

Vote, vote, vote

Exploring European Electoral Systems



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Introduction by LYMEC Secretary General

Danica Vihinen

This publication is a compilation of essays written by the participants in the European Liberal Forum seminar “**Exploring European Electoral Systems**” organised by LYMEC in Zagreb, Croatia in February 2018. At the time of writing the essays the decision not to introduce transnational lists had not yet been taken, which explains why some of the authors refers to the possibility of introducing them already in 2019.

The authors are members of LYMEC member organisations and individual members, young liberals from across Europe.

The idea behind this publication is to show that young liberals do not only have the wish for a more European electoral debate ahead of the European Parliament elections and not only support the transnational lists as an idea, but that they have thought the topic through and have concrete visions for how it could be implemented.

My sincere hope is that this publication can work as a discussion starter for how to go forward with introducing transnational lists in the future, and which aspects need to be taken into consideration when doing so. I hope you enjoy the read!

Foreword by LYMEC President Svenja Hahn

One year ahead of the 2019 elections to the European Parliament there are broad discussions recently sparked again by the ideas of French President Macron about reforming the European Union as an institution, its areas of responsibilities and the way it is making policy.

A lot of these ideas on institutional reforms of the European Union are not new, especially not to liberals. But one core idea sticks out, having the potential to fundamentally change the Union: The reform of the European Parliament; the idea to create a Parliament with stronger rights, closer to the citizens of the EU with Members of Parliament (MEPs) being elected via transnational lists.

The discussion heated up in the dawn of Brexit and the obvious question of what to do with the 73 seats currently held by the United Kingdom after the 2019 elections.

Unfortunately, the time to fill these seats with MEPs that would have been elected through transnational lists hadn't yet come. It was rather decided, with the votes of a majority of the current MEPs, to erase some of the UK seats and to redistribute the rest, which further increased the misbalance of representation of smaller Member States over bigger.

This means that the voices of voters in the EU are not equal. I personally believe it is a pity that the opportunity was not taken to create a form of test case to reform the European electoral system.

From a liberal youth perspective, it is obvious that there needs to be a reform if we want to create a closer, fairer and stronger Union. So, the starting point of the discussion in the creating of this book was not: “Do we need a reform of the electoral system?” but instead “What should the way to a transnational European electoral system look like?”

Liberals all over Europe have said for quite some time that they want to elect MEPs through lists on which the European parties are running, one common ballot in every Member State: The so called transnational lists. But what should the path to the creation of these lists look like? What should the process of selecting candidates for these lists, and the electoral law, look like?

This book contains contributions aiming at finding the ideal for transnational lists: Comparing different electoral systems, explaining a specific system, suggesting a new selection process for candidates or highlighting the benefit of an electoral reform for a European spirit.

The essays in this publication are contributions to a conference organized by the European Liberal Forum

(ELF) and the European Liberal Youth (LYMEC). Young participants laid out their ideas in essays and debated their concepts together with experts and the other participants.

On behalf of LYMEC I would like to thank the authors for their contribution to the debate and this book. I wish the reader an inspirational read and am confident that this publication will bring the perspective from the liberal youth into the debate on the reforms needed to modernize the European Union for the generations to come.

Different election systems - an introduction and political discussion

Lukas Lunøe

There are many different kinds of electoral systems around the world. Some of these systems are designed for presidential elections while other systems are designed for voting for members of parliament. The most famous - and criticized - are the English, the American and the French election systems. They all have in common that they have the well-known “first past the post” principle as the way to elect either members of parliament or a president.

The lesser-known election systems are the ones used in Denmark, Scotland and quite a few other European countries. If we start with the Danish election system, here a rather complicated mathematical process decides how many mandates each district in Denmark has, and how a single vote influences a political party's amount of influence in the Danish parliament.

Even though a mathematical process can seem unclear for the voter, the Danish election system is regarded as one of the fairer election systems in the world. This is also seen in the number of people voting at an election, compared to countries with the first past the post principle.

However, an election system isn't the only thing that influences election participation in a country. Furthermore, the Scottish election system is also regarded as a rather complicated one. In Scotland, the "Additional Member System" and the "Single transferable vote" (SVT) system are also used, depending on the kind of election.

SVT is a quite interesting system for an election system since it's based upon the voter having to arrange the different candidates on a scale and give them points, pending upon which candidate they prefer. Then the votes are counted and the candidate who reaches the amounts of votes needed for being elected, all the votes besides those over the limit of votes needed for getting a mandate, is then divided and given to the other candidates.

Now stay with me. After this process, if there is no candidate with enough votes to get a mandate, the candidate with least votes has all their votes divided among the other candidates. And this procedure continues until a specific number of candidates are chosen.

As it seems, this system is rather complicated and can be quite hard to get a grasp of for the ordinary voter. That could be seen as a problem for the democratic voting process since one could argue that if the voting process is too complicated it could be demotivating potential voters from voting. But on the other hand,

one could also argue that by having the SVT system the votes are more proportionally shared among the candidates, and thereby making everybody better represented in parliament.

Another voting system which is worth taking into account when we are discussing different kinds of election systems is the French election system. The presidential election is in two rounds and has already gotten a lot of attention.

The most interesting part of the French election system, however, is actually that some people think that the low amount of voting participation is due to the “first past the post”-like system. This leads to the candidates from the large parties often getting the mandates, even though a smaller party got a lot of votes.

The best example of this is Front National which got over a million votes and only one mandate in the parliament. And for me, it makes a lot of sense that some people don't vote. “If I vote for a person, but my vote isn't heard” or “Why should I vote in a system that seems so rigged” is what some could think about it. And I would consider agreeing with those feelings.

The most extreme example of an election system which decreases the voter turnout is the United States' election system. Besides the election law, with the specific purpose of ensuring that specific voter groups

don't vote, they also have the electoral college. To understand how the electoral college plays a part in electing a president, it's important to understand how voting districts in the United States work. Each state is divided into a number of districts, for the case of this example let's say a state is divided into 10 districts. In each of these districts, voters vote, and their votes are counted to see whether it's a Republican or Democratic district. And now it gets tricky. Each district represents one vote in the electoral college, so a state with 10 districts has 10 votes, then the party which gets the most districts gets every district in the state. So, if 6 out of 10 districts are republican then, the state is republican.

This is, of course, a big problem, because voters who vote for another party than the majority, in a state which supports a specific party, doesn't have any influence on the election at all. This is how Donald J. Trump got fewer votes than Hillary Rodham Clinton, and still became president.

Now, the American election system isn't one that is interesting when campaigning in Europe. Although it's an important example of why it matters that the people who vote for the party you want to see win, actually votes. Since in a winner takes it all kind of situation, it can sometimes be possible to tip the balance.

