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## Get the party started : an analysis of EU political party development

James Godowic

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## ABSTRACT

### GET THE PARTY STARTED: AN ANALYSIS OF EU POLITICAL PARTY DEVELOPMENT

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Why have political parties on the European level not been able to institutionalize as full parties that present candidates and campaigns to the public? When voters cast ballots, they do not vote for a European political party but rather for the national party that only campaigns in the borders of their own country. This has terrible consequences for the accountability of the European Union to its citizens, an institution that has been accused of having a democratic deficit for many years. This paper examines the institutional development of the European Union, alongside the theories of political party development, and finds that the most salient cleavage among the European public, that of the relationship between the nation-state and the European Union, has been kept off the agenda of European elections. National leaders have sought to control the course of European political development while trying to keep their own national parties unified on the subject of national sovereignty, resulting in elections that are referenda on national governments as opposed to contests between competing visions of Europe. These findings indicate that a more Presidential style of election may be the only way for “Europarties” to extend into the public and allow voters to hold the European Union accountable using traditional democratic means.

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GET THE PARTY STARTED: AN ANALYSIS OF EU  
POLITICAL PARTY DEVELOPMENT

BY

JAMES GODOWIC  
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A THESIS SUBMITTED TO THE GRADUATE SCHOOL  
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Thesis Director:

Michael Clark

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## DEDICATION

To my parents, Jim and Marge, who always supported me in all my endeavors

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## CHAPTER 1

### INTRODUCTION

Free trade. Economic disputes. Free movement of people. National sovereignty. One continental currency. Terrorism. Refugees. Economic crisis. Bailouts. All of these issues either have been, are now, or will continue to be on the agenda of the European Union. The European Union, or EU, is a major presence in the lives of Europeans as it, in concert with member-nations, has control over policies dealing with each of these important areas. Yet for an institution that exercises powerful influence across a wide range of policy areas, many people, citizens, politicians and academics, all note that the EU often lacks, or appears to lack, democratic legitimacy to carry out its policies. Due to the complex structure of the EU's governing institutions, and the fact that only one of these institutions is subject to direct election by voters, critics view the EU as an authoritarian superstructure, controlled by faceless bureaucrats.

Yet many will counter this argument with the point that the European Parliament is a directly elected institution. Indeed, European Parliamentary elections have been held every five years since 1979 (Lodge and Herman 1982). But elections, in and of themselves, do not automatically produce accountability. This is especially the case in an institutionally complex environment like the EU, where different institutions have multiple roles to fulfill in policy

formation and governance (Bartolini 2009). And the very fragmented nature of European elections, in combination with the lack of a true ‘cross-European’ campaign by the European party federations, or Europarties, only further hobbles the notion of democratic accountability and legitimacy. If voters are not given the choice of the same parties or candidates across the EU, if they are only allowed a set of options strictly within the borders of their nation-state, then how can citizens render an electoral judgment on European policymakers as a whole?

“[M]odern democracy is unthinkable save in terms of the [political] parties.”

(Schattschneider 1942). This quote encapsulates the approach I intend to take toward the concept of democratic legitimacy and accountability; that of the party as heuristic, the guide for the voter to choose whether to reward or punish the governing party or coalition for their conduct while wielding the power of the state. The political party serves the important role of channeling the forces for collective action, both in the running of the legislature and in the campaigns of ambitious office seekers, in order to pool individual resources to produce results, in addition to offering different policy choices for the public to choose from (Aldrich 1995). European scholars also take this view, that the way to increase, not just democracy, but also the legitimacy of the EU among Europeans would be by empowering political parties to offer voters a choice. Thierry Chopin makes the valid point that citizens of individual member-states are unlikely to feel like European citizens when the unifying symbol is a “milk quota” or “harmonisation of technical standards” (2009, 73), but rather through the politicization of such issues as a common European foreign or economic policy. Such issues are best articulated through political parties offering different choices and values to an electorate in open competition. Political parties at the EU level can integrate voters “beyond the level of the nation-state” and into the EU decision-making

making process (Heidar 2003, 2). But do these Europarties perform this necessary role? No. It is not under the banner of the Party of European Socialists that ambitious leftist candidates in the UK, France, and Germany seek a seat in the European Parliament; rather, they seek such office under, and voters choose whom to bestow said office on with the heuristic of the UK Labour Party, the French Socialist Party, and the German Social Democratic Party, respectively. Yet, upon taking their duly-gained seat in the Parliament, they sit with other socialists from across the continent regardless of their national origin, a practice that dates back to the founding of the European Coal and Steel Community (Lodge and Herman 1982; Kreppel 2002).<sup>1</sup>

Herein lays the puzzle. The institution of the European Parliament has, since its founding, seen members organize by “ideological affinity” rather than “national affinity” (Kreppel 2002, 55). Thus the collective action problem is indeed solved through the presence of Europarty groups in the chamber. But, despite forming extra-parliamentary organizations in the 1970s in preparation for the first elections, no further “extension” of these parties has occurred to the mass level. The Europarties organize the Parliament and coordinate with their member parties from countries across the EU, but are utterly reliant on these member parties to pick candidates and campaign for them to win office. As an example, the UK Labour Party, the French Socialist Party, and the German Social Democratic Party all select candidates to run for seats in the European Parliament, much as they would choose candidates to run for office in UK, French and German legislative elections respectively. Absent a similar level of public and media attention, these European parliamentary elections occur in the respective member states in a similar fashion

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<sup>1</sup> The Coal and Steel Community was the very first incarnation of what is now the EU. Many of the current institutions of the EU, such as the Parliament and the Court of Justice, were created as institutions of this community in the early 1950s.

to national elections. The newly elected Members of the European Parliament (MEPs) then sit together under the umbrella of the relevant Europarty – in this case, the Party of European Socialists - with other newly elected leftist MEPs from the other member states.<sup>2</sup> The same process is repeated for other national parties, with MEPs from Green, Liberal and Conservative parties all sitting together under the umbrella of their ideologically related Europarty. Figure 1 displays the Europarties currently sitting in the European Parliament by ideological family, along the traditional left-right spectrum. The Eurosceptic parties listed are those parties which seek a halt to European integration and often openly campaign for their member-state to withdraw entirely from the EU. The other parties listed in Figure 1 are committed to European integration. Importantly though, the Europarty has no influence in selecting candidates and only offers limited campaign support and a vague platform during EP elections. This situation, present at the first election in 1979, remains unchanged to this day. The simple question is why? Why have Europarties not institutionalized by extending themselves into full campaigning, nominating political parties? Why have they remained decentralized, confederal entities in spite of there now having been eight election campaigns and four different treaties since the first pan-European elections were held in 1979?

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<sup>2</sup> From time to time, certain national parties will leave a Europarty to sit with, or even create, another one. A prominent example was the UK Conservative Party who left the European People's Party to form the European Conservatives and Reformists in 2009.

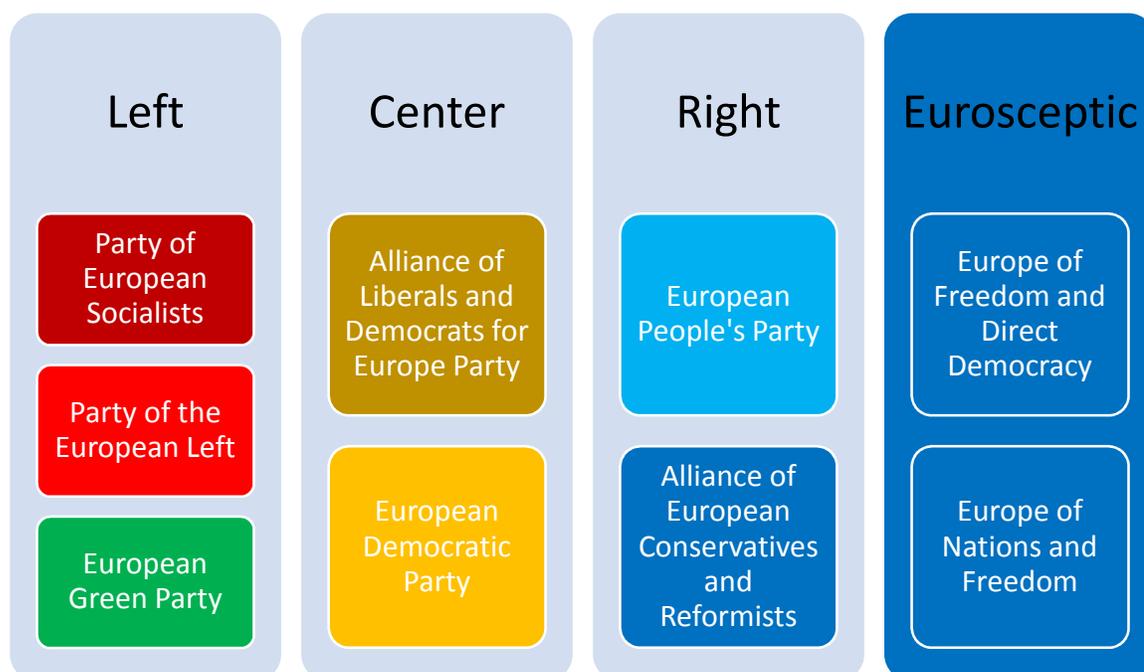


Figure 1. The major EU political parties (Europarties) placed along the traditional left-right spectrum

One potential answer could be that the EU is an international organization, an intergovernmental work in progress, and as such, traditional theories of political party development do not apply as they would to a nation-state (Hix 1995). Indeed, there are many features of the EU that qualify it as an intergovernmental body along the lines of the United Nations or NATO, but these features coexist right alongside supranational features including the European Court of Justice with the power to issue binding rulings, the European Commission, which is the executive body responsible for the day-to-day operation of the EU, and the European Parliament, the only directly elected transnational legislative body in the world. It is this last fact that seems to require one to apply the basic theories of how political parties form in

order to gain an understanding of the EU political process and find an answer to the puzzle at hand.

