty of Amsterdam amended Article 158 through Article 214, undermining the Parliament’s hard-won legally-based consultative role. The newly scribed Article 214 TEU of the Treaty of Amsterdam (1997) failed to state a requirement for the governments of the Member States to consult the Parliament when nominating an individual for President of the Commission. Rather, the Parliament was given the ‘rubber stamp’ role of merely ‘approving’ the presidential nominee proposed by the Council. While the role remained essentially the same in practice, amendments to the treaty provisions reduced the Parliament’s role by ridding the notion of interinstitutional consultations. The Treaty of Nice (2001) subsequently failed to elevate the role of the Parliament within the nomination process for the Commission Presidency. Rather, the Treaty of Nice (2001) simply introduced a requirement that qualified majority voting (QMV) must be used for the European Council’s nomination.

Through incremental change and outspoken actions over time, the European Parliament gained increasing levels of power and influence in the nomination process for the President of the Commission. However, the European Council would continue to overshadow the actions of the Parliament by subjugating it to the role of a consultative body rather than a legislature with substantial influence in the process. However, the Lisbon Treaty (2007) would counter this notion by amending Treaty provisions and requiring increased Council consideration of the Parliament and its composition.

<b>1980</b>	<i>EP Resolution calling for European Parliament involvement in the appointment of the Commission President</i>
<b>1981</b>	<i>Gaston Thorn is the first Commission President to present his programme to the Parliament which is followed by a debate, informally approving of the Commission post-investiture</i> <i>The Parliament reiterates its desire for formal participation in future appointments</i>
<b>1983</b>	<i>The Stuttgart Declaration permits, without legal basis, the consultation of the Bureau of the European Parliament in the European Commission presidency nomination process</i>
<b>1985</b>	<i>The Delors Commission has an informal 'vote of confidence' by the European Parliament</i>
<b>1993</b>	<i>The Maastricht Treaty requires a formal vote of confidence for the incoming Commission</i> <i>The Maastricht Treaty requires inter-institutional Council &amp; European Parliament dialogue through 'consultations' for Commission President nominees (Article 158.2)</i> <i>Rule 29a of the Rules of Procedure enshrines parliamentary hearings for the Commission</i>
<b>1995</b>	<i>The Santer Commission is the first to be subject to parliamentary hearings</i>
<b>1999</b>	<i>The Treaty of Amsterdam amends Article 158.2, removing the Parliament's consultative role, requiring nominees to simply "be approved by the European Parliament"</i>
<b>2003</b>	<i>The Treaty of Nice reiterates the tone of Amsterdam, with the Parliament simply confirming the nominee that the European Council "intends to appoint" (Article 214.2)</i>

Figure 1. European Parliament involvement in the European Commission President nomination process 1979-2009

#### 4.3: The Lisbon Treaty, 2014 & the Spitzenkandidaten

The Parliament's negative sentiment with the undermining provisions set out in the Treaties of Amsterdam and Nice was communicated in May 2001 when it passed a resolution expressing its dissatisfaction with the outcome of the Nice Treaty, namely the "inadequate response to...the deficits and shortcomings with regard to the establishment of an effective and democratic European Union" (European Parliament, 2002, p.109). However, the unratified 'Constitutional Treaty' (2004) and subsequent Lisbon Treaty (2007) worked to ensure that the viewpoint of the European electorate, as expressed through the composition of the Parliament following the European elections, was required to be considered by the European Council when nominating presidential candidates in an attempt to bridge the perceived democratic deficit.

Resulting from the reduced linkages between the Parliament and the Commission Presidency, the Parliament continued to call for a more intimate interinstitutional relationship, especially the “election of the Commission president by the European Parliament” (European Parliament, 2002a, p.312). A contemporary to Parliament’s calls was the development of the Treaty establishing a Constitution for Europe (2004), also known as the ‘Constitutional Treaty’. The 2003 Intergovernmental Conference (IGC), whilst failing to conclude with absolute political results for the Member States, produced a draft treaty that granted the Parliament the power to ‘elect’ the President of the Commission and necessitated the Council’s consideration of Parliament’s composition when deciding upon a nominee (Constitutional Treaty, 2004, Article I-27). This, as would be expected, was met with open arms by the Parliament whom stated the development to constitute “an important step towards an improved system of parliamentary democracy at European level” (European Parliament, 2004, p.258). However, faced with ratification issues in France and the Netherlands, the Constitutional Treaty was subsequently abandoned.

Regardless of the failed Constitutional Treaty, 2004 nonetheless saw increasing ties of interinstitutional accountability emerge. The 2004 parliamentary hearings for the incoming Barroso Commission represented a turning point in the Parliament’s relationship with the Commission’s accountability. Stemming from his conservative views on homosexuality and family structure, Italian nominee Rocco Buttiglione was rejected by the Civil Liberties Committee, 27 to 26 (Mahony, 2004). This was the first time that the Parliament had rejected a Commissioner nominee, allowing the Parliament to develop the hearings process into something more than a rubber-stamp procedure. The rejection of Buttiglione’s nomination highlighted the increasing powers of accountability that the Parliament held over the Commission. Combined with potential powers set out in the articles of the draft Constitutional Treaty, the Parliament sought to establish itself as a stronger institution with greater ties to the Commission nomination and election processes. To this extent, the rejection of Buttiglione further linked the Commission to the electorate as the Parliament exhibited credible

resolve to reject those nominees that did not conform to the Parliament's, and by extension, the public's view.