If we go back to Denmark, we'll see that the Danish system is affected a lot by the fact that it isn't meant to elect a president. The Danish system is meant to elect a parliament who can choose a prime minister, which is the opposite of France and America, where the election system also focuses on the election of a president.

Now the Danish system isn't perfect, and neither is the Scottish, but it's worth taking the high voting participation in consideration when discussion election systems. And if the EU wants transnational lists there needs to be a democratic, clear and well working election model or else it would hurt the European project more than it would help it.

Journey through EU election systems

Christoph Liesen

1. Closed list or single transferable vote (STV)?

1.1 Way of voting

Closed list

As national systems are transferred for EU elections I choose Andorra as a view for the future with more and smaller members.

The electoral law was approved in 2014 and only the people with Andorran nationality and over 18 years old are eligible to vote and to become a candidate. Half of the seats are elected in a single nationwide constituency by proportional representation with closed lists.

The system of closed lists is maybe a problem in the national list because the people sometimes doesn't feel represented by the members of this electoral list that represent a political party. But in the territorial list, the representation of the states, the candidates are closer to the people and the citizen can explain more directly their problems.

Another problem is the representativity of the states because a vote is not worth the same depending on where you live. The biggest state has 7.372 voters and

the smallest 1 has 908 voters but every state has 2 seats in parliament¹.

STV

In Ireland there are two areas with 4 MEPs and one with 3 MEPs. As each district is geographically large, more than one candidate campaigns. The average proportion is four candidates of which two by Fianna Fáil. It is common to separate the choice of 1. and 2. voice between the candidates of the same party.

Having slightly more than 50% of the secondary votes from primary voters is usual. Local elections take place on the same day, so candidates support each other and sometimes have events together. By having several elections at the same time, the turnout of voters is higher².

1.2 How the different systems effect campaigning

Closed list

Smaller states are highly competitive as each voter can make a difference. This is a reason for strong support from other states, too. Partit Liberal d'Andorra is the first party that presents candidates 1 year before elections instead of later. The campaigning of PLA also starts from this moment, which should give voters

¹ Toni Ariet, Andorran International Officer (IO)

² Keith Henry, Irish IO

more time and our sister party a bigger success than the bust of last election³.

STV

As both the party and the candidate are to equal parts important and people tend to vote people from their county FF tries to install locals on their lists. With the aim of catching the second votes of voters who give their first vote to somebody who has no chance, FF can make small but decision-making differences. Further they have a large number of members -better at door to door- and focus on small and medium enterprises (visible in the campaign of MP Lisa Chambers⁴) as well as rural life so fitting shapes for the Irish way of voting⁵.

2. Single or multiple constituencies?

I prefer single constituencies as it is more attractive for candidates -financial and temporal- and for

³ Toni Ariet, Andorran IO

⁴ Keith Henry, Irish IO

⁵

<https://www.regionalstatistik.de/genesis/online/data?operation=abruftabelleBearbeiten&levelindex=2&levelid=1415772906240&auswahloperation=abruftabelleAuspraegungAuswaehlen&auswahlverzeichnis=ordnungsstruktur&auswahlziel=werteabruf&selectionname=171-01-4&auswahltext=&werteabruf=Werteabruf>

potential voters, financiers and other supporters. The German Member of European Parliament (MEP) Gesine Meißner has 6 states -Lower Saxonia⁶, Hamburg⁷, Bremen, Mecklenburg-Western Pomerania, Saxony-Anhalt⁸ and Schleswig-Holstein⁹ as her area, which means it is larger than Iceland¹⁰ with a challenging traffic infrastructure.

Already among these neighbours, different cultures and attitudes exist, with multiple constituencies it would be trickier to speak as one for them. That would disappoint people and raise the number of protesting/rejecting stakeholders.

3. Votes from abroad

3.1 Situation

In Britain you have to vote with an actual ballot paper which you receive 2 months before the elections to

6

<https://www.regionalstatistik.de/genesis/online/data?operation=abrufabelleBearbeiten&levelindex=2&levelid=1415772906240&auswahloperation=abrufabelleAuspraegungAuswaehlen&auswahlverzeichnis=ordnungsstruktur&auswahlziel=werteabruf&selectionname=171-01-4&auswahltext=&werteabruf=Werteabruf>

⁷ “Bodenflächen in Hamburg am 31.12.2014 nach Art der tatsächlichen Nutzung“

8

<https://www.regionalstatistik.de/genesis/online?sequenz=statistikTabellen&selectionname=11111>

⁹ <http://www.gesine-meissner.de/vor-ort/mein-wahlkreis.html>

¹⁰ <http://www.ruv.is/frett/island-er-minna-en-talid-var>

allow for delays in shipping, the government sends it with voting options. You send it sealed to your district council. The time limit for how long you can be abroad and vote is twelve years, after that you are no longer allowed to vote in a referendum, too. The registration expires after twelve months and has to be renewed through the local Electoral Registration Office. Voting by proxy is also possible¹¹.

3.2 Change for 2019

There will be a possibility for all EU citizens to vote from abroad¹².

4. Transnational lists

At the moment they are not existing. The idea is to have European campaigning and lower the work per MEP as it has increased since the Treaty of Lisbon. The proposal from Andrew Duff (British, ALDE) in 2011 would give 2 votes: 1 for national lists, 1 for transnational lists set by European parties¹³.

¹¹ Haythem Basson, English citizen who voted international

¹²<http://www.euractiv.de/section/eu-innenpolitik/news/eu-parlament-uneins-uber-reform-des-eu-wahlrechts/>

¹³

<https://web.archive.org/web/20120112075923/http://www.euractiv.de>

5. Influences

5.1 Brexit

Considering Brexit the strategy of FF might change as issues of Irish citizenship are on an all-time high with almost 20% from GB¹⁴. Those people are more used to urban areas and bigger enterprises.

5.2 Refugees

Another interesting change will be the influence of immigrated refugees. Unfortunately, there are no studies with election results already available. In the last election in Baden-Württemberg (BW)¹⁵ the head of Junge Liberale (JuLis) Marcel Aulila lost by 34 votes¹⁶. With a more international demography he would have won.

5.3 Digitalization

Estonia is voting its MEPs using ID cards online. E-voting has been adopted on all levels and the systems work the same way. Analog voting is still possible but 1/3 of the eligible voters do it from their devices. To adopt the system the single personal code system is vital. At the moment most countries don't have a

¹⁴<https://www.zdf.de/nachrichten/heute/reaktion-auf-nahenden-brexit-irische-paesse-immer-gefragter-100.html>

¹⁵https://en.wikipedia.org/wiki/Baden-W%C3%BCrttemberg_state_election,_2016

¹⁶ Konstantin Kuhle, chairman of JuLis

system like this. The vote is connected to the personal code and is encrypted. Only the owner of the card can vote and no-one else is able to see who the person has voted for. Their ID don't have a back-door. That means that it's not possible to use it until knowing the personal identification number 1 and 2. With this system it's not possible to adopt online voting¹⁷. "EU needs a single personal code system" says Anti Haugas.