The EU must be examined as both an intergovernmental and a supranational organization (Fabbrini 2014). It cannot be neatly fitted into either category. This uniqueness also makes a true comparative analysis difficult to carry out; the *sui generis* nature mentioned above sets it apart from almost any other transnational organization in the world. For all these reasons, it will be necessary to engage in within-case analysis in order to examine the unique developmental path of EU democracy.<sup>3</sup>

Naturally, as we are examining political parties, it will be necessary to focus on the theories behind political party formation and institutionalization, and to consider how they extend themselves into civil society so as to compete for office. Next, we need to understand the development of the EU, particularly the critical junctures represented by the four treaties that have been negotiated and put into force since elections to the European Parliament began in 1979.<sup>4</sup> If the intergovernmental institutions of the EU have been more empowered in regard to constitutive politics than the supranational Parliament, then the voters have been left with the task of electing a 'lesser' body. Consequently, if voters are concerned over EU integration and how much power the EU should have vis-à-vis the nation-state, then it stands to reason their focus would be on their national governments and the national parties, not the EP or the

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<sup>3</sup> Within-case analysis involves looking for causal explanations purely within the phenomena under examination, as opposed to comparative case studies which compare two or more cases in an effort to uncover causality based on similarities or differences between said cases.

<sup>4</sup> Critical junctures are an important component of historical institutional scholarship, and involve the examination of turning points in the development of political institutions and their subsequent effect as time goes on (Mahoney and Villegas 2007). This concept of path dependence, wherein initial decisions condition and constrain the options of actors as institutions develop, is employed in this paper to examine how the political development of the EU constrained the ability of Europarties to extend themselves into the voting public at large.

Europarties. As there are many terms that may be unfamiliar to the reader, Table 1 lists the acronyms commonly used when discussing the European Union. These acronyms will be referred to throughout the text.

Table 1

The major acronyms for the EU

EU	European Union
EURATOM	European Atomic Energy Community
ECSC	European Coal and Steel Community
EEC	European Economic Community
EC	European Community
EP	European Parliament
SEA	Single European Act
MP	Member of Parliament
MEP	Member of European Parliament

### Hypothesis

It is hypothesized that the presence of the European Council as *the* arbitrator of European integration has stymied the development and institutionalization of a truly pan-European party system. To test this hypothesis, process tracing of the development of the EC/EU since the formation of the European Council will be utilized. Cases such as the formation of the European Council, negotiations over the Single European Act and the Maastricht Treaty, and the Constitutional/Lisbon Treaty negotiations will be examined in order to demonstrate the

institutional constraints Europarties must contend with. These events represent critical junctures in the political development of the European Union, junctures which saw the intergovernmental institutions become, and remain, the more powerful sites of political competition when compared with the supranational Parliament and Commission. Consequently, national parties became the focus of competition over the salient cleavage between national sovereignty and a stronger European Union. The initial conditions that gave rise to this situation reinforced themselves over each new treaty and have resulted in the democratic deficit the EU faces today. Finally, an examination of the new “Spitzenkandidaten” procedure may indicate that this new procedure for selecting the executive office may be the only way for Europarties to develop their role as party-in-the-electorate after years of failure to do so solely through the European Parliament.

## CHAPTER 2

### THE PUZZLE

The elections to the European Parliament are the most unique in the world, involving voting over two days in multiple countries using multiple voting systems. Such a vast, varied system is not the result of careful planning and state crafting, but rather a series of compromises enacted so that elections to the European Parliament could take place at all. Beginning with the Treaty of Paris in 1951, the manner of choosing members to the then-Common Assembly were prescribed as:

*[d]elegates who shall be designated by the respective Parliaments once a year from among their members, or who shall be elected by direct universal suffrage, in accordance with the procedure laid down by the High Contracting Party. (Lodge and Herman 1982, 3)*

From the beginning, the potential for direct election was present but the member governments choose to appoint sitting MPs to serve a sort of “double duty” as both national and European legislators (Hoskyns and Lambert 2000). Furthermore, despite a requirement in the 1958 Treaty of Rome that members of the newly renamed Parliamentary Assembly had to be elected, the first elections were not held until 1979, some 21 years later.

It was in the 1970s that the negotiations between the then-nine member states of the European Communities (EC) resulted in a compromise where elections would be held either on a

Thursday or a Sunday, depending on what was in keeping with that country's tradition, while the method used to elect said members was to be determined by each member state (Lodge and Herman 1982). Since, every five years, elections have been conducted on different days with different electoral methods, up to and including the most recent elections in 2014. Although the Uniform Electoral Procedures law was adopted in 2002 calling for all elections to the European Parliament to be conducted using proportional representation, the decisions on which type of proportional system, the use of regional or national constituencies, and the use of an electoral threshold (not to exceed 5%) were all left up to each member-state to enact as they saw fit. In short, a minimum-level set of guidelines was imposed, instead of a uniform electoral law (Farrell and Scully 2011).

While pan-European Europarties do not appear on ballots for EP elections, nor do they allow individuals to join them as party members, they have existed as legislative caucuses since the first days of European integration. When the first meeting of the Common Assembly of the European Coal and Steel Community convened in 1953, members agreed to break the convention of grouping themselves by nation, as had been the custom in most international bodies, and sat according to party affiliation, a task that was actually easier to carry out in light of the existence of three main party families across the six member states-liberal, Christian democrat and socialist (Kreppel 2002). Such a move, already natural to members who were concurrently also members of their respective national parliaments and therefore used to being grouped by party, was also done in a conscious effort to promote a cooperative, peaceful view of Europe that rose above the destructive nationalism of the Second World War (Hix et al. 2003).

In addition to the symbolic gesture of transnational partyism, a more practical effect was at work here: the classic collective action problem (Aldrich 1995). Parties in legislative settings are often formed for the purposes of like-minded legislators being able to find each other and work together to enact policy goals. Leadership helps set up the party positions on certain issues, while the backbench members staff the committees and provide the votes necessary to craft and pass legislation (Hix et al. 2003). When the European Economic Community (EEC) was created in 1958, the new European Parliamentary Assembly inherited its structures, most of its membership, and this very party system from the Common Assembly. This one critical juncture in European political development set the stage for how the legislature would operate right down to the present day.

By 1979, a European party system had been operational in the EP for 26 years, with national parliamentarians continuing their tradition of organization around the party. The introduction of direct elections should have resulted in the expansion of these legislative parties outward to the public, and indeed, organizations were created in the mid-1970s in preparation for the first direct elections (Lodge and Herman 1982). So party-in-government and party organization now existed as a means of handling both the collective action problem and the ambition of politicians to win office and affect policy. But where is the party-in-the-electorate? Where is the public choice offered to voters, a choice between parties and competing views on policy? The organization was in place, the legislative party was in place, but in the end, the national parties, not the Europarties, were what voters saw on their ballots.

This fractured, ‘national’ nature of EU elections comprises a major part of the focus of EU electoral scholarship, namely, the ‘second-order’ nature of these elections. First espoused by

Karlheinz Rief and Hermann Schmitt in 1980, they observe that EU elections are secondary to national contests and are themselves national, not pan-European, contests for power (Hix and Marsh 2007; Decker and Sonnickson 2009; Heidar 2003). In contrast, first-order elections are ones where political power, such as the executive office, is contested. Examples include Presidential elections and elections that determine which party (or parties) forms government in a parliamentary system. Politicians will naturally mobilize support and energy into capturing these offices, as opposed to regional or midterm legislative elections, to name a few second-order examples, when control of the national government is not typically at stake (Hix and Marsh 2007).

The consequences of second-order elections are two-fold. The first is that turnout is lower in second-order elections than in first-order contests, a natural outcome since far less is at stake than in first-order contests. The second consequence is that voters, conscious of the fact that their votes will have no impact on the national government, will be more likely to offer their support to minor parties (Hix and Marsh 2007). At the national level, it has been observed that second-order contests almost always go against the party(s) in power at the national level, be it midterm Congressional elections in the US or local council elections in a number of European countries. Again, this is due to the lesser import that voters attach to a contest in which national power is not at stake, and the resulting impact on national policies will be minimal (Rief and Schmitt 1980; Hix and Marsh 2007). There is simply not as great an interest in electoral contests that do not include the most important offices in the polity.

When applied to European parliamentary elections, the second-order election explanation does appear to explain the behavior of voters. Voter turnout has declined in each subsequent EU

election and is almost always lower than in national contests, reflecting the lack of interest in an election that does not affect the composition of the government, either at the national or European level.<sup>1</sup> Voters who do participate do not base their vote on European issues, but rather on the performance of the parties in the member-state government. Unless the incumbent government is in its first year in office, it almost always loses seats in the EP (Hix and Marsh 2007). Voters, aware that their vote will not change the composition of the executive either “at home” or in Brussels, will use the proportionally-based, consequence-free vote at their disposal to support a party different from that which they would have voted for in a national first-order election. In short, they vote sincerely, not strategically (Franklin 2001; Willermain 2014).