Following the rejection of the Constitutional Treaty and a brief 'period of reflection', there formed a consensus that the portions of the Constitutional Treaty that sought to reform the functioning and governance of the Union should get a second chance whilst the contentious 'constitutional' aspects should be dropped to ensure an ease of ratification (Nugent, 2017). Resultingly, the Lisbon Treaty (2007) came to be an almost carbon-copy of the Constitutional Treaty, absent of the evocative constitutional language (Nugent, 2017). The Lisbon Treaty maintained, therefore, through Article 17.7 TEU that the Parliament should have the Power to 'elect' the President of the Commission and that the Council's nomination must take into consideration the composition of the Parliament resulting from the outcome of the European elections (Lisbon Treaty, 2007). Stemming from ratification issues in the Republic of Ireland, the Lisbon Treaty was not operational by the time of the 2009 European elections leading to the framework outlined in the Nice Treaty to be used to appoint, rather than 'elect', the President of the Commission. Regardless, a party-politics structure began to emerge with the European People's Party (EPP) putting forward the incumbent José Manuel Barroso as 'their candidate' for the post and, the Party of European Socialists (PES) opposing the renewal of his mandate (Pop, 2009).

In the lead up to the 2014 European elections, there emerged the desire by the Parliament to re-claim the influence it had been denied in 2009 following Lisbon's ratification issues. In late 2012, the Parliament adopted a resolution that urged "the European Political parties to nominate candidates for the Presidency of the Commission" (European Parliament, 2015, p. 186). In response, the Commission (2013) adopted a recommendation calling for national *and* European level parties to educate the public on their respective 'lead candidates' and the *Spitzenkandidaten* through their 2014 electoral campaigns. German MEP and President of the European Parliament, Martin Schulz was chosen as the 'lead candidate' (from the German *Spitzenkandidat* where, through popular uptake, the process's title derives) for PES. Reflective of domestic level politics, other European political parties

followed by hosting party conferences and electing among their members their own ‘lead candidates’. All major European parties proposed such candidates except the recently established Alliance of European Conservatives and Reformists (now, the European Conservatives and Reformists Party) who deemed the *Spitzenkandidaten* as “a very tenuous interpretation of the Lisbon Treaty” (Kamall, 2014).

Following their announcement, the respective ‘lead candidates’ partook in several US-election-style televised debates which centred on European issues and were broadcasted by prominent pan-European networks such as Euronews. This undertaking was the first time that the Parliament itself adopted the approach of publicly nominating candidates to be approved and nominated by the Council, rather than maintaining a behind-closed-doors approach set out in the Treaties that pre-dated Lisbon. The *Spitzenkandidaten*, therefore, attempted to Europeanise the process by linking the European electorate to the leadership of the supranational European Commission rather than maintaining the process as one dominated by the intergovernmental European Council.

The outcome of the 2014 European elections saw the EPP gain a plurality of seats, accounting for just over 29% of the Parliament’s 751 (European Parliament, 2020). Accordingly, the European Council chose Jean-Claude Juncker, the ‘lead candidate’ put forward by the EPP, as the Commission President nominee. While the vast majority of European Council members were content with the decision, the United Kingdom and Hungary opposed Jean-Claude Juncker’s nomination. Resultingly, both voted against his nomination. However, due to the requirement of QMV rather than unanimity to be used in the Council’s nomination procedure since the Nice Treaty, the actions of the United Kingdom and Hungary did not constitute a blocking minority (Reiding and Meijer, 2019).

The *Spitzenkandidaten* signalled a poignant change in the institutional history of the EU, with many in academia and politics predicting the process to institutionalise itself as the new normal method of (s)electing the Commission President. However, as will be discussed below, the hard-won and intimate involvement of the Parliament in the process of (s)electing the President of the Commission was not to prevail in 2019.

- 2001** | *EP Resolution on the Nice Treaty noting that a significant democratic deficit remains*
- | *EP Resolution on the “Future of the European Union” calls for the “election of the Commission President by the European Parliament”*
- 2003** | *A Draft Treaty establishing a Constitution for Europe is produced*
- | *EP Resolution on the Draft Constitutional Treaty confirms Parliament’s positive response to election of the Commission President by the Parliament considering it a move towards parliamentary democracy at the EU level*
- 2004** | *Buttiglione’s rejection increases accountability between the Parliament and Commission*
- 2005** | *EP Resolution on a “Constitution for Europe” sees the Parliament welcome greater citizen accountability over the Union, especially through linking the European elections and the President of the Commission*
- | *The Constitutional Treaty is abandoned*
- 2007** | *Lisbon Treaty Article 17.7 TEU requires the Council to consider European Parliament electoral outcomes when nominating a Commission President*
- | *The Constitutional Treaty is abandoned*
- 2009** | *Lisbon Treaty Ratified*
- | *Following the European Elections, the Lisbon treaty has not been implemented fully, resulting in the Nice framework for appointing the Commission President being used*
- 2012** | *EP Resolution urges European political groups to nominate ‘lead candidates’ to be put forward for the position of Commission President*
- 2013** | *The Commission adopts a Recommendation supporting the Spitzenkandidaten process, urging parties to use their 2014 campaigns to inform the public of the process*
- 2014** | *Spitzenkandidaten debates take place among the candidates, engaging the citizenry in the Commission President nomination process for the first time*
- | *The EPP win a plurality of 29.4% of available seats, making them the largest political group*
- | *Spitzenkandidaten Process elects Jean-Claude Juncker as Commission President*