¹⁷ Anti Haugas, Estonian Reform Party Youth

What qualities should the European Parliamentary electoral system have?

Rowan Fitton

The European Union is administrated by several key institutions. The European Parliament can be regarded as especially significant as it is the only one directly elected. Member states are entitled to choose their own voting system for the European elections in their country with very few restrictions. As such, to pick the electoral system that is most appropriate for use in European elections, we must first determine what qualities such a system requires to be effective for the European Parliament.

The goal of any electoral system is to produce a legislature that can effectively carry out its function. By its own reckoning, the European Parliament states that the principal function of a parliament is split into three areas; Law-making, Oversight and Representation¹⁸.

As a result, it is logical that the most effective system for electing the European Parliament would create a parliament that is able to carry out these self-same

¹⁸ *‘European Parliament, About Parliament’* website – Human Rights, Democracy Support
www.europarl.europa.eu/aboutparliament/en/20150201PVL00015/Human-rights

functions that it so dutifully highlights as the model for all other parliaments to strive for.

The European Parliament plays a very small executive role in the EU and does very little to create EU policy and formulate laws. Whilst the Parliament's executive role has been slightly augmented in recent years, the law-making capacity of the European Parliament is still very limited.

Whilst the Parliament has a legal right to be given the opportunity to approve and make amendments to proposed laws, they do not have to be listened to and can be ignored on any point. Because of this, the need for a majority in the European Parliament is small as no group within the Parliament is really seeking to form an executive from its members or seek support for enacting its policies into law. For this reason, majoritarian and plurality-based systems can be easily discarded as viable options.

Besides being non-proportional in their nature, and so no longer allowed for use in European elections since 2002, the single key advantage of such systems often producing large and strong majorities from which to form executives is somewhat irrelevant to the situation of the European Parliament.

The functions of oversight and representation are left as being significantly important to the actions of the European Parliament. In many ways the role of the

Parliament having oversight over the executive is especially important. Many criticise the EU for the immense democratic deficit in the executive and these concerns are quite well founded in an organisation that has been so fundamentally committed to the values of democracy from its outset¹⁹. As such, a directly elected body that can provide effective oversight is essential to the existence and legitimacy of the European Union.

To convey legitimacy, the European Parliament must itself be considered legitimate. In a liberal democracy such as the EU, a legitimate parliament must have an electoral system that can convey the confidence of the electorate and can allow all views and ideas to have an equal opportunity to be represented. For this to happen the electoral system must be able to produce good parliamentary representation within the European Parliament.

This is where the parliamentary function of representation reveals its significance to the European Parliament. The Parliament is an institution which is elected to embody the views of approximately 511.8

¹⁹ Article 2 of the Treaty of the European Union (TEU), first signed 7th February 1992 in Maastricht, Netherlands and effective since 1st November 1993. Drafted by the European Council and signed by the members of the European Community and by all subsequent member states of the EU upon their admission.

million people²⁰ and, as such, must be able to represent the wide variety of differing cultures, faiths and ideals. As such it is of paramount importance that any electoral system used for the European Parliament gives little or no advantage to any groups or parties and can produce a parliamentary body with a seat share that has minimal deviation from the total vote shares for each party. Such a requirement could be achieved with a relatively low Gallagher Index. A Gallagher Index measures the proportionality of a system and is calculated by squaring the difference between each party's vote share and seat share.

In 2016, the Canadian Parliament's Special Committee on Electoral Reform suggested that an ideal system for that country should be designed that possessed a "Gallagher Score of 5 or less".²¹ In many ways an electoral system for the European Parliament should seek to go significantly below this as the population and variance of ideas is vastly greater across the continent of Europe than across the country of Canada.

²⁰ Estimated population of the EU-28 on the 1st January 2017 by Eurostat as stated on ec.europa.eu/eurostat/statistics-explained/index.php/Population_and_population_change_statistics in July 2017

²¹ en.wikipedia.org/wiki/Proportional_representation – Measuring Proportionality

In 1979, turnout was at 61.99% for elections to the European Parliament and it has been falling since; with turnout in 2009 being at an all-time low at 40%.²²

Any system for European elections must consider the need for increasing turnout and must therefore promote voter participation. Participation amongst Europeans can be encouraged by a system that voters can have confidence in and is simple and easy to use.

Turnout could also be improved if voting was made more accessible to the general population. Postal voting is one way to do this and has also been proven to promote participation across demographics. As such, implementing postal voting as the default method of ballot casting in the EU should be considered; especially if the turnout continues to decline with the current method of voting through polling stations.

In summary, the ideal system for European elections would be one that puts special focus on maximising parliamentary representation. In doing this, the system would instil more confidence amongst the citizens of Europe, which would allow the Parliament to be able to better carry out its other functions.

²² Lost Voters: Participation in EU elections and the case for compulsory voting, CEPS Working Document No. 317/July 2009, Anthoula Malkopoulou, 2, figure 1.

However, to maximise the level of representation, increasing turnout should also to be a priority.

“A set of legal rules, constructions and techniques” that works

Antoaneta Asenova

“The electoral system is a set of legal rules, constructions and techniques through which voters express their political will through a vote designed to constitute the representative authorities of a state. These rules are constitutive of the preparation and holding of the elections and the transformation of their results into mandates.²³” That was the definition of electoral systems that I was provided with by my Constitutional law textbook some years ago. Sadly, the matter of the choice of electoral system rarely gets enough spotlight outside of a classroom. And in the course of studying, one simply tries to memorize definitions and categories.

In the process of the actual elections, one looks at the question of “who” and “what”, rather than the “how”. The electoral systems often do not get as much credit for affecting the outcome as do the electoral campaigns, slogans, logos, colours, banners or the media coverage for that matter. Yet it is the electoral systems themselves, that “set of rules, constructions and techniques”, having an intricate live-like body,

²³ „Constitutional law”, publishing house Ciela, 2008, Prof. E. Drumeva, Sofia University St. Kliment Ohridski

which can in fact, be a powerful tool for finding the democratic balance in representing a multi-faceted society, or extremely detrimental, by fractioning and fragmenting it if not tailored precisely - or if tailored precisely to always deliver a 98% support to a certain candidate.