While each treaty revision has seen the EP increase its legislative powers over more policy areas, the elections have remained low turnout, second-order affairs (Raunio 2012). Thus, it is apparent that institutional strengthening has not been enough to increase voter turnout or encourage voters to put European interests over national ones. One might conclude that the European voters are just not that concerned with the EU, or do not care enough about it to participate.

And yet, at the same time, voters have shown knowledge of, and an interest in, the issues of the European Union, particularly integration, and the question of how much power should be ceded to the EU and how much should be retained by the nation-state in the name of national sovereignty. A 1999 European Elections Study survey asked respondents “Has European

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<sup>1</sup> The exceptions are Belgium and Luxembourg; Belgium due to a mandatory voting requirement (Ackaert et al. 1996), Luxembourg due to national elections being held on the same day (van der Eijk and Schmitt 1996). This result in turnouts comparable to national ‘first-order’ electoral contests.

integration gone too far?” and to answer by placing themselves on a 10-point scale.<sup>2</sup> More respondents answered this center-periphery question than they did a similar question involving the traditional left/right scale as shown in Figure 2 (van der Ejjik and Franklin 2004).

Additionally, respondents to the “gone too far” question placed themselves at more extreme ends of the scale, and saw a greater distribution in responses, than respondents to the left-right scale question (van der Ejjik and Franklin 2004). Figure 3 shows that on a scale of 0 to 1, with 0 being completely even distribution of response and 1 being all responses at one point, the left-right scale respondents are much closer to each other than the integration respondents. Similarly for Figure 4, which indicates the average distance of the median placement and the midpoint of the scale, the integration has gone too far question has far more “extreme” responses than respondents who place themselves on the left-right scale.<sup>3</sup>

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<sup>2</sup> Respondents who chose a low value on the scale wanted to see integration scaled back, if not curtailed. Conversely, respondents choosing high values wanted to see integration continue, or even potentially increase (van der Ejjik and Franklin 2004).

<sup>3</sup> The countries surveyed include Austria, Belgium twice (one for Wallonia, one for Flanders), Britain, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherland, Portugal, Spain, and Sweden. The total number of respondents across these countries was 13,518 (van der Ejjik and Franklin 2004).

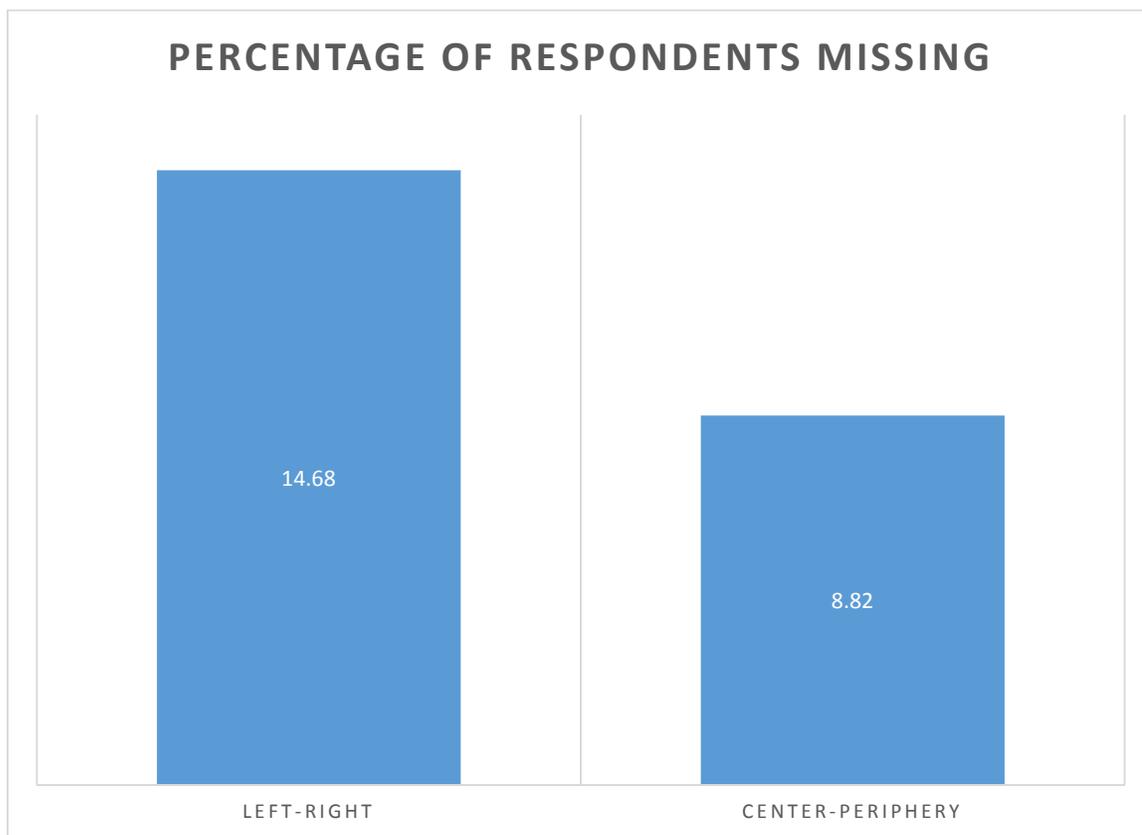


Figure 2. Percentage of respondents who did not answer the question<sup>4</sup>. Source: 1999 European Election Study/van der Eijk and Franklin 2004.

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<sup>4</sup> The left-right question asked respondents to place themselves on a scale from 1 to 10, 1 being the most left. Similarly, respondents were asked “Has European integration gone too far?” and to respond by choosing from 1 to 10, with lower numbers being opposed to more integration, higher more in favor.

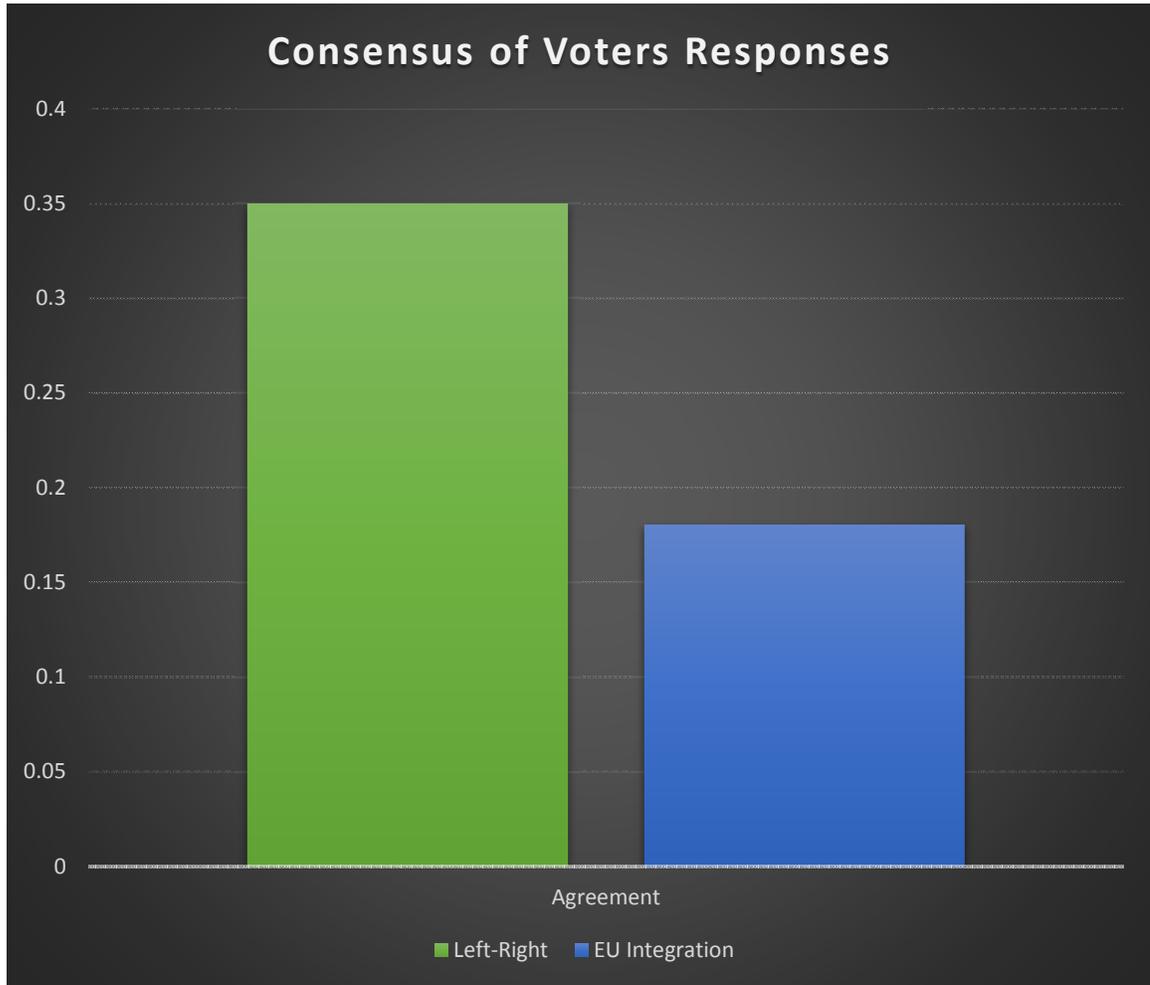


Figure 3. The degree of consensus among respondents. The closer to 1, the higher the amount of consensus among respondents. Source: 1999 European Election Study/van der Eijk and Franklin 2004.