Figure 2. European Parliament involvement in the European Commission President nomination process 2009-2014

#### 4.4: 2019 and the Repudiation of the Spitzenkandidaten

The widely supported *Spitzenkandidaten* was believed to become the new normal procedure for electing the President of the Commission. However, the procedure failed to operate successfully in 2019, largely due to tensions in the European Council. This ultimately resulted in the repudiation of the *Spitzenkandidaten*, and the nomination and subsequent election of Ursula von der Leyen as President of the Commission rather than any of the proposed ‘lead candidates’.

Following the success of the 2014 *Spitzenkandidaten*, it was supported by the European electorate that the process be repeated for the 2019 Commission Presidency. A Eurobarometer Survey conducted one year prior to the 2019 European elections highlighted that among the electorate, an average of 49% of voters would be more inclined to vote in the elections knowing that their vote was linked to the European Commission’s leadership (European Parliament, 2018). Furthermore, 63% believed that the *Spitzenkandidaten* introduced elevated levels of transparency to the Commission Presidency election process and 61% felt that the *Spitzenkandidaten* represented a significant step forward for European democracy (European Parliament, 2018). Within the chamber of the Parliament, a similar sentiment of support existed with a February 2018 decision warning that

the European Parliament will be ready to reject any candidate in the investiture procedure for the President of the Commission who was not appointed as a ‘Spitzenkandidat’ in the run-up to the European Elections (European Parliament, 2018a, p. 91).

Resultingly, most European political parties proceeded to nominate ‘lead candidates’ ahead of the 2019 electoral cycle with the expectation that the *Spitzenkandidaten* would be respected by the European Council. Reflective of 2014, leadership debates took place among the proposed ‘lead candidates’. These debates were aired on prominent pan-European networks in an attempt to connect the electorate to the Commission and discuss European issues, as desired by the electorate itself (European Parliament, 2018a).

As in 2014, the 2019 European elections returned the EPP with a plurality of the vote, winning just over 24% of the available seats (European Parliament, 2020). The President of the European Council, Donald Tusk, was selected as the individual to lead the negotiations to decide upon the



Council nominee to be presented to the Parliament for election, as outlined by Article 17.7 TEU. It was expected that the EPP's 'lead candidate', German MEP Manfred Weber, would be selected as the European Council's Commission Presidency nominee given the 2019 electoral outcome and established practice of 2014. However, at a special European Council convened in June 2019 which was called to select the Council's nominee, tensions emerged with French President, Emanuel Macron and Hungarian Prime Minister, Viktor Orbán opposing Weber's candidacy for the post, along with other 'lead candidates' proposed by alternative European parties (Zalan, 2019). Subsequently, it emerged after several votes that there existed no QMV majority for any of the 'lead candidates' proposed by the largest parties. Against the established procedure of the *Spitzenkandidaten*, the special European Council adopted a decision selecting Ursula von der Leyen as the Council's nominee (European Council, 2020). Von der Leyen's nomination was supported as part of the gender and party-political 'package deal' decided upon by the Council which would see the leadership posts of the EU institutions divided equally along gender lines and with respect to the party-political outcome of the European elections. Resultingly, EPP aligned von der Leyen gained a QMV majority vote in the special European Council, confirming her nomination.

While Ursula von der Leyen was elected as President of the Commission by the Parliament on 26 July 2020, compared to the 2014 election of Jean-Claude Juncker, the majority was slim with 383 votes to 327 (European Parliament, 2019). This reduced majority is possibly the result of MEP's discontent with the side-lining of the *Spitzenkandidaten*. Accordingly, there existed displeasure in the Parliament, with MEPs claiming that "in the Council, the *Spitzenkandidat* process was strangled", that the electorate had "been cheated", and that they were "surprised by the procedure for appointing the Commission President...[with] decisions being taken behind closed doors" (European Parliament, 2019a). Subsequently, the repudiation of the *Spitzenkandidaten* has become a contentious issue in the discussion surrounding the democratic nature of the EU, its perceived deficit, and the procedure's impact upon both.

#### 4.5: Conclusion

This chapter has traced the evolution of the process used to (s)elect the President of the Commission since 1979. Through parliamentary action and successive treaty changes, the process has grown to further incorporate democratic principles, especially through the interinstitutional accountability of the Commission to the Parliament. However, this process has not been linear, producing a curve of democratisation that highlights the undulating typography of the Commission (and it's President's) democratic legitimacy across the decades. The Lisbon Treaty (2007), perhaps, went the furthest by introducing Article 17.7 TEU which granted the Parliament the power to 'elect' the Commission President as well as requires the European Council's consideration of the outcome of the European elections when selecting a nominee. Resultingly, 2014 saw the emergence of the *Spitzenkandidaten* stemming from Parliament's interpretation of Article 17.7, and 2019 the repudiation due to European Council tensions.