Electoral systems as a mirror of society

When contemplating about the most fitting electoral system one cannot afford to be emotional. There's definitely no perfect electoral system and no one-size-fit-all silver-bullet solution. There's a variety of facets to be taken into account – the political history and development of the country; the state of democratic development, political transparency and self-accountability of the institutions, the level of fragmentation into groups, the political diversity of a society.

In the words of Larry Diamond²⁴ for example “If any generalization about institutional design is sustainable . . . it is that majoritarian systems are ill-advised for countries with deep ethnic, regional, religious, or other emotional and polarizing divisions. Where cleavage groups are sharply defined and group identities (and intergroup insecurities and suspicions)

²⁴ „Developing democracy: Toward consolidation”, 1999, Larry Diamond

deeply felt, the overriding imperative is to avoid broad and indefinite exclusion from power of any significant group.”

In addition, we should never look at the electoral rules as set in stone - which is why, while we should take political history as a starting point, we shouldn't get stuck in it, just because “it's always been done like that”. Law is supposed to govern the relationships in a society – and societies change.

While it might have made sense for the farmers in USA to vote on a Tuesday, because they needed to go to church on Sunday and be allotted a few days for carriage travel to the nearest polling station – that is clearly no longer the case today. And when having elections in mind even something as simple as the regulation of the election date can deprive people from exercising their right to vote, which in turn puts a question mark on the fairness of the election over all.

The difference of the rules as a difference in result?

There's no better example of the importance of choosing the right, most fitting system to reflect in fairness the voices, cast at an election than those five numbers: 8.11.2016. Had America reconsidered its “winner-takes-it-all” plurality system based on the vote of the Electoral College and active

“gerrymandering” after the Al Gore - G.W. Bush 2000 elections, the popular vote – or the voice of majority would have mattered. And we wouldn’t have been asking ourselves the question “What happened?”

If that example on how the different electoral rules can affect the electoral results is not powerful enough, an academia example could be given too: “...consider the history of British government since the late 1970s. Throughout the 1980s, the Conservative Party under Margaret Thatcher enjoyed huge parliamentary majorities and implemented a series of radical right-wing changes to economic and social policy.

In 1997 and 2001, the Labour Party under Tony Blair achieved equally large majorities in the House of Commons. Yet, each of these majority governments was elected on 41-43 per cent of the votes. If Britain had had a PR system then, even if there was no change in the way votes were cast, the pattern of government formation would have been very different.

In 2001, for example, Labour, having won 41 per cent of the votes, would have had either to negotiate a coalition with the third-placed Liberal Democrats or to try to form a minority government on its own. Under either option, Tony Blair would not have been nearly as free to commit British troops to the war in Iraq in 2003. Individuals will have their own opinions as to whether this would have been a good thing or a bad thing—what cannot be disputed is that a different

electoral system would have made a big difference to policy output.”²⁵

Stumble stones

The different electoral systems in Europe in addition provide for a number of stumble stones, which are to be carefully considered too. While some of them aim at achieving positive discrimination, others can really play the role of a hurdle or even constitute a cultural unfairness.

One example of such an element worth considering is the electoral thresholds. The clear definition of thresholds for the European elections is of significant importance for the countries with a larger number of members of the European Parliament. In Germany the threshold applicable to European elections was reduced from 5% to 3% as a result of a decision of the Constitutional court.

The 3% threshold was later challenged too, and the Constitutional Court declared it unconstitutional as well, so no electoral threshold was applied in Germany at the 2014 European elections. The court argued that the functions of the EP and in particular the fact that it does not need to sustain an EU government by means of stable majorities do not justify the restriction of the

²⁵ The Politics of Electoral Systems, Oxford University Press, 2005, Edited by Michael Gallagher and Paul Mitchell

principles of equal suffrage and of equal opportunities for political parties²⁶. Looking into the results of the 2009 elections, and the principle of equal weight of each vote, about 10% of the German voters (2.8 million) were not represented due to the 5% barrier. The lack of any threshold though, meant that some members with arguable credibility were elected with an extremely low % of the votes, affecting the mandates of some of the mainstream parties.

An example for a hampering electoral rule can be found in the total ban on the use of languages other than the official language introduced by the Bulgarian Election Code. According to the provision of the Code's article 181 "The election campaign shall be conducted in Bulgarian language."

In practice, having the possibility to only conduct a campaign in the official language, means that although there is an enshrined possibility for European citizens to vote, run and be elected at European or local elections, in reality that cannot happen if they do not speak the official language in the country – Bulgarian, as the Election code provides for sanctions in case of a breach of the provision. Reality shows that such sanctions have been imposed arbitrarily to

²⁶ EPRS – Electoral thresholds in European elections.
Developments in Germany, 27/02/2014

representatives belonging to minorities, but not to European figures, speaking in support of a certain campaign in another language.

Better political education to prevent wrong public concepts

Electoral systems can surely be overwhelming in their complexity. An important facet for the proper functioning of the system is having a broader, more targeted information campaign and strengthening the political education especially for young people on what the different electoral systems have to offer, what the systematic differences are and ultimately - how the electoral system works. That is the only way to prevent the widespread wrong concepts, repeated over and over as urban lore.

A wide-spread public campaign of a well-known Bulgarian showman in 2016 was claiming that opting for a majoritarian system, instead of the currently operating preferential list PR system would lead to change of the political elites, bringing candidates with untarnished names thus improving the political legitimacy. As a result of the campaign the majority of the Bulgarian population supported the idea at a referendum.

What was not loudly explained during that campaign was, that opting for such a system might potentially

lead to large groups of citizens not being represented, leaving only 2-3 large parties, or the formations with the strongest local structures on the political stage. A possible electoral reform is still under discussion in the country.

Conclusion:

Mark Twain once said “If voting made any difference, they wouldn’t let us do it”. Being a “political believer”, I can never be that cynical. Even if imperfect or complicated, the electoral systems provide that my voice, and your voice bring up those who speak for our values after which we should be firm and educated enough to always hold them accountable – to continue speaking up with our voices, the voices which we granted by the act of voting.

And, if the system is somehow detrimental, obstructive or distorted, and does not allow for the pallet of our voices to be properly reflected – then it is in our hands as the progressive, pro-European youth to strive for finding the right “set of legal rules, constructions and techniques”.

A “set of legal rules, constructions and techniques” that is non-restrictive and fair, diversity-providing, ensuring broad representation and chance for smaller parties, at the same time providing a decent degree of accountability - you know, the one that actually works.

Political agendas instead of national agendas

Gerrit von Zedlitz-Neukirch

1. The current electoral system

In my opinion we have two alternatives to consider when talking about the European democratic system: Either it doesn't work to uphold democratic elections on a supranational level or we do something wrong and need to improve that. Obviously, I am not in favour of the first alternative otherwise I wouldn't apply for this international workshop.