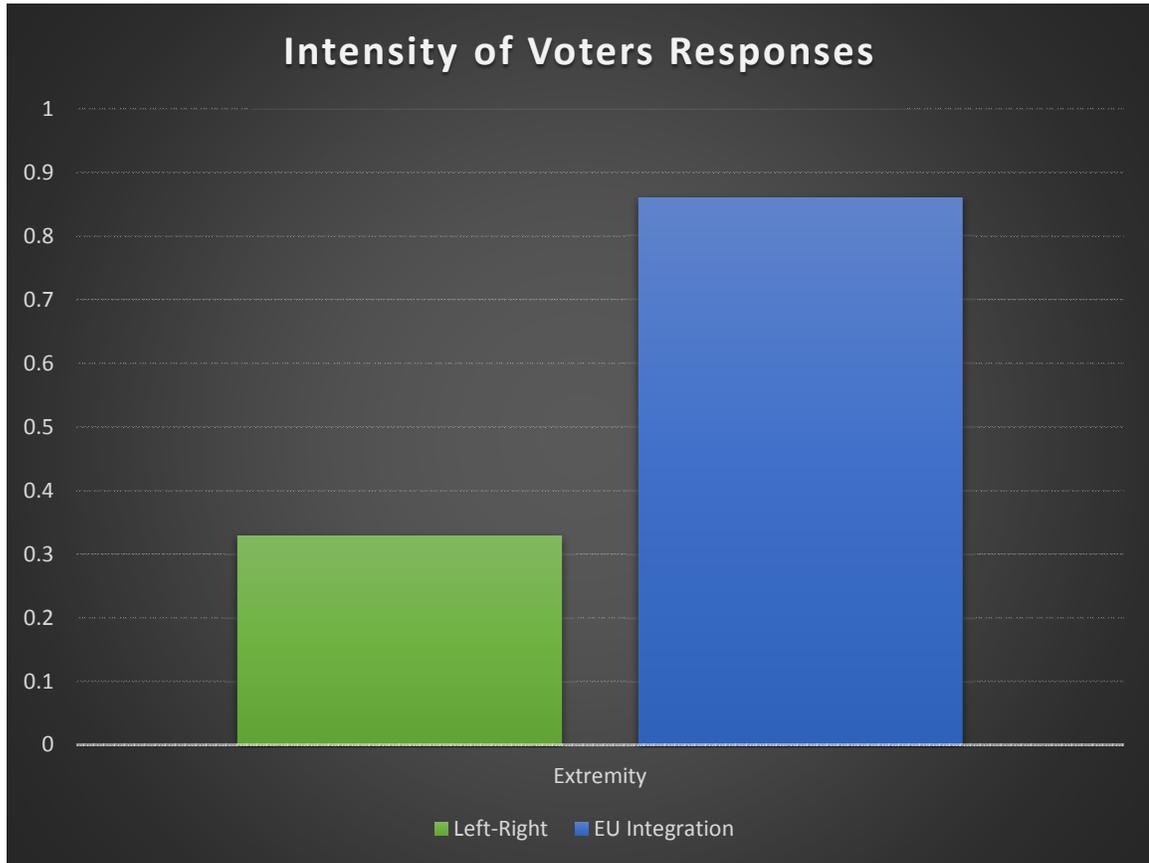


Figure 4. The average difference between the median answer and the mid-point of the scale. The closer to 1, the greater the distance and the more extreme the responses.  
Source: 1999 European Election Study/van der Eijk and Franklin 2004.

The above confirms that not only is there another cleavage present in the European populace alongside the traditional one between left- and right-wing views, but it is also one that is potentially more powerful. The tendency for more respondents to give an answer in the first place, and then place themselves at more extreme ends of the scale indicates that the public is very much aware of, and divided by, the question of integration and sovereignty in the EU.

Going forward, in terms of solving the puzzle of why Europarties have not extended themselves into the electorate, these cleavages among the public may provide an answer. But first we should examine some theories on how and why political parties develop ties and support amongst the voting public.

## CHAPTER 3

### PARTY DEVELOPMENTAL THEORIES

#### The Institutional Theory

When it comes to political parties, and why and how they develop into civil society, there are two main contending schools of thought. The first is the institutional theory as articulated by Maurice Duverger; political parties first begin as legislative factions, often formed around certain personalities or elites in the legislature (1954). As time goes on, these factions can become more ideological as they come to represent opposing policy views between members of the legislature, who organize to overcome issues of collective action, such as organization of the legislative process and putting together majorities to pass bills into law (Aldrich 1995; Duverger 1954). This “internal” organization is disrupted by the extension of the franchise, wherein the right to vote for members of said legislative body, once restricted to a very select few in society, is extended to more and more people, culminating in nearly the entire adult population being able to participate in elections. This voter expansion increases the amount of people the parties in the legislature must reach with their message and candidates in order to attain (or retain) office. Thus, parties will expand beyond their elite realm to reach into civil society, forming “committees” (Duverger 1954) and generally organizing so as to recruit membership from the general public, hold conventions and rallies, and offer policy appeals, all in an effort to rally their bases of support. Eventually these external organizations work together with the legislative

caucus to move beyond securing existing support by expanding the reach of the party into areas where it has had no presence before (Duverger 1954).

Duverger also discusses parties that form outside of the legislature, where organization among the voting public occurs first, followed by entry into electoral office—the inverse of the “caucus party” developmental trajectory (1954). The most significant difference between these two types of party would appear to be their level of centralization, with outside parties more centralized and more controlled by the external party organization even when said party has gained entry into the legislature. This is due to their top-down creation, often by interest groups and trade unions.<sup>1</sup> By contrast, parties that develop out of pre-existing legislative caucuses often retain a more decentralized structure, allowing for the legislative members and leadership to develop party policy, reflecting their origins as a group of legislators with common goals who banded together in an effort to achieve their objectives.

In addition to the theory of party formation, Duverger also spent considerable time considering how the electoral rules used in a given nation could potentially shape the party system. He hypothesized that plurality voting systems would likely lead to the formation of a two-party system, while proportional voting systems would likely produce multi-party systems (1954), the so-called Duverger’s Law (Riker 1982). The implications for our purposes here are that a system that only allows two parties a reasonable chance of winning office will be

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<sup>1</sup> While the argument can be made that outside party formation would be the ultimate in bottom-up, grassroots activism, Duverger contrasts these outsider parties with the organic, evolutionary development of caucus parties. Parties that are formed from outside organizations tend to be more ideological and controlled by these organizations, while “caucus parties” are controlled by the legislative members themselves.

ideologically more open, to accommodate different interests that must choose only one of two viable parties to articulate their policy goals. On the other hand, proportional systems (such as those required for elections to the European Parliament) that allow for more parties to gain entry to office will result in more ideologically cohesive parties due to their smaller size, and the ease with which interests can access office through multiple parties.

### The Cleavage Theory

The second main theory on party formation is the “cleavage theory.” Rather than focus on legislative factions and their development “outward” from the Parliament to the populace, Seymour Martin Lipset and Stein Rokkan posit that political parties form as a result of the cleavages, or major points of conflict, within society itself, including, but not limited to, religion, class, and region (1967). While Lipset and Rokkan’s theory focuses on party formation in Europe as the franchise is extended to the public at large, some of the basic components are still applicable in modern society today. Cleavage-based arguments such as those regarding the role of religion in public life, the role of the state in enforcing a code of moral conduct, and the battle over whether society should be prominently religious or secular remain contentious issues in many societies today (Norris 2004). The traditional left-right divide over economics, involving owners of business and managerial occupations (who demand less state intervention and freer markets) on one side, and laborers and lower-income occupations (arguing for state intervention

in the economy and a more redistributive welfare system) on the other, is a classic example of an ongoing societal cleavage.

While the cleavages highlighted by Lipset and Rokkan developed over time, they can remain latent unless political parties actively seek to organize themselves around these poles of disagreement, and such work towards “activating” these socio-cultural cleavages as focal points for political support will be constrained by four thresholds. These include: legitimization of protest and opposition, incorporation of opposition supporters into the body politic as voters and citizens, checks on majority rule, and the ease with which such groups can gain representation (Lipset and Rokkan 1967). The first two thresholds are almost always pillars of any democratic polity worthy of the name, with both freedom of association and full voting rights extended to all citizens. The focus, then, is placed on the last two thresholds: the ease or difficulty with which new parties are able to win office, and if simple majority rule is enough to effect major structural change. The implication, not far removed from Duverger, being that the structural components of the political system in which parties operate determines whether a cleavage becomes and remains a salient feature of the party system. It does not happen automatically, nor does it occur if parties just work incredibly hard at rallying people around an identity, be it worker, secularist, etc. If the electoral rules are such that new parties find it difficult to achieve office, then trade unions, religious groups, or farm bureaus (among other interest groups) will often align with existing political parties as a means to gain representation (Lipset and Rokkan 1967). In political systems that see the executive and legislative power separated, a similar dynamic often takes place, as it is necessary to form a broad enough coalition to win the national presidency.