## Chapter Five

### *Analysing the Impact of the Rise and Repudiation of the Spitzenkandidaten with the Yardsticks of Political Philosophy and MEP Insights*

#### 5.1: Introductory Remarks

This chapter will analyse the rise and fall of the *Spitzenkandidaten* between 2014 and 2019 using a comparative social scientific analysis. Analysing the rise and repudiation of the *Spitzenkandidaten* relative to the philosophical perspectives and actual behaviours of democratic states discussed in Chapter Two will highlight how the 2014 *Spitzenkandidaten* constituted a significant improvement in the democratic legitimacy of the Commission Presidency, reducing the EU's democratic deficit. Contrastingly, the nomination of the Commission Presidency in 2019 constituted a retreat of democracy through three of the four political lenses. Employing the insights of former and current MEPs via data collected using open ended-questionnaires serves to contextualise these findings in practical, as well as theoretical, terms.

#### 5.2: Pluralist Perspectives: A Contraction & Expansion of the Democratic Deficit

As mentioned, pluralist democracy rests upon the idea that there exist formal links of accountability between the electorate and officials. The existence of regular elections provide representatives the incentives to act responsively to the 'will of the people'. The 2014 *Spitzenkandidaten* established a structure that, by tying the Commission Presidency to the outcome of the European elections, attempted to create 'a vote for president' (Hobolt, 2014). This linkage improved the Commission Presidency's avenues of accountability as the establishment of the *Spitzenkandidaten* provided the norm for regular 'votes for president' every five years. This materialised in the run up to the 2019 European elections where the Parliament compelled European and national political parties to inform citizens of the *Spitzenkandidaten* (European Parliament, 2018a). This process increased the post's democratic legitimacy from a pluralist perspective and thus, contracted the democratic deficit. This viewpoint was iterated by one MEP who said that "the Commission [should] reflect the will of the European *demos* as expressed in the one uniquely European election" (MEP 1). However, the side-

lining of Manfred Weber in 2019 reduced the capacity of the electorate to impact who would be elected as Commission President. The rejection of ‘the will of the people’, therefore, reduced the links of accountability between the electorate and the Commission President, negatively impacting the democratic legitimacy of the position. Resultingly, the repudiation of the *Spitzenkandidaten* can be argued to have expanded the EU’s democratic deficit to its pre-Lisbon state.

While critics such as Moravcsik (2004) have noted that for many positions, the exclusion of the electorate through appointments rather than elections *is* democratic, this argument is not sufficient for the Commission Presidency. While many have conceptualised the Commission as a mere bureaucracy (Majone, 1996), including at least one MEP surveyed whom titled the Commission President a “super civil servant” (MEP 3), from at least 2014 onwards, this has not been the case, specifically following Juncker’s (2014) declaration to create ‘a more political Commission’. The critical role exercised by the Commission in the EU’s legislative process through its sole right of legislative initiative, and the executive functions of the Commission through international representation and negotiations on behalf of the EU render the Commission Presidency as political as any similar position at the domestic level. Resultingly, from a pluralist perspective, such a role should hold adequate levels of electoral accountability.

Additionally, 2014 saw the introduction of EU-level debates among the ‘lead candidates’ which reduced the democratic deficit on two fronts. Firstly, related to electoral accountability, the *Spitzenkandidaten* and its associated debates introduced electoral competition among those contesting the ‘race’ for the Commission Presidency. Electoral competition further heightens the electoral incentives for representatives to be responsive to the electorate, compelling them to respect the will of the people (Dahl, 1998). Robert Dahl (1999) further notes that it is the lack of electoral competition at the supranational level that provides the EU with much of its democratic deficit. The 2014 *Spitzenkandidaten*, therefore, through the production of credibly alternative candidates resulting from regular elections elevated the democratic legitimacy of the Commission Presidency. Secondly, pluralist scholarship notes that the electorate should have an ‘enlightened understanding’ of the

policies or candidates that they are voting for (Dahl, 1998). The proliferation of information via electoral debates or an electoral commission provides individual voters with an equal opportunity to partake in the electoral process (Dahl, 1998; Held, 2018). In 2014 and 2019, the EU-wide broadcasting of televised *Spitzenkandidaten* debates largely served this function, ‘bringing the work of the EU closer to its *demos*’ (MEP 2). Additionally, this had a reinforcing impact whereby the discussion of ‘European’ issues increased the likelihood that individuals would partake in the electoral process (European Parliament, 2018), thus increasing the democratic legitimacy of the Commission Presidency, and reducing the democratic deficit.

However, while electoral competition did occur in the run up to the 2019 European elections, as did the actions of creating an ‘enlightened understanding’ among the citizenry, the Council’s choice not to nominate to the Parliament any of the candidates that competed in the race ultimately reduced the democratic legitimacy of the Commission Presidency in 2019. Resultingly, the democratic deficit can be argued to have returned to its pre-*Spitzenkandidaten* state as, like the process of pre-*Spitzenkandidaten* Commission Presidency nominations, the public, and their voice, were excluded from the nomination process. Furthermore, this exclusion produced a lack of electoral competition. The thinning of the ties of accountability between the European electorate and the Commission Presidency that resulted from reduced electoral influence, reduced electoral competition and the dismissal of candidates over which voters had an ‘enlightened understanding’ underscores how the democratic deficit expanded between 2014 and 2019 in the area of the Commission Presidency.