Basically, the European election system consists of 27 independent different election systems that only share the same time period. Every European member state has their contingent of seats in the parliament (treaty of Lisbon).

The parliament gets elected by its individual domestic electoral process (open lists, closed lists, SVP and some mixture forms). Already in 1957 the European

member states of EWG declared to create a harmonised election system. Until now there only exists a framework regulation allowing 27 election systems to evolve:

The German European election process 2014 consisted of a closed-list party system electing 96 MEPs in total. Every full-aged citizen was able to vote for a federal or a regional list composed by the specific party. The party itself could decide whether they created a federal or regional list and which candidates they were going to put on the list, the voters couldn't decide directly. Additionally, there was no election threshold.

The British European election process 2014 was based on 12 electoral regions electing 73 MEPs in total. In 11 regions of the United Kingdom a closed-list party system method of proportional representation was used. The electoral system in Northern Ireland was different to the other 11 regions. They used the single transferable vote system (STV), which allowed every

full-aged citizen to vote for their most preferred candidate instead of voting for the most preferred federal or regional list (compared to Germany).

The Maltese European election process 2014 consisted of a single transferable vote system to elect 6 members of European Parliament (MEPs). In theory this should help third parties to send their own delegates into parliament but in reality it is just a two-party-system.

Another crucial difficulty of the European democratic system is the degressive proportionality. Degressive proportionality is defined by the relation between two variables: The decrease of one variable is equal to the increase of the other variable.

This system is used for the seat allocation in the European Parliament. The normal situation without the degressive proportionality would lead to the following result: The more populated a European member state is the more MEPs it can send. The less populated a European member state is the less MEPs

it can elect. But, due to the degressive proportionality less populated European member states get more seats per citizen to allow representation of every state despite a smaller population. Every state independent of its size always has six MEPs without difference. For every 500.000 citizens and a total population of 1 to 10 million people every state gets one additional MEP. For every 1.000.000 citizen and a total population of more than 10 million people every state gets one MEP further.

According to that, the degressive proportionality system contradicts the democratic approach of “one man, one vote” because a German vote is not equal to a Maltese vote:

The German population (82, 5 million inhabitants) can elect 96 MEPs. One German MEP represents 859.000 German citizens. The Maltese population (400.000 million inhabitants) can elect 6 MEPs. One Maltese MEP represents 67.000 Maltese citizens. In this kind of system degressive proportionality is needed due to

the small size of some member states. Without degressive proportionality Malta or Luxemburg wouldn't even have one seat in the European Parliament.

What we need is a fair, democratic election process, which is harmonised, which prevents disunity, and which contributes to an increased power of the European Parliament, the heart of the European system. A reform could lead to an increased political participation. One way of reaching this goal is by introducing pan-European lists.

2. Duff-Plan

In 2008 Andrew Duff, member of the European Parliament and president of the European Federalists, drafted reforms for improving the difficulties of the European democratic system.

He recommended upholding the elections in May enabling the new elected parliament to do their first assembly before summer holidays. Duff also wanted to assign a clear and shorter election period. But the real

revolutionary improvement was the recommendation of an introduction of 25 additional Parliamentarians elected by pan-European lists.

For that, he wanted to introduce a two-vote-system: In his system one vote would have been the usual vote electing national candidates/parties based on the specific domestic election process. The other vote would have been for the 25 additional Parliamentarians which could have been elected by pan-European lists. The voter would have been given the chance to choose his preferred political spectrum instead of a national party.

The only conditions for such pan-European lists are that the applicants on those lists have to represent citizens of at least one third of the European member states.

Unfortunately, the Duff-Plan was referred to the committee of constitutional affairs because there was no clear majority. Even if there was a clear majority it would have been very complicated to implement this

system because constitutional adjustments need to be decided unanimously by the European council/European member states.

3. Why do we need pan-European lists?

Pan-European lists as recommended by Duff solve some of the difficulties of the present European democratic system.

1. There would be a better balance of the equality of votes. In a 100% pan-European lists system every vote counts the same. There wouldn't be a degressive proportionality needed because it would be an election about political agendas instead of national agendas.
2. There would also be advantages for citizens in smaller countries like Malta: Currently, Malta is able to send 6 MEPs to the European Parliament. Due to the STV system only the six most preferred candidates are able to become MEPs. It is very difficult for a smaller party to win these elections. With pan-European lists it

would be possible for them to combine their power across borders with associated political parties and get votes together.

3. Nowadays, European Parliament elections are used to focus on national topics, national parties and national politicians. That is why European elections are treated as second-order-elections. With pan-European lists the European parties would be better presented and better known instead of just presenting national parties and national candidates. The topics could be more about the EU itself instead of topics which are not even related to the EU. The European elections could be treated as first-order-elections then.
4. Our political will is not tied to national borders within the European Union.

Although the treaty of Lisbon defined the maximum seats of the Parliament of 751 seats, the BREXIT could be an opportunity to try the Duff-Plan, refilling the empty British seats with pan-European lists. And there

are an increasing number of people supporting pan-European lists: From Guy Verhovstadt's draft report *"Possible evolutions of and adjustments to the current institutional set-up of the European Union"*, Macron to Juncker. So, let's take the chance!

List of resources:

<http://www.foederalist.eu/2011/10/degressive-proportionalitat-und.html>; 11.01.2018

<http://www.foederalist.eu/2014/10/warum-die-sozialdemokraten-bei-der.html>; 11.01.2018

*<https://euobserver.com/institutional/138970>;
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<https://www.euractiv.com/section/elections/opinion/one-head-two-votes-the-case-for-a-pan-european-list-for-eu-elections/>; 11.01.2018

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Single vs multiple constituencies in European elections: A look at the French case

Benjamin Fievet

In November 2017, the French government announced that it would reform the way French members of the European parliament are elected for the 2019 European elections. France will go back to a single national constituency instead of the eight regional constituencies it has had since 2004. The law project was released in early January 2018 and is being discussed in parliament during the coming weeks²⁷. Such a change will change the mechanics of the election and it is interesting to analyse the effects it will have in terms of campaigning, electoral results and voter's engagement.

Having used a single constituency in the past (from 1979 to 1999) and then multiple ones (from 2004 to 2014), France is a good case to look at since the results of the previous change (from a single to multiple constituencies) have been observed and it has been the subject of a few studies.

²⁷ At the time of writing. As of May 23, 2018, the law has been adopted by the parliament.