### Institutional-Cleavage Theory

This is where the institutionalism of Duverger can combine and complement the cleavage-based theory of Lipset and Rokkan, in what I term the ‘institutional-cleavage theory’. This theory is particularly useful for parties that expand outwards from their initial legislative, factional setting. It stands to reason that if parties are in need of support from the electorate to remain in office, that there must be some rallying point, some point of contention that will cause voters to support said party and cast ballots in their favor at the next election. The cleavages in a society, be it owner-worker, religious-secular, center-periphery or any of a number of potential divides, act as the poles, or the “anchors” around which parties can organize and differentiate themselves in the eyes of the voting public. In cases where the electoral system allows for multiple parties to participate, parties may choose to base their appeals to the electorate on a very particular, focused cleavage that may guarantee a small but dedicated base of support that results in said party attaining representation at every election. Conversely, a majoritarian or plurality voting system will see parties make appeals based on the cleavages that will affect a broader swathe of society. Lipset and Rokkan also contend that parties may actively change the electoral system to one that would be more likely to enhance their prospects of retaining office in the future (1967). As such the two theories do not need to compete with each other, and indeed, can readily complement each other in explaining both the formation and sustainability of political parties (Hix 1995; Stokes 1999).

Finally, it needs to be stated that political parties develop within, and are influenced by, the institutions within which they operate. Whether a legislature must support an executive or if that office is completely separate, whether the executive is directly elected by the public, and/or if the legislature has responsibilities over issues that are deemed salient to the voting public, determines the organizational strength of parties. In short, the environment that parties are operating in constrains their actions (Bartolini 2005). If a previously unelected legislature is now subject to election by a widely granted franchise, or if certain powers that were held only by the executive or another branch of government are now granted to a legislature, political parties will adapt to the requirements (and opportunities) the institutional structure provides.

An important caveat needs to be mentioned here. The European Union is a unique institution, composed of nation-states that have agreed to form a federal entity that subjects at least one of its institutions to direct election. It is the only international organization in the world that does this as well as grants citizenship to people living within its borders. For example, citizens of France are concurrently citizens of the EU, and the same holds for every member-state. While the theories mentioned above can certainly guide us in understanding the formation and development of Europarties, they were originally meant to apply to nation-states. Only time and further scholarship will be able to fully determine if these theories have as equal an explanatory power over party formation in international organizations as they do for nation-states.

## CHAPTER 4

### DESIGN AND METHODOLOGY

To sum up, we have an incrementally developed international organization that is based upon compromises between an intergovernmental and supranational vision of governance. Elections in this organization are for one supranational entity, the European Parliament. Political parties at the European level were formed first in the Parliament, which was originally appointed, and once it was decided to go forth with direct election, the parties created extra-parliamentary organizations to reach out to the electorate, in keeping with the predictions of Duverger's theory. But instead of developing a presence in the European electorate, Europarties have been willing to let national-level parties be the "face" that the public sees when casting their ballots. Any cleavages that the parties sought to organize around were done on a nation-by-nation basis, not across the whole community. This has resulted in European elections being viewed by voters as really no different than regional or local contests, and therefore not as important as national level elections nor worthy of major attention or participation.

Arguably then, based upon the institutional-cleavage theory, something went awry. Were parties not capable of capturing voter's imaginations on any salient division in the European electorate? Or were they never really allowed to by the institutional structure in which they had to operate? If certain salient issues, such as the center-periphery cleavage, were not contested or politicized (Chopin 2009) but rather dealt with in a consensus-driven manner through

intergovernmental institutions such as the European Council, then was it even possible to interest voters in voting for Europarties based on explicitly European issues?

Given the initial concentration of power in the intergovernmental Council and its power to appoint the Commission, as opposed to the supranational Parliament, a left-right cleavage, which particularly developed over such issues as the common market and the single currency, was not enough for Europarties to expand from the EP to the public at large. The stakes over who controlled the EP were arguably too low in comparison to national parliaments. This initial condition has held, despite the EP seeing its budgetary, co-decision<sup>1</sup> and supervisory powers increase with each treaty revision. The Council has retained the leadership role and the Commission still retains a monopoly on initiating legislation<sup>2</sup> (Chopin 2009; European Parliament 2016). Yet Europarties remain but confederations of national member-state parties. If both empowering the EP and party competition over the left-right cleavage was not sufficient for the Europarties to institutionalize themselves among the voting public, then it stands to reason that another, more salient cleavage may do so—the center-periphery cleavage.

The intergovernmental institutions, the Council of Ministers and the European Council, have been the site of competition over this cleavage. The inability for the Parliament to take the lead as the only elected voice of the European people has resulted in a party system that is half-formed and campaigns only on issues that are nationally based and, consequently, are of no interest to European voters as a whole.

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<sup>1</sup> Co-decision refers to the practice of both the EP and the Council of Ministers having to pass legislation, much in the manner of a bicameral legislature. Each new treaty saw new competencies that were required to pass co-decision in order to be enacted (Laursen 2012).

<sup>2</sup> While the EP can make a formal request to the Commission to introduce legislation, and the public can sign a petition to the same effect, the fact remains that only the Commission has the right to initiate legislation in the EP.

Historical institutionalism is the research tradition on which I will draw for this process tracing analysis. Phenomena are examined through the lens of path dependence, the notion that “outcomes at a critical juncture trigger feedback mechanisms that reinforce the recurrence of a particular pattern into the future” (Pierson and Skocpol 2002, 699). Similarly, a different outcome at a critical juncture could have resulted in an entirely different series of events. Groups or institutions that are able to gain an early advantage “may achieve enduring superiority” (Pierson 2004, 71). Such a research tradition lends itself to an examination of large-scale political institutions as I intend to do here. Using second-hand sources, I will trace the development of the European Council and its gaining the early advantage in terms of institutional power in the EU, and how that advantage was reinforced at major treaty revisions. The cases chosen represent major milestones in the development of the EU, starting with the establishment of the European Council as a ‘permanent’ summit in the 1970s, and are an excellent illustration of the European Council using its early advantage to keep the center-periphery cleavage away from partisan competition, hindering Europarty development in the process.

This is not to say that historical institutionalism can answer every question involved with this inquiry. The approach requires one to look at developments over time, a process best suited for large questions (Pierson and Skocpol 2002), such as the development of government institutions, political parties and ideologies, and the implementation of public policy. When looking at long term, ‘big picture’ subjects, it may be that certain detailed factors may get lost in the analysis. While large-n quantitative research in a more behaviorist approach may be better at capturing more detailed aspects of voters and their support for political parties, such research designs often have the weakness of looking at explanatory factors in isolation from one another.

Historical institutional scholarship, on the other hand, ties factors together, examining different processes and institutions interacting with each other as they develop over time (Pierson and Skocpol 2002). No research design is completely perfect but I am confident that for the purposes of this project the historical institutionalist approach will reveal and explain the overarching reason for why Europarties have not institutionalized as fully developed parties. While this is not *the* final word on Europarty institutionalization, this approach can add new knowledge to the study of the European Union and the unique nature of its political development.

## CHAPTER 5

### HISTORICAL BACKGROUND

The Treaty of Paris, signed in 1951, established the European Coal and Steel Community between France, West Germany, Italy and the three Benelux countries (Belgium, the Netherlands and Luxembourg). The principal aim of this treaty was to maintain French influence in Europe vis-à-vis Germany; after the US and UK sought to unify the Allied Occupied Zones into West Germany to counter the Soviet threat in the East, the French Foreign Minister Robert Schuman sought to use the influence of an international organization to achieve French aims and preserve French prestige and power in Europe (Rittberger 2012). While such supranational entities as a ‘High Authority’ were created as the community’s executive, these largely existed to cover the problem of collective action in regards to complaints and disputes between member states. The inclusion of a Court of Justice, a Parliamentary Assembly and a Council of member-state ministers were created as an intergovernmental “break” on the power of the High Authority, with signatories worrying that if left unchecked, the community executive could potentially become a “dictatorship of experts” (Rittberger 2012, 89).

The 1958 Treaties of Rome built upon what had both been started at Paris in 1951 as well as failed at Paris in 1954. The failure of the Treaty establishing a European Defense Community in the French National Assembly that year, over concerns about national sovereignty, forced the

supporters of integration to seek a new avenue to achieve greater cooperation among member-states (Gilbert 2012). The two treaties that resulted, one establishing the European Atomic Energy Community (EURATOM), and the other the European Economic Community, were seen as vital. With the expansion of American power to the west and Soviet power to the east, both in the realm of nuclear technology and economic development, the Six decided that closer cooperation was the only way not to get “squeezed” between the two superpowers (Gilbert 2012).<sup>1</sup> While EURATOM would pool resources on the development of both atomic energy and nuclear technology, the European Economic Community (EEC) would expand the sphere of free trade from just the coal and steel industry to encompass almost all of the economic output of member states. Ultimately, it was hoped that a pan-European customs union and the lifting of restrictions on movements of goods, services, and people would be the final outcome.

Institutionally speaking, the Rome treaties adopted the Coal and Steel Community’s Court and Parliamentary Assembly as their own but maintained separate executive organizations for each community.<sup>2</sup> The Council of Ministers, also a holdover from the Coal and Steel Community, remained the most powerful legislative body, with the Parliament retaining its power of censure of the High Authority and gaining little else (Gilbert 2012). The intergovernmental nature of the Community was strengthened as all institutions-Court, Parliament, Commissions, and High Authority-were all appointed by the governments of the member states who also retained direct influence in the Council of Ministers. Supranationalism

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<sup>1</sup> The Six, over time, became the shorthand way to refer to the six original members of the European Coal and Steel Community: France, Italy, West Germany, Belgium, Luxembourg and the Netherlands.