### 5.3: Libertarian Perspectives: A Contraction & Expansion of the Democratic Deficit

From a libertarian perspective, the 2014 *Spitzenkandidaten* integrated electoral consent into the ‘European social contract’. From its historical foundation, libertarian philosophy has held that the act of voting provides individuals the opportunity to give their consent *to be governed* by a particular governing authority (Locke, 1948). However, there exist strands of libertarian thought that

conceptualise voting as an irrational and insignificant act as one's vote has little or no impact on the outcome (D'Amato, 2018; Downs, 1957). Therefore, it can be somewhat understood that for the democratic legitimacy of voting to be increased, libertarian philosophy would hold that one's vote must have a more significant impact on the outcome of an election. Responding to libertarian critiques on voting and in line with Lockean doctrines, this increased significance would require clearer linkages between the input of an individual's vote and the output of a particular elected representative or policy, with the ability to replace such individuals at regular electoral intervals if representatives fail to represent, or be responsive to, the electorate. Applying what we know about the 2014 *Spitzenkandidaten*, the creation of increased linkages between the electorate and the Commission Presidency can be understood, from a libertarian perspective, to have increased the democratic legitimacy of the Commission Presidency. Resultingly, tying the Commission Presidency (s)election process to the outcome of the European elections provides the opportunity for the electorate to "be judge" (Locke, p.118, §240). The 2014 *Spitzenkandidaten*, by introducing the concept of consenting to being governed by a particular Commission President, increased the democratic legitimacy of the office, and reduced the democratic deficit accordingly.

However, 2019 saw the retraction of the consent embodied in the 2014 *Spitzenkandidaten*. Whereas the 2014 *Spitzenkandidaten* improved the link between the governed and those governing, providing increased worth to an individual's vote insofar as that it 'counted' towards the nomination of the Commission President, 2019 undermined this newfound legitimacy by disregarding the public's opinion and outcome of the *Spitzenkandidaten*. Accordingly, notions of democratic illegitimacy embodied in the libertarian philosophy on voting, whereby one's vote is insignificant and the act itself is irrational can be argued to have been reinforced in 2019. This argument was iterated by a former MEP claiming the system itself to be "misleading" (MEP 3). Ultimately, citizen's did not consent to being governed by Ursula von der Leyen, and from a libertarian perspective, 2019 expanded the democratic deficit through the plucking of citizen consent from the Commission Presidency nomination process.

The 2019 nomination process further reduced the democratic legitimacy of the Commission President when considering the behaviour of the European Council as paternalistic. As discussed, libertarian philosophy rejects paternalistic intervention by the State in areas outside of those that protect the negative rights of life and liberty (Dworkin, 2017). Regarding the 2019 Commission Presidency nomination, Council actions can be considered to constitute ‘strong paternalism’. Strong paternalism holds that state intervention is justified when individuals “may have mistaken, confused or irrational ends” (Dworkin, 2017), with the objective of the intervention being the correction of these choices made by the citizenry or individuals. Accordingly, Marcon’s belief that the *Spitzenkandidaten* does not produce competent individuals and that Weber himself was ill-suited for the position (Peel *et al.*, 2019), paired with the Council’s rejection of alternative ‘lead candidates’, highlights how the Council itself felt that the electorate, through voting for ‘lead candidates’ via the European elections, made poor choices. The 2019 nomination process, therefore, introduced the notion of ‘European Council paternalism’ whereby strong paternalistic action was undertaken in order to ‘correct’ the poor decisions of the electorate. From a libertarian perspective, therefore, the democratic legitimacy of the Commission Presidency was reduced, producing an expansion of the EU’s democratic deficit to at least its pre-Lisbon state.

#### 5.4: Social Democratic Perspectives: A Reduction & Further Reduction of the Democratic Deficit

While libertarian philosophy objects heavily to paternalistic actions by the State, social democratic theory is largely encouraging of these actions insofar as they promote equality and opportunities among the citizenry (Meyer and Hinchman, 2007). However, paternalistic state intervention solely for political streamlining is *not* accepted by the philosophy relative to transparency (Meyer and Hinchman, 2007). Looking to the 2014 *Spitzenkandidaten* compared to previous Commission Presidency nominations, it can be argued from a social democratic perspective that the facilitation of an election over a closed-door Council decision, provided the opportunity for increased female representation at the EU level. Figure 3 (below) highlights how since the Parliament’s investiture as

a directly elected institution in 1979, there had been no female-led Commission. Therefore, there existed a systemic under-representation of women in the post of Commission President, as well as in the Commission more generally which has consistently seen fewer women than men appointed as Commissioners (European Commission, 2020). Through soft paternalism, the intervention of the Parliament to create the *Spitzenkandidaten*, from which European political party members selected their ‘lead candidates’ at conferences, increasingly opened the process up to male and female potential candidates alike. Soft paternalism, the intervention of a governing authority in the *means* to achieve an end, was employed by the Parliament through the *Spitzenkandidaten* as it restricted the means by which the Council could nominate an individual for the Commission Presidency. This process differed considerably from the private decision-making procedure that had occurred for all previous Commission Presidency nominations which consistently nominated male candidates. Resultingly, social democratic theory may deem the 2014 *Spitzenkandidaten* more democratically legitimate as the European Green Party elected Ska Keller, in conjunction with José Bové, as the first potential female Commission President nominee. Keller’s candidacy can be argued to have improved the democratic legitimacy of the EU, by underscoring the increased opportunity for future female candidacies. This, in turn, worked to reduce the democratic deficit. However, one might argue that this impact was slight at best as all other candidates were male, resulting in minimal female representation overall.