The 2003 reform

Officially the reasons that lead to the 2003 reform in anticipation of the 2004 elections were to better connect the MEPs to the voters and to ensure better geographical representativeness²⁸ in order to increase engagement and connection of the citizen to the EU. Another widely acknowledged, but less official, reason was the wish to counter the Front National (FN). Smaller constituencies and the smaller magnitudes that goes with them generally favor larger parties. This is to be understood in the post 2002 presidential election context in which Jean-Marie Le Pen, the FN candidate, reached the second round.

Fifteen years and three election cycles after this reform, most experts and politicians would agree that these goals of a better connection with the voters and increased participation were not reached. In fact, in a paper, Simon Six and Sara Hagemann showed that the connection between MEPs and voters does not depend of the magnitude of a constituency but rather whether the lists for the election are open or closed.²⁹ The voters feeling more engaged in the case of open lists.

²⁸ *Projet de loi relatif à l'élection des conseillers régionaux et des représentants au Parlement européen ainsi qu'à l'aide publique aux partis politiques*, N°574, Douzième Législature, 29 January 2003 <http://www.assemblee-nationale.fr/12/projets/pl0574.asp>

²⁹ Hix Simon, Hagemann Sara, « Could changing the electoral rules fix European parliament elections ? », *Politique européenne*, 2009/2

The reform also had other effects both mechanical and psychological: a decrease in the proportionality of the electoral system and a concentration of votes to the favor of larger parties and the detriment of smaller ones. This result was expected, as we have seen it was even one of the reasons for the reform.³⁰ And if it was quite successful at containing the FN in 2004 and 2009, in 2014, however it backfired, the far-right party – now with a larger electoral base – getting the most MEPs.

The 2018 reform

After the election of Emmanuel Macron and his party La République En Marche (LREM) gaining a majority in parliament, and given the importance they attach to Europe, they recognized that the 2003 reform did not bring the expected changes in terms of connection between MEPs and voters³¹ and that the current

(n° 28), p. 37-52. DOI : 10.3917/poeu.028.0037. URL : <https://www.cairn.info/revue-politique-europeenne-2009-2-page-37.htm>

³⁰ Dolez Bernard, Laurent Annie, « La magnitude, facteur décisif ? Les élections européennes de 2004 en France et les effets du changement de mode de scrutin », *Revue internationale de politique comparée*, 2010/3 (Vol. 17), p. 175-193. DOI : 10.3917/ripc.173.0175. URL : <https://www.cairn.info/revue-internationale-de-politique-comparee-2010-3-page-175.htm>

³¹ Elections européennes : scrutin national et listes transnationales, En marche, Groupe de travail Europe, 6 décembre 2017, https://en-marche.fr/articles/opinions/elections_europeennes_scrutin_national_listes_transnationales

regional constituencies had no coherence from a “historical, economic, social, cultural” or administrative point of view³². To remedy that, they decided that the European election needed to be held in a single national constituency again. Their objectives are fourfold:

- By aligning the distribution to what it already is in 23 other member states, to clarify the system and the stakes for voters.³³
- To make the elections more proportional and give smaller parties a chance to get representatives.
- By “renationalising” the debate, to refocus it on Europe instead of national issues and to allow each party to articulate its vision for the European Union.

³² “De plus, le découpage actuel ne renvoie à aucune cohérence d’ordre historique, économique, social ou culturel. Ce découpage n’a pas davantage de cohérence au regard de la nouvelle carte des régions sur le territoire hexagonal”. In Exposé des motifs, *Projet de loi relatif à l’élection des représentants au Parlement européen*, N°539, Quinzième législature, 3 January 2018 <http://www.assemblee-nationale.fr/15/projets/pl0539.asp>

³³ “Le Premier ministre a défendu un modèle « largement majoritaire dans l’Union européenne », qui permettra de « renforcer l’intelligibilité du scrutin et la lisibilité des enjeux de l’élection du Parlement européen ». Le gouvernement déposera en ce sens un projet de loi début 2018.” In *Elections européennes : scrutin national et listes transnationales*, En marche, Groupe de travail Europe, 6 décembre 2017, https://en-marche.fr/articles/opinions/elections_europeennes_scrutin_national_listes_transnationales

- It is also hoped by some that it will increase voter's engagement.

Another non-publicly stated goal might well be to disfavor Les Républicains (LR), currently the main opposition party to LREM having strong local political implantation, and the FN, both parties that benefit from the current system³⁴.

What to expect in 2019

The reform is currently being discussed in parliament and it will be hard to know its exact effects until after the 2019 elections. We can however make a few predictions.

First, political science and the results from changing from a single to multiple constituencies tells us that moving back to a single constituency will indeed increase the proportionality of the election and that there is a chance that we will see smaller parties getting some seats when they did not before despite being above the 5% threshold. And it will indeed probably be detrimental to LR and maybe the FN.

Second, the European elections are among the most “nationalised” already (and have always been), it is possible that the change will downplay the importance of the regional component of the campaign and will

³⁴ Though only LR is opposing the reform. FN is in favour of it, like most other parties.

therefore allow to focus on European issues and stakes of the election rather than national ones. But until now, European elections have always been second order elections, especially in France when they now happen nearly halfway in the Presidential term³⁵, this effect even risk being increased in 2019 by the fact that it will be the first direct elections since the legislative elections in June 2017.

Making these elections only about Europe is then not up to Macron and LREM alone. The opposition parties and especially the media have to accept it and play by it. It is doubtful that it will be the case but if it succeeds, it should also make the elections more legible. Under these conditions, the change could have the opposite effect to the one intended and turn the 2019 elections in a vote in favor or against the government.

Third, it is to be noted that the idea that moving back to a single constituency will lead to a better connection between citizens and the EU is not unanimous, even inside the majority³⁶. Indeed, it is unclear how simply

³⁵ Since the move to a five-year term for the French President (starting in 2002), the European elections have happened about two years after the French presidential election.

³⁶ See Jean-Louis Bourlanges diverging view during the debate following the presentation of Pieyre-Alexandre Anglade report in the 24 January 2018 meeting of the commission des affaires européennes of the Assemblée Nationale. URL: [http://www2.assemblee-nationale.fr/documents/notice/15/europe/rap-info/i0591/\(index\)/depots#P295_60126](http://www2.assemblee-nationale.fr/documents/notice/15/europe/rap-info/i0591/(index)/depots#P295_60126)

reversing a reform that was supposed to increase connection and engagement in the first place will succeed where the original reform had no effects. I posit that if we see increased engagement following this reform, it will not be directly linked to the change from multiple to single constituency but indirectly from the way the campaigning happens. Indeed, as we have seen, increased engagement has not much to do with district magnitude but happens when the lists are open rather than closed.³⁷