<sup>2</sup> The High Authority remained for the Coal and Steel Community, while 2 separate Commissions were developed to act as the executives for EURATOM and the EEC.

again took a back seat, being checked by the powers of the member states and their ability to staff the institutions with their appointees.<sup>3</sup>

Aside from a treaty in 1965 that merged the ECSC High Authority, the EURATOM Commission, and the EEC Commission into one European Commission, any further progress on integration, strengthening the supranational institutions, or even holding direct elections to the now-renamed European Parliament was halted with the rise of Charles De Gaulle and his view of a Europe of nations rather than a Europe of Europeans (Camps 1965). His refusal to relinquish the unilateral veto each member state had over European Communities (EC) policy, which was stipulated to be replaced by qualified majority voting (QMV) in the Treaty of Rome, resulted in a stagnant status quo that lasted until the mid-1980s.<sup>4</sup>

It is in the middle of this stagnant period that the first elections for the European Parliament took place in 1979 and they have continued to take place every five years since that first election. The result has been direct elections to a supranational legislative body while the organization said body governs has changed and evolved with no less than five treaties coming into force since. Thus the debate over what kind of entity 'Europe' should be has occurred while

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<sup>3</sup> A word about the institutions of EU are in order here. As understood by now, the European Parliament is the legislative branch of the EU and must pass all legislation in order for it to become law. The Council of the EU, previously the Council of Ministers, is like the US Senate in that it represents the member states. The whole Council never meets, only the ministers of each national government meet based on subject matter, i.e. all foreign ministers or agriculture ministers. All legislation must pass this Council as well as the Parliament. The European Commission is the executive of the EU, responsible for carrying out the treaties and the laws. The European Court of Justice interprets the treaties and handles disputes between member states and the other institutions of the EU.

<sup>4</sup> QMV would have resulted in Council of Ministers meetings needing a super majority i.e. two-thirds to adopt a policy. In such a situation members states could be outvoted and would still have to abide by the decisions made (Urwin 2010).

voters have been asked to elect legislators to represent them in one of the largest works in progress ever undertaken in the political realm.

## CHAPTER 6

### HISTORICAL ANALYSIS

#### Founding of the European Council

Despite the use of Council in the name of both institutions, the Council of the EU and the European Council are two separate institutions, only one of which was created alongside the Coal and Steel Community. The European Council came into existence much later in the mid-1970s, after a series of ad hoc summits of heads of government in the preceding years. Member-state leaders felt that although these meetings were productive in their aspirations, the lack of a permanent institution that could take decisions forward and craft deals prompted them to solidify these meetings as a new institutional feature of the then EC (Bulmer 1996). The Council was not created to spur the integration process that had lagged since the mid-1960s, however. It was created to increase intergovernmental cooperation, to engage in the balancing act of centralizing power at the EC level with the territorial politics of the various members.

While the Council was being created out of irregular summits, the EP was engaged in the task of bringing into reality the provisions requiring direct elections that were included in the Rome Treaties back in 1958—and had yet to be implemented over a decade later. As early as 1960, the EP drafted a convention that would set out the requirements and mechanisms under which direct elections would be conducted and sent it to the Council of Ministers, who never acted on it nor sent it to the member governments for review (Lodge and Herman 1982). The EP,

after the tumult of the 1960s had passed, condemned the Council of Ministers for failing to act and adopted a resolution to such effect, which also cited provisions in the Rome treaty that allowed the Court of Justice to hold EC institutions accountable for failure to implement treaty obligations. Within two months of this resolution being adopted in March 1969, the Council of Ministers began investigating the prospect of direct elections, and the summit at The Hague that year committed the Council to examining the issue (Lodge and Herman 1982).

Despite this movement, actual progress was still slow to non-existent in coming years. Member-state governments, both individually and in their collective capacity in the summits, could not reach agreement on a common election date or a unified election procedure. Throughout the 1970s, before and after the European Council was created, the disagreements over these issues, coupled with concerns over the powers of the EP, lead to delay after delay—with possible solutions discussed but no concrete action ever taken. It was in March 1976 that a German Member of the European Parliament (MEP) stated bluntly that if no decision was taken in the April summit, “the European Council must admit that it does not want direct elections or at least not on the date which has already been under discussion for a long time” (Lodge and Herman 1982, 7).

The European Council did eventually act in July 1976, coming to an agreement wherein the EP would increase its size to 410 and hold elections within a 4-day window simultaneously throughout the EC, and that they would occur around May-June 1978 (Lodge and Herman 1982).<sup>1</sup> But many in the EP, who were major proponents of direct elections, were concerned that

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<sup>1</sup> The original increase was supposed to be to 355 members, but the Big Four of the UK, Italy, France and West Germany agreed to be equally represented regardless of population (Lodge and Herman 1982). Just one example of the many delaying and blocking issues that stymied direct elections for so long.

that the 1978 election date was unrealistic in the face of the logistical hurdles and, when combined with the lack of a fixed election date and a common electoral procedure, presented the possibility of infinite delays. This possibility seemed all the more real due to the fact that the then-nine member states took considerable time passing the necessary legislation through their national parliaments to authorize said elections to take place. In fact, the first elections were pushed back by the European Council to June 1979, a full year later than originally planned due to these delays. It was only in February 1979, four months before the elections were to be held, that the member states had passed the necessary legislation and national parties could begin the process of nominating candidates (Lodge and Herman 1982). The Europarties, as newly formed federations of national parties at this stage, concerned themselves with adopting electoral manifestos and coordinating the campaign among the various national parties. They had no presence in the setting up of the elections.

The key point in the founding of the European Council was its harnessing the domestic institutional power of the leaders of the member state governments. By creating an institution to represent this power, the Council would be the main institution that would perform the balancing act between territorial politics centered on the nation-state, and federal politics, including concentration of power, at the EU level (Bulmer 1996). This role was borne out as the European Council took it upon itself to be the leader in the constitutive politics of the European Union going forward; treaties, divisions of powers between the EU and the nation-states, and the roles of the various European institutions (Commission, Parliament, Court etc.) would all be hashed out by the representative of the nation-state governments and not by the directly-elected members of the EP. Thus, the grounds were laid to concentrate the arena of competition over the

center-periphery cleavage within the indirectly-elected, territorial-nation centered Council. This first critical juncture established the relationships between the governing institutions of the EU, with the European Council prominently in the most powerful position. Further analysis will show that, despite attempts from the EP to take the lead on European integration, the Council, having gained this early institutional advantage, would not relinquish this role.

### A Single Europe: Who Leads?

After the historic trans-national election in 1979, an enlarged European Parliament, possessing a mandate directly from the voters of Europe, turned its sights towards the stalled project of European integration. DeGaulle's insistence on the nation-state as the center of power in the EC, and the resulting Luxembourg Compromise of 1966<sup>2</sup>, had significantly stalled European integration (Cowles 2012; Kreppel 2002). Furthermore, the oil crisis of the 1970s and the resulting economic slowdown resulted in European member governments focusing on domestic economic concerns. These weighty factors combine to create a decade of 'Eurosclerosis', a lost decade where, aside from the formation of the intergovernmental European Council, and the long, drawn-out process to implement overdue direct elections to the European Parliament, almost no progress was made on the creation of a common market or political community (Cowles 2012). But now the EP, which had long been a secondary

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<sup>2</sup> This compromise cancelled the implementation of Qualified Majority Voting that was due to occur on January 1, 1966 as provided for in the Treaty of Rome. By ensuring any nation-state would have a veto on any issue that affects its national interest, the whole process of European integration was effectively stopped in its tracks (Kreppel 2002).

institution in the governing of the EC, had gained legitimacy and relevance from the first elections. It intended to use this relevance to restart the process of European integration.

The Treaty of Rome granted the powers of “own initiative” to the EP, a power the newly elected MEPs were willing to harness. Accordingly, and given the recent turmoil, the EP decided to take the constitutive politics of the EC into its own hands and produced a new Draft Treaty on European Union in July 1983, which subsequently passed the EP on a vote of 237-31 on February 14, 1984 (Cowles 2012). The leader in drafting the treaty, Altiero Spinelli, felt that the Treaty would gain the attention of voters, who would then pressure individual national governments to become involved, and put the Treaty into force. Indeed, several national parliaments, and even French President Francois Mitterrand expressed their support for the draft treaty, while the European Council adopted the Draft Treaty as the basis for an agenda of reform (Cowles 2012).

The provisions in the Treaty were, as one would expect, supranational in orientation. The EP and Council of Ministers would operate in much the same manner as the bicameral US Congress. Majority voting would cover most issues, just like in a national legislature, and European Political Cooperation, wherein the EC would increase cooperation and share resources in foreign policy, was also a major part of this draft (Cowles 2012). There was hope when the Dooge Committee, which the European Council set up to study institutional reform, declared that the Draft Treaty would be the basis on which they would conduct their examination. It was further hoped that the reforms that the committee would propose would largely be those outlined in the draft.