The 2014 *Spitzenkandidaten* resembled an initial step towards gender mainstreaming the Commission Presidency. Similar to 2014, 2019 saw female candidates run for the post, with Margarethe Vestager representing ALDE and Violeta Tomić nominated by the European Left. Accordingly, it appears that the *Spitzenkandidaten* allowed for repeated increases in the representation of female candidates via the new Commission Presidency ‘race’, encouraging female input and representation at all levels of policy-making. However, the repudiation of the system saw the rejection of *all* ‘lead candidate’ nominees by the Council.



Affirmative gender mainstreaming at the national level has been deemed democratically legitimate, as previously mentioned in the case of Rwanda. Accordingly, strong paternalistic action by the European Council, whilst heavily criticised by libertarian perspectives, can be considered constructive from a social democratic viewpoint as it directly addresses the issue of systemic female under-representation. Furthermore, social democratic theory dictates that such intervention can be deemed democratically legitimate when individuals or groups are “unable to furnish their own self-reliant remedies” (Meyer and Hinchman, 2007, p.64). While the 2014 and 2019 pre-European election *Spitzenkandidaten* process provided equal opportunities for male and female candidates, female candidates were under-represented and accounted for a minimal fraction of the nominees. This itself is evidence that while women were granted opportunities, the ‘remedy’ did not ensure increased female representation at the Presidency level. The interjection by the Council, through its rejection of the ‘lead candidates’, therefore, can be deemed democratic through its nomination of von der Leyen as it affirmatively nominated a female candidate, in the instance where a male candidate, Manfred Weber, would have been selected. While Weber was not side-lined because of his gender but rather, due to his supposed incompetence is beside the fact. The ‘package deal’ that focussed heavily on the integration of female views into the EU’s leadership, appointing Christine Lagarde as President of the European Central Bank and nominating von der Leyen to the Commission Presidency, further highlights the gender mainstreaming approach of the European Council. Additionally, von der Leyen is ideologically aligned with the EPP, which won a plurality of seats in the 2019 European elections. Accordingly, it can be said that the Council, adopting a gender mainstreaming approach, maintained *some* consideration for the outcome of the European elections as dictated by Article 17.7 TEU. Therefore, from a social democratic perspective, the democratic legitimacy of the Commission Presidency in 2019 increased, with a corresponding further contraction of the democratic deficit.

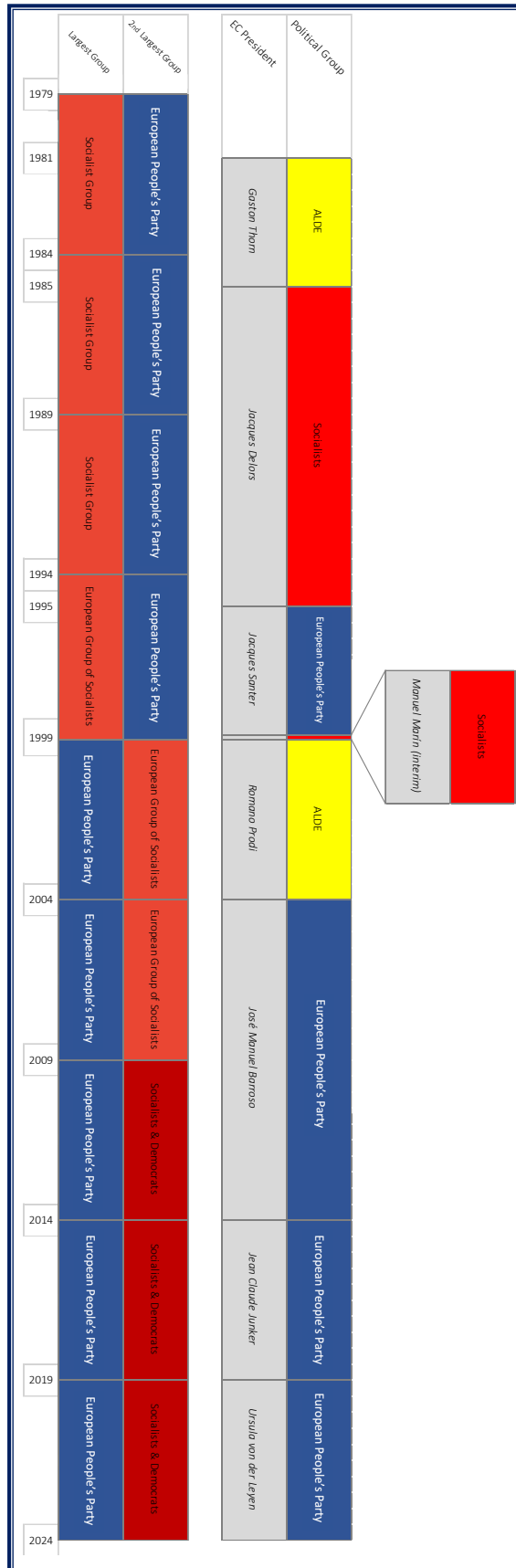


Figure 3. Commission Presidents and Largest European Parliament Groups since 1979