It is noteworthy that, in his report on the law project, Pieyre-Alexandre Anglade suggests that moving to open lists should be considered for a future reform.³⁸ But as Hix and Hagemann noted, the best set up for voter's engagement is relatively small constituencies (such as the one France currently has) combined with open list. Open lists in a large constituency (such as the whole of France) raises other issues, as Hix and Hagemann put it, "elections would be dominated by

³⁷ Hix Simon, Hagemann Sara, « Could changing the electoral rules fix European parliament elections ? », *Politique européenne*, 2009/2 (n° 28), p. 37-52. DOI : 10.3917/poeu.028.0037. URL : <https://www.cairn.info/revue-politique-europeenne-2009-2-page-37.htm>

³⁸ Anglade Pieyre-Alexandre, Rapport d'information déposé par la commission des affaires européennes portant observations sur le projet de loi relatif à l'élection des représentants au Parlement européen (n° 539), 24 January 2018 [http://www2.assemblee-nationale.fr/documents/notice/15/europe/rap-info/i0591/\(index\)/depots#P295_60126](http://www2.assemblee-nationale.fr/documents/notice/15/europe/rap-info/i0591/(index)/depots#P295_60126)

the personalities of a few high-profile candidates rather than the policy positions and performance of all the candidates”.³⁹

³⁹ Hix Simon, Hagemann Sara, « Could changing the electoral rules fix European parliament elections ? », *Politique européenne*, 2009/2 (n° 28), p. 37-52. DOI : 10.3917/poeu.028.0037. URL : <https://www.cairn.info/revue-politique-europeenne-2009-2-page-37.htm>

Transnational Lists in Contemporary Europe, what is already there and what could come

Andrè E. Gruber

After the Brexit vote scholars were quick in providing answers to what could happen with the seats of the British Members of the European Parliament (MEP), the options ranging from dropping the seats, reallocating them to the creation of so called transnational lists⁴⁰.

With the most recent leap forward by the Heads of State of the Southern European Union Countries which called for transnational lists⁴¹, the pressure to answer the question how such lists could be implemented is raised again.

This paper will look into the different electoral systems currently employed in the European Union (without the UK) for the election to the European Parliament (EP) and how these systems would fit the election of the transnational lists.

⁴⁰ Kalcik and Wolff, “Is Brexit an Opportunity to Reform the European Parliament?”

⁴¹ “Bringing the EU Forward in 2018.”

When looking at the typology of electoral systems Taagepera⁴² points out first the distinction between categorical and ordinal ballots, which contents to the support of voters being unqualified or being able to rank candidates.

By definition transnational lists would imply that there is a single district with the magnitude equalling the total number of seats in the assembly, in this case total number of seats in the assembly reserved to these transnational lists, which would correspond to the number of MEP's leaving the chamber, 73.

European Elections, where we are

Currently the elections to the European Parliament have often been qualified by scholars as “second-order” elections⁴³, but as Hobold and Fortin-Rittberger and Rittberger⁴⁴ point out this argumentation becomes ever less plausible with the increased powers of the EP. Nonetheless as

⁴² “Electoral Systems.”

⁴³ Reif and Schmitt 1980; van der Eijk and Franklin 1996 as cited in Hobolt, “A Vote for the President? The Role of Spitzenkandidaten in the 2014 European Parliament Elections.”

⁴⁴ “Do Electoral Rules Matter? Explaining National Differences in Women’s Representation in the European Parliament.”

Habermas⁴⁵ denotes, by citing Grimm, the current framework of supranational democracy is deficient; as the most striking, and most relevant to this essay, reason he points out the lack of diversification between national and European elections campaigns.

Electoral Systems in the European Union

Generally, one distinguishes four different types of Electoral Systems for Legislative Office, Majoritarian, Mixed Systems, Semi-Proportional and Proportional Representation⁴⁶, where the use of a (Semi) Proportional System for Elections of the European Parliament is predominant. In the EU-27 systems as shown in Table 1 are employed.

⁴⁵ “Democracy in Europe: Why the Development of the EU into a Transnational Democracy Is Necessary and How It Is Possible.”

⁴⁶ Norris, “Choosing Electoral Systems: Proportional, Majoritarian and Mixed Systems.”

Voting System	Countries employing the system (EP elections 2009)
Closed List System	CY, DK, EE, FR, DE, EL, HU, LV, PL, PT, RO, ES
Open List System	AT, BE, BG, CZ ⁴⁷ , FI, IT, LT, LU ⁴⁸ , NL, SK, SI, SE
Single transferable vote	IE, MT

Table 1 based on EP Report Ibid. excl. the UK

We can summarize this to that 14 ordinal ballots and 12 categorical ballots are used. Thus, one is able to conclude that there is no significant greater number of ordinal ballots, and this consideration can be neglected when adopting a specific electoral system on a European level.

Before introducing European Lists, one should look at the current state of play in relation to a European *Demos*, as most promoters of federalism already have

⁴⁷ each voter has 2 votes. To be elected need 5% of votes delivered for his/her political party

⁴⁸ electors have 6 votes

a clear picture of the destination. The public seems to embrace the European Idea again with raising approval levels according to the latest Eurobarometer statistics⁴⁹, but still only a minority believes that their “voice counts in the EU”, in the same vein a majority calls for a more important role of the Parliament.

As far as knowledge on the current system is concerned in the latest Eurobarometer (EB88) a stacking third of respondents said that the statement “The members of the European Parliament are directly elected by the citizens of each Member State” is false, with another 15% responding with “Don’t know”, with the introduction of pan-European lists this could change, as the numbers of correct respondents before the EP elections 2014 has been at 71% the highest value ever, this could even further increase with the introduction of a new, even more direct, voting procedure.

When looking at the participation rate it is often easy to forget to set the right benchmark, indeed most of the times European Election turnouts are compared with national elections, where as a comparison with USA mid-term and presidential elections seems more appropriate. Turnout in the presidential elections

⁴⁹ European Commission, “European Commission - PRESS RELEASES - Press Release - Autumn 2017 Standard Eurobarometer: Fixing the Roof While the Sun Is Shining.”

hovered around the average of 56% and for mid-term elections at 39%⁵⁰. Where the European Elections showed a turnout of 42.6% 2014⁵¹, thus not so much lower.

The Spitzenkandidaten

One of the factors often cited for the increased interest in the elections 2014 was the nomination of so called “Spitzenkandidaten” (lead candidates) for the office of president of the commission by the European parties but as Hobolt⁵² points out the Spitzenkandidat, embodying the pan-European dimension, did not play a major role in the election campaigns themselves, except for some countries.

An interesting scenario in relation to them would definitely be a split-vote between the overall results and the results on the pan-European lists, e.i a party winning the elections according to the pan-European lists whilst another party winning the overall majority in the EP, a scenario not unlikely when one considers

⁵⁰ own calculations based on US Elections Project, “National-1789-Present - United States Elections Project.”