But that's all the draft ever turned out to be. Just a draft. The Dooge Committee's report in 1985 called not for a new treaty, but rather amendment of the existing Treaty of Rome, and that an Intergovernmental Conference (IGC) should be called to work out the details of such amendments. Although the committee recommended that the IGC should work in the spirit of the Draft Treaty and consider the proposals therein, the IGC ended up dumping almost all of the EP's institutional reforms (Cowles 2012). What eventually became the Single European Act (SEA) did give the EP the "cooperation procedure" over legislation and also empowered the EP to assent or not to both new members of the community being admitted and agreements with other states or international organizations. Yet any concept of a supranational government led by the EP passing legislation by simple majority vote was left by the wayside.

It is clear that if the EP-drafted Treaty had been implemented, the EP would have taken its place as the focal point of the EU, as the main arena of competition over what the European Union was and what it should be, and how power should be divided between the EU and the member states. The Europarties, having been intimately involved in the Treaty drafting process and enactment through their MEPs, would arguably also have become a focus for European voters. But the Europarties and the institution with which they had the most influence, the EP, were passed off to the side. Consequently the national leaders, and the national political parties they led, became the focus. The problem in such a setup is that the national parties, in addition to offering a voters a choice on Europe, simultaneously have to concern themselves with national issues. Given the contentious nature of the center-periphery cleavage and the different visions of Europe often held by members of the same national party, it advantages national parties, and the party leaders, to depoliticize and downplay European issues. (Franklin et al. 1996). The split was

also apparent between Conservative MPs in London and MEPs in Brussels. The “backroom” wheeling and dealing in the European Council had worked for 30 years and allowed the existing national parties to continue along as *the* choices for voters. Why would a national party leader allow Europarties to politicize the center-periphery cleavage and risk splitting their party? This risk became reality in the UK in 1989 with Margaret Thatcher and the split in the Conservative Party over further European integration (Franklin and Curtice 1996). If anything, this reinforced the notion among the national parties to keep the constitutive politics of the EU in the European Council, where they would be in control (Franklin et al. 1996).

With the establishment of the European Council in 1975 and its prerogative of being *the* place to settle the center-periphery cleavage of constitutive politics, its position as “the shaper of EU-as-confederation” (Bulmer 1996, 31) proved to be too strong a path for the Council to deviate from. The existing treaty provisions allowed the intergovernmental institutions to flex their muscles and overrule the EP when it tried to involve itself in constitutive affairs. It should be noted that the resulting SEA was the first time that the European Council itself was mentioned in a European Community treaty (Cowles 2012; Bulmer 1996). Should any doubt arise, it was now official that this summit of heads of government and state would be officially institutionalized in the “constitution” of the EC itself. And the actions taken to enact the SEA were not just confined to the mid-1980s. “With the Single European Act [the European Council] launched a process, which would set a precedent for consecutive treaty-making until the Lisbon Treaties” (Wessels 2015, 6). The Council’s role as constitutional architect and the resulting battleground over the center-periphery cleavage had been strengthened. If voters wanted a say in

these matters, it was to their national parliaments that they would have to turn. The EP (and the Europarties that composed it) was simply not an option.

### Maastricht: The House Built on Pillars

Despite the brush-off received during the negotiations over the Single European Act, the EP was not deterred from trying to participate in the construction of the European Union. Not long after the SEA was enacted, a series of reports were commissioned by the EP reviewing such varied subjects as the democratic deficit, the costs of failing to integrate, the issue of citizens' rights, as well as the impact of the SEA after one year in force (Kreppel 2002). This culminated in a report that stated that it was essential for the EU to become a bona fide European Union, and the Herman Committee which produced the report, called on the EP to draft a new constitution to realize this new entity.

While the member-state governments were wary of new treaties and constitutions so soon after the SEA, the nature of the single market that the SEA had set up required further reforms in order to see the market, and the single currency, come to fruition. Thus, the European Council called for an Intergovernmental Conference (IGC) to discuss purely economic affairs to be convened in 1990. The EP quickly moved to lobby national parliaments and governments to expand the scope of said IGC to include political and institutional reform. This bid by the EP was strengthened by the fall of the Berlin Wall, with the EP calling for treaty reform to deal with the opening up of Eastern Europe (Laursen 2012). The result was a rather unique meeting between national MPs and MEPs in November 1990 which came to be known as the "Rome Assizes"

(Kreppel 2002). The result of that meeting was the Martin report, named for the Scottish Labour MEP who authored it. This report called for a union with a European citizenry, the enshrining of democratic principles in a constitution, for majority voting to be adopted on more issues in the Council of Ministers, more power for the European Commission, and, unsurprisingly, more powers to be granted to the European Parliament (Kreppel 2002). In adopting the Martin report, the EP stated it was “increasingly necessary...to transform the European Community into a European Union of a federal type” (Laursen 2012, 123). Due to the lobbying campaign and the success of the Rome Assizes, a secondary IGC was called to discuss political union and convened alongside the original one that was to focus on economic and monetary union.

The result from both IGCs was the Treaty on European Union, signed at Maastricht in The Netherlands on February 7, 1992. It is at this point that the EC was transformed into the European Union, or EU, the world knows today. While the EP was more involved in Maastricht than with the SEA, it was still denied the central role in setting up the treaty, and its institutional reforms calling for an equal Parliament operating in a federal union were unrealized. Co-decision was granted to the EP in almost all policy areas that operated under the Community method, mostly related to the common market and the single currency. But with the fall of the Iron Curtain and the end of the Cold War, new issues concerning foreign and security affairs, as well as social and judicial matters, had to be addressed. The EP had recommended that all of these new issues be brought under the Community method, to be legislated on by the Commission, Council of Ministers, and the Parliament, and be subject to adjudication in the European Court of Justice (Laursen 2012). But that did not happen. Instead of a more federal union, with all issues

subject to the normal legislative procedures, the IGC eventually came up with, and the European Council endorsed, the pillar system.

Under the umbrella of the EU, three policy areas, or pillars, would define how certain issues were handled. Only the first pillar would operate under the procedures of qualified majority voting and co-decision of the EP, and it would concern itself primarily with the issues of economic and monetary union. The second and third pillars would focus on Common Foreign and Security Policy and Judicial and Home Affairs, respectively (Laursen 2012). But these two latter pillars were placed outside the reach of the supranational Parliament and Commission; rather, they would be governed by the intergovernmental European Council and would require unanimity among the member states in order for action to be taken (Laursen 2012; Fabbrini 2014). Thus, the ghost of national veto from the days of the Luxembourg Compromise returned to haunt the new policy areas that Maastricht opened up.

So in addition to the EP once again being given short shrift, the new foreign and judicial policies that the EU would gain power over would be governed almost purely by member states meeting in their Council summits, beyond the reach of the Commission, Parliament, or the Court of Justice. What resulted was a compromise union in which national sovereignty would be shared in matters concerning the single market and monetary union through law, but that same sovereignty would be voluntarily pooled to handle security and judicial/social issues (Fabbrini 2014). Essentially, two different visions of European integration were now operating within the bosom of the EU, the result of a European Council dominated by member-state governments who did not want the EP or other supranational institutions to gain more power at their expense. Thus, the European Council, through the IGCs, continued its role as *the* source of the constitutive

politics of the EU. The Europarties, although receiving mention in a treaty for the first time, remained confined to the EP, unable to capture the minds of European voters as the main center-periphery cleavage was once again fought over in the European Council.

One further piece of evidence is the fact the Europarties, not wanting to be left out of constitutional formation, will “go to where the power is” (Hix 1995, 14). In this case, the power is the European Council. Simon Hix’s examination of Europarty conferences and the attendance rate of national party leaders shows a marked increase after the Maastricht Treaty was ratified, and a tendency for these conferences to take place right before a scheduled European Council summit. Indeed, from 1990 to 1994 60 percent of all European Council summits saw at least two of the three major parties hold summits of their respective leaders either before or after the Council met, often at or near the same venue as the Council meeting itself (Hix 1995).<sup>3</sup> Thus it would appear that the Europarties themselves were aware of their influence in the EP being secondary, and thus chose to coordinate around the real powerbase of the EU, the European Council. The path that the European Council began on in 1975, being reinforced by national parties maintaining their role as the only options for voters, was once again reinforced by the Europarties reconfiguring to operate within the institutional constraints they faced. The only problem is the lack of accountability in the EU for voters. National parties want to maintain unity and will only focus on national issues, while the Europarties are too institutionally constrained to politicize the center-periphery cleavage. The only option for voters in such a situation is to make a judgement based on national issues, turning what should be pan-European affair into just

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<sup>3</sup> These being the Party of European Socialists, the European People’s Party and the European Liberal Democrat and Reform Party.

another round of second-order elections, the results of which have no bearing on control of government or the European Council.

### Never Let a Crisis Go To Waste

After Maastricht, the 1997 Amsterdam Treaty and 2001 Nice Treaty were negotiated in the spirit of addressing those issues that the 1992 treaty did not. Negotiation for both was accomplished through the instrument of the Intergovernmental Conference, just as Maastricht was before it; the conferences were convened under the European Council and its rotating presidency, the EP having accepted its role as second-fiddle in the negotiations over these two treaties. While it did participate, tellingly it did not lead on any of the negotiations. Beyond the post-Maastricht housekeeping functions of these two treaties, the real prize was what many integrationists had long hoped for—a constitution that would lay down in one single document the institutions of governance and the rights and responsibilities of the citizens of the EU. Such a bold move was deemed necessary in light of the pending expansion of the EU to new member states, combined with the low level of institutional reform that had been achieved since Maastricht (Devyust 2012).