### 5.5: Deliberative Democracy Perspectives: A Contraction & Expansion of the Democratic Deficit

As discussed, deliberative democracy rests on the principle of citizen involvement “at every stage of policy formation” (Chambers, 2003, p.317). Furthermore, such citizen involvement should be accommodated by political institutions so as to encourage meaningful and effective opportunities for citizen participation, in doing so constructing the “normative foundations of legitimacy” (Moravcsik, 2004; Entzoni, 2001, p.xxxvii). As will be shown, the 2014 and 2019 *Spitzenkandidaten* debates and associated avenues of public engagement provided increased democratic legitimacy to the Commission Presidency.

With regards to the “normative foundations of legitimacy” (Entzoni, 2001, p.xxxvii), Bohman (2007) notes the need for supranational political parties and institutional structures to facilitate public discourse and deliberation. From its onset, the *Spitzenkandidaten* held citizen involvement at the core of its functioning, particularly through the broadcasting of the system via European and national political parties, and through the televising of supranational debates. This approach was clearly outlined in the Commission’s 2013 recommendation in response to the Parliament’s 2012 resolution on the nomination of ‘lead candidates’ (European Commission, 2013; European Parliament, 2015). As such, the *Spitzenkandidaten* encouraged increased levels of citizen involvement by proliferating the Commission Presidency process outwards via political parties, rather than containing the nomination process within the confines of the European Council. The televised *Spitzenkandidaten* debates further encouraged the proliferation of information, a “normative foundation of legitimacy” in its own right (Entzoni, 2001, p.xxxvii). As such, by integrating the Commission Presidency nomination process with the European elections, and further facilitating deliberation and discourse via televised debates, the 2014 and 2019 pre-election *Spitzenkandidaten* processes can be argued that have improved the democratic legitimacy of the Commission Presidency from a deliberative democracy perspective. This increased democratic legitimacy was reflected in the 2018 Eurobarometer which highlighted that the procedure greatly increased the likelihood that citizens would involve themselves in the political process, especially if the process included greater

levels of European-level debate and deliberation alongside, such as that facilitated by the televised debates (European Parliament, 2018). It can be clearly argued, therefore, that the *Spitzenkandidaten* greatly improved the quantity and quality of opportunities for meaningful and effective citizen involvement, namely through national and European political party processes such as the election of ‘lead candidates’, elevated public discourse via televised debates and the proliferation of information through political parties, and directly through the linking of European election electoral preferences with the Commission Presidency nomination process.

However, while both the 2014 and 2019 pre-election processes facilitated an increased level of deliberation and debate, particularly through the weighing of alternative candidates and their policies, the rejection of the ‘lead candidates’ by the European Council in 2019 meant that the facilitation of deliberative mechanisms was for nought. Resultingly, while the 2019 procedure facilitated elevated levels of pre-election deliberation, it excluded citizens and their preferences from the higher levels of policy-making. The 2019 post-election process, therefore, saw a reduction in the democratic legitimacy of the Commission Presidency and an expansion of the democratic deficit.

A second point to be discussed is the facilitation of open decision-making by the *Spitzenkandidaten*. As deliberative democracy grounds itself in public debate and deliberation, which in turn improves the democratic legitimacy of the political process, there is a rejection of insulated decision-making. Moravcsik (2004, p.342) highlights how this rejection causes deliberative democracy to question the democratic nature of international institutions such as the EU, whereby many decisions are taken in the confines of the European Council, absent of public involvement or deliberation. This point was further underscored by a former MEP whom noted that the EU institutions have issues of integrity regarding the lucrative influence of interest groups (MEP 3) and another whom stated that to be ‘democratic’, “positions of authority are [to be] elected *transparently*” (MEP 2). Accordingly, the 2014 *Spitzenkandidaten* facilitated a more open and transparent form of decision-making. There existed a clear and defined link between one’s vote and the nomination of the Commission President by the Council, which ultimately chose Juncker as a result of the European

election results. In this regard, the 2014 *Spitzenkandidaten* can be considered to have improved the democratic legitimacy of the process by providing a more transparent nomination procedure. Contrastingly, the 2019 nomination process which rejected the ‘lead candidates’ proposed by the European political parties, resorted to the behind-closed-doors method of Council decision-making, with one MEP remarking that 2019 resembled an “unfortunate reversion to the norm” (MEP 1). This reversion to insulated decision-making thus reduced the democratic legitimacy of the process from a deliberative democracy perspective as such actions promote a ‘passive citizenry’, reducing political discourse and deliberation (Schmitter, 2000; Siedentop, 2000). Additionally, this reversion to insulated decision-making, which expanded the democratic deficit from a deliberative democracy perspective, holds the potential to negatively impact the deficit in the long run. This results from a ‘passive citizenry’ failing to engage with future cycles of the political process.

Deliberative democratic theory, therefore, highlights that 2019 witnessed a reduction in the democratic legitimacy of the Commission Presidency nomination process and a subsequent expansion of the democratic deficit relative to 2014 when considering issues of citizen participation, passivity, and transparency.

### 5.6: Conclusion

This chapter has highlighted alternative philosophical perspectives on the impact of the *Spitzenkandidaten*’s rise and fall upon the EU’s democratic deficit. It has shown that in philosophical, as well as practical terms, the 2014 *Spitzenkandidaten* improved the democratic legitimacy of the Commission Presidency, reducing the democratic deficit, from all four perspectives. Additionally, all but social democratic theory can perceive the repudiation of the *Spitzenkandidaten* in 2019 to have reduced the democratic legitimacy of the post, expanding the EU’s democratic deficit.

## Chapter Six

### *Conclusions*

By adopting a multi-method approach and grounding itself in philosophical and practical insights, this thesis has sought to explore the impact that the rise and repudiation of the *Spitzenkandidaten* has had on the EU's perceived democratic deficit between 2014 and 2019. Following the structure of Andrew Moravcsik's seminal 2004 paper on the study of democratic deficits in world politics, which notably claimed that the EU *did not* harbour a deficit itself, this thesis has highlighted the contrary in the area of the Commission Presidency through three of the four political lenses analysed.

From pluralist, libertarian, and deliberative democracy perspectives, the rise and subsequent fall of the *Spitzenkandidaten* has been shown to have improved and subsequently reduced the democratic legitimacy of the Commission Presidency between 2014 and 2019, respectively. This fluctuation has translated into a contraction of the EU's democratic deficit in 2014 and a subsequent expansion of the EU's democratic deficit in 2019 following the repudiation of the *Spitzenkandidaten*. From a social democratic perspective, the 2014 *Spitzenkandidaten* has also been shown to have improved the democratic legitimacy of the Commission Presidency, resulting in a corresponding contraction of the democratic deficit. However, there exists a divergence when looking to 2019, whereby social democratic theory perceives a further contraction of the deficit despite the repudiation of the *Spitzenkandidaten*, resulting from the gender mainstreaming approach of the European Council and subsequent nomination of Ursula von der Leyen. However, had the Council's nominee been male, social democratic perspectives would have deemed the repudiation of the *Spitzenkandidaten* in 2019 to have constituted an expansion of the EU's democratic deficit, similar to the alternative philosophical perspectives. The findings of this thesis are significant as they represent an initial step towards analysing the impact that the repudiation of the *Spitzenkandidaten* has had on European democracy.

This thesis began by offering a quote by former US president, John Adams who noted that "There never was a Democracy Yet, that did not commit suicide" (1814). The findings of this thesis

highlight that the *Spitzenkandidaten* as an expression of contemporary European democracy is no exception, ultimately being ‘murdered’ by the political actions of the European Council. The expansion of the democratic deficit that stemmed from this wound highlights how the deficit itself is not inherent to the EU’s institutional design *per se* but can be curated by political expression. It is increasingly clear that ‘European democracy’ is a moving target; a creature in constant flux. Resultingly, it can be claimed that this thesis has highlighted that in the case of the Commission Presidency, there is no democratic dichotomy with which to measure the EU as *either* democratic or not. Rather, over time its respective democratic legitimacy and deficit have morphed as the product of political decisions, policies and behaviours.

Moving forward, we should continue to analyse the political mechanisms with which those in authority are selected, nominated and elected at the European level. It will not be until the 2024 European elections and the subsequent election of a new Commission President that we discover the shape of the EU’s democratic deficit, and whether the democratic mechanism of the *Spitzenkandidaten* can be revived, reimagined or forgotten.

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Questions for Thesis Research – Alexander Fitzpatrick – Leiden University  
*“The Impact of the Rise and Fall of the Spitzenkandidaten System on the EU’s Perceived Democratic Deficit”*

***Please type your answers below the relevant questions. There is no minimum nor maximum length of answer required but providing as much insightful detail as possible would be greatly appreciated.***

Name:

- Are you aware of the Spitzenkandidaten System for selecting the President of the European Commission that took place in 2014?  
*Yes/No*
- Do you believe that the leadership of the European Commission should be representative of the views of the European electorate?  
*Please elaborate your answer to briefly explain why you feel how you do.*
- In a few sentences, please outline what you believe is meant when something is ‘democratic’
- Do you believe that the selection of President of the European Commission in 2014 (using the Spitzenkandidaten System) was more or less *democratic* than the 2019 selection?  
*Please elaborate your answer to briefly explain why you feel how you do.*
- Do you believe there to be a democratic deficit in the accountability of the Commission to the European citizenry?  
*Please elaborate your answer to briefly explain why you feel how you do.*
- Do you believe there to be a democratic deficit in the accountability of the Commission to the European Parliament?  
*Please elaborate your answer to briefly explain why you feel how you do.*
- Generally, do you believe that the EU has a democratic deficit?  
*Please elaborate your answer to briefly explain why you feel how you do.*
- Do you believe the Spitzenkandidaten System addressed a democratic deficit or produced a democratic deficit itself?  
*Please elaborate your answer to briefly explain why you feel how you do.*
- Do you believe the Spitzenkandidaten System itself was democratic?  
*Please elaborate your answer to briefly explain why you feel how you do.*
- Do you believe that the Spitzenkandidaten System should become the normal procedure for selecting the President of the European Commission?  
*Please elaborate your answer to briefly explain why you feel how you do.*