What was unique about the Constitutional Treaty negotiations was that, in the spirit of openness and transparency, a Constitutional Convention was called, one that would accept input directly from the public and conduct its work before them. The convention was composed of members of national governments and parliaments, those from candidate countries and members of both the EP and the Commission (Devyust 2012). Meeting once a month from February 2002

to July 2003, the Convention was able (by consensus no less) to adopt a draft ‘Treaty Establishing a Constitution for Europe’, which would replace all existing treaties and establish what the EU is and what it stood for. Ultimately, though, this grand plan never came to pass as both the French and Dutch publics rejected it in referenda, and the British suspended their parliamentary ratification process shortly thereafter (Devyust 2012).

What eventually followed, after a period of reflection and negotiation, was another treaty, the 2009 Lisbon Treaty. Picking up where the failed Constitutional Treaty left off, this treaty was meant to tie up loose ends and merge the previous treaties into one comprehensive document. The result was the end of the pillar system and the incorporation of those previously walled off policy areas into the co-decision procedure used by the EP and the Council of the EU (Fabbrini 2014). But this empowerment of the EP over almost all areas of policy came with a balancing act—the empowerment of the European Council. For the first time, the European Council was established as a formal institution of the EU, its roles and responsibilities in the governing of the EU laid out in the treaty. A permanent Presidency of the Council with a two-and-a-half-year term was also established to replace the rotating six-month Presidency that had previously been utilized (Devyust 2012).

Importantly, just as the EP was empowered, the European Council was also empowered alongside it, and just as qualified majority voting becomes the order of the day for almost all issues that fell under EU remit in the EP and the Council of the EU, the European Council wielded its new agenda-setting role through the process of consensus, granting a potential veto to any of the heads of government (Devyust 2012).

The financial crisis that rocked the world in the late 2000s did not spare Europe. The Euro crisis saw certain member states require bailouts from the EU in order to avoid bankruptcy. One would think that the EP, with its MEPs directly elected by the voters, would be a central forum for debating the problem and the possible solutions. For example, one could imagine the European People's Party on the right of the political spectrum offering one solution, and the Party of European Socialists on the left offering a different solution, with the European Liberal Democrat and Reform Party perhaps offering a third, based on the common ideologies of these Europarties. But as so often happens concerning the EP, this potential outcome did not happen. Almost all debate and negotiation on the problem and the solution occurred among the heads of government in the European Council. Why? Because the member-state leaders possessed a democratic legitimacy that the EU as a whole does not; at least, that's the way the heads of government saw it. Former French President Nicolas Sarkozy stated as much in December 2011 when he said "the crisis has pushed the heads of state and government to assume greater responsibility because ultimately they have the democratic legitimacy to take decisions." (Fabbrini 2014, 15). Thus, economically weaker states go directly, hat in hand, to their counterparts in the stronger states, bypassing the directly elected institution that could claim a democratic mandate to save the Euro and weather the crisis. Instead, the bias in favor of individual member-state leaders, themselves only subject to their national parliaments, maintains itself. Legitimacy is to be found in the borders of one's nation, not in a large, continent-spanning Parliament.

### Spitzenkandidaten: Last Chance?

If the EP is always going to be pushed aside to secondary status by the European Council, and if the Europarties are consequently never going to be able to develop direct links with the voters due to the second-order nature of EP elections, then perhaps there is another way, an indirect way. One of the more interesting features of the Lisbon Treaty is that it requires the European Council to take into consideration the results from the EP elections when nominating the President of the European Commission. Previously, the Council came to consensus on who the next President would be and the EP approved the selection. Now the Council must nominate a candidate through qualified majority voting, and the President must be elected with an absolute majority in the EP (Hobolt 2014).

In light of this treaty provision, the EP passed a resolution that called for the Europarties to offer up *Spitzenkandidaten* or “lead candidates”, who would fill the role of Commission President should their party win the EP elections. This idea has, thus far, proven popular among the EU public, with 57 percent of EU citizens in favor of Europarties presenting their candidates for Commission President to the public. There is hope that EP elections might well evolve into parliamentary elections of the kind that are most common at the national level within the EU. Voters do not just elect representative to the national legislature after all, but typically also cast a ballot with the knowledge of who the leader of their preferred party is, and the possibility that said leader might become the head of government (Hobolt 2014). The European Council was expectedly more tepid in its support of this initiative, given its implication of empowering the EP at the expense of the Council. Certain members even mused publicly if they would follow the

election results (Hobolt 2014). Ultimately though, the combination of the sight of the intergovernmental Council thwarting the democratic will by picking a Commission President without regard to the election results, and the candidates themselves pointing this fact out to the public at large won the Council over. Only two members, the UK and Hungary, opposed the nomination of European People's Party *Spitzenkandidaten* Jean-Claude Juncker to the office of Commission President after his party emerged from the election with the most seats (Hobolt 2014). In this battle over the constitutive politics of the EU, the EP, and the Europarties especially, won.

As for the impact of this procedure on Europarties institutionalizing themselves among the public, the story to date has been less successful. While the *Spitzenkandidaten* were selected, and did campaign in the run-up to the elections, the results were mixed. Candidates were well known in their country of origin, as well as in those countries whose news media gave coverage to the candidates and their campaign; in other countries, not so much. Indeed, awareness of specific candidates ranged from a low of 1.1 percent in the UK to 54.7 percent in Luxembourg (Hobolt 2014). Given the obvious connection between the outcome of the election and the leadership of the European Commission, one would also expect to see improvements in measures which plausibly capture an election's important. Voter turnout did increase in Germany, France and Greece, and across the EU it held steady from the 2009 election. Ultimately, though, the majority of EU citizens did not participate in the elections, and in certain countries, such as the UK and France, Eurosceptic parties who did not even nominate a *Spitzenkandidaten* got the most votes (Hobolt 2014). This again could be a reflection of the fact that the issue of open borders and the center-periphery cleavage, which were salient in voters' minds on account of the Euro

crisis, were not touched on by the candidates in their debates or during the campaign.<sup>4</sup> Arguably then, voters therefore did not respond as well to this new development as was hoped for, and the opportunity for Spitzenkandidaten to take advantage of the Euro crisis and perhaps campaign on EU-specific issues, was not taken.

In some ways, this proposal is an echo of earlier scholarship that stated that the only real way to develop a European party system and bring accountability to the EU would be through a directly elected Presidency of the Commission. Such an election would bridge borders and be able to focus the European electorate on candidates “above and beyond” the national parties (Bogdanor 1986). While not a direct election, this new system does bring elements of border- and national party-transcending campaigns to the EU. While the *Spitzenkandidaten* procedure was certainly a win for the EP over the Council in terms of inter-institutional struggle (and consequently a victory for the supranational view over the intergovernmental), its use for only one election diminishes its impact. Only future elections involving the use of this procedure, combined with the candidates’ willingness to grapple with Euroscepticism and the degree of sovereignty between the EU center and the nation-state periphery, will likely capture voters’ attentions. Future developments, and consequent scholarship, into the *Spitzenkandidaten* procedure will attract great interest.

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<sup>4</sup> Sarah Hobolt mentions that a forthcoming study indicates that media coverage of the Euro crisis increased the salience of European integration among voters, who were more likely to hold the EU accountable for the economy than their national governments during this time.

## CHAPTER 7

### CONCLUSION

After tracing developments between the supranational EP and the intergovernmental European Council, and their consequences for the development of Europarties, we have reached a point where parties are relying on one office, that of the President of the European Commission, to build the necessary links that would potentially establish greater democratic legitimacy. Despite the best efforts of the EP, and the Europarties that compose it, to take the reins of European statecraft and lead on treaty development, the intergovernmental European Council has proven to have staying power as the true arena of competition over the EU and its constitutive politics.

Despite the salience of the center-periphery cleavage to voters, evidenced by the debate over national sovereignty and how much should be surrendered to the EU, the one institution that the Europarties had direct control over, the EP, was unable to become the institution that dealt with questions of constitutive politics. Rather, the European Council, where heads of individual governments are only accountable to their respective national parliaments and electorates, took over and held that role. Thus, the institutional constraints that were established when elections were first held in the 1970s were only strengthened as time went on. The early institutional advantage of the European Council allowed the heads of government composing it to claim, in the words of Nicholas Sarkozy, democratic legitimacy. This legitimacy was seen as more

important than the directly elected European Parliament, so important that even Europarties themselves began organizing around meetings of the European Council in an effort to have an influence on policy. Despite the addition of greater powers, each treaty revision reinforced the primacy of the Council over the EP, and consequently forced voters to focus on their national governments if they wanted a say as to how the EU was to be organized, and what powers it should have. Europarties, and their corresponding parties at the national level, were loath to politicize European issues, for fear of causing open rifts in their parties. The example of the British Conservatives in 1989 only hardened the resolve of party leaders to keep potentially divisive issues over European integration out of the public eye. The result has been a party system devoid of pan-European issues and elections that are mid-term referenda on incumbent governments.

Going forward, future research into this question of Europarties and democratic legitimacy will undoubtedly focus on the *Spitzenkandidaten* procedure and the potential for it to build the necessary links between the Europarties and civil society. Scholars will have to focus on the 2019 elections to see how the nominations are made, who gets the nomination, how the campaign is conducted, and if an effort is made to reach into as many member-states as possible to engage European voters. Only time will tell if this new innovation can both increase voter turnout and democratic legitimacy in the EU as a whole. 2019 may be the next critical juncture in the development of Europarties.

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