⁵¹ Habermas, “Democracy in Europe: Why the Development of the EU into a Transnational Democracy Is Necessary and How It Is Possible.”

⁵² “A Vote for the President? The Role of Spitzenkandidaten in the 2014 European Parliament Elections.”

“Emmanuel Macron’s plan to conquer Europe” as Politico described it⁵³ and the persistent dominance of the EPP.

What could come

When looking at the conclusion to which Grimm came, which defensively calls for not giving the EP more powers, Habermas lays out the necessity for a Double Sovereign of European Citizens and Peoples. By creating the necessity for parties to explicitly have a *European* campaign, a first step to do so could be done, towards this goal the creation of transnational lists is central. And such proposals have been made as early as 2011.

When looking at a possible electoral system reform Duff⁵⁴ proposes the creation of a closed list where candidates come from at least a third of the member states and are elected in addition to the regular elections to the EP.

In contrast an open list system, which indeed has its benefits it seems inappropriate. It would be so for

⁵³ Vinocur and Maña De La, “Emmanuel Macron’s Plan to Conquer Europe – POLITICO.”

⁵⁴ “REPORT on a Proposal for a Modification of the Act Concerning the Election of the Members of the European Parliament by Direct Universal Suffrage of 20 September 1976 - A7-0176/2011.”

multiple reasons, firstly, it would create incentives on the ground level to rally for a candidate which is part of the national party as this is the main source of resources and personal opportunities.

Additionally, this would also be subject to the biases towards larger members as most people would be voting for a candidate from their home country, or at least candidates speaking their language. Thus, it can be concluded that ordinal system across the continent is not feasible as it is to be expected that most voters would give their preference vote to a candidate from their own country, an ordinal system on country level cannot be regarded as desirable in the context of the current proposals as it would undermine the hard earned gained European Dimension.

In the realms of semi-proportional and proportional system one is thus left with a closed list system on European level, in the context of redistributing the current seats, when it comes to a complete overhaul of the system one would have to reconsider this choice.

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“Back to The Future”

Soni Harizanov

Yes, it is a title from the famous movie from the 80's, but...we are going to make an association between this movie and EU. How many times when you go back in your memory don't you see that we made a mistake to something or somebody, or just memorized some good or really bad actions from our nearest relatives, neighbors or closest friends. If it's good memories you want to remember. If it's bad you want to erase it or at least to tell people to not make the same mistake as them (the people or the facts from the past). We are going to make some small analyses about our running mandate of the European parliament. Let's go to the past.

The year was 2014, month –May. We were doing EP campaign for MRF. The list of the members who managed get elected was: 1. Filiz Hyusmenova, 2. Nedjmi Ali, 3. Ilhan Kyuchyuk, 4. Iskra Mihaylova. For us it was such a joy that we, the members from MRF party, managed to increase the number of MEPs for the party from 3 to for 4, especially the 3rd one, Ilhan who is the chairman of Youth MRF.

However, we managed to do that that, but we had allowed nationalists to get elected too. Everyone obviously has the right to vote for whomever they want. But for us it was a disaster, and for Europe as

well. We are witnesses of a new kind of nationalist movement not only in Bulgaria, not only in Europe, but in all the world. We are going back in time to the 1940's and 50's when we saw not only a lack of basic human rights, but also the violation and suppression of these rights. We can take for example WWII racism, coloureds' rights in the 1950's USA, or gender rights and the rights of sexual minorities in the 1950's UK - a very bright example of this is Alan Turing.

And 1980's Bulgaria, the ugliest picture of violation of human rights. Muslims, ethnical turks, gypsies, Bulgarian-Mohamedans were forced by the socialist government of Todor Jivkov to change their names from Turkish names to Bulgarian ones. If you didn't want to change your name you were forced to leave the country, your homeland, and go to Turkey. How was that even possible when the world was watching, and nobody could do anything about that?

However, the regime ended and now we are a member of the EU. But now the EU has a problem with nationalist parties and MEPs. The Euroskeptics, led by Nigel Farage and Boris Johnson, managed to divide UK and turn it from an EU member state to a non-EU country, just like that, because they can. The other problems of EU will be solved, such as Energy, Agriculture, Environment, social, and so on. But for the elections of 2019 for the European Parliament we must make new strategies for the people who don't

want to vote or vote for the nationalist parties even to prove to our people that the vote is the most important, more important than anything as you decide to who to give our destiny.

I remember clearly the difference before and after our membership in the European Union. Bulgaria was a poor country with many problems such as: corrupted government, mafia bosses, socially unable and so on. But now, the government still has issues but not like before, but we have many options from the European union for unemployment, childbirth, grant programs for jobs and so on.

Before it was unthinkable that somebody would help you to start a new business and just to want you to succeed. There are programs to apply for a grant for your very own idea. I am myself thinking of applying for a grant to start my own business. That's why to me, the European Parliament elections are more important than any.

Who should be rewarded in the elections, the nationalists who want everything to themselves and instead of expanding and developing want to be capsulated or even destroy the European Union. No. I'm going to reward and respect the good people in the European Union who think about the best for citizens of whole of Europe. Who strive for a strong, liberal, economically stable, socially equal, gender equal and unified Europe. Thank you.

Now, let's talk about the elections of 2019 for the European parliament. We will introduce a new formula for elections which I can't understand really. We are going to make such mess with this. The European Parliament suggest, that the next European elections should be on held from 23th to 26th of May 2019. Nearly two months after the planned exit of Great Britain. The decision must be taken in few months by the Council of the European Union. The European parliament now have 751 MEPs. Their amount may have some changes after Brexit. Great Britain has 73 MEPs and the European Parliament suggest for 22 of these to be spread equally between other European Union countries, and the other 51 to be canceled. However, these 51 mandates could be saved for an eventual future expansion of the European Union. This proposal was from the president of France, Emanuel Macron.

After all we maybe we don't need a new formula for the elections. We have the most democratic vote, the vote of preference. We cannot make a common list of candidates, because if some person wants to be on the list of ALDE, but in his homeland is known from another non-liberal party for instance. That makes our choice little bit difficult. We cannot make common list for all of the European Union because pretty much nobody will know the other candidates from a foreign country.

The formula for the preferences gave results immediately after it was introduced, and the result was increased voter turnout. People see that now it's very important to vote in this system because they see the results of their vote and the elected. Pretty much everybody has to vote for the candidate who they recognize themselves with and who reflects their own visions about the future of his homeland and the Unified Europe.

Moving abroad equals becoming a second-class citizen: The perspective on constraints in the european parliament election system

Olha Tsurkan

The European Union in general and the European Parliament in particular were established to promote economic and political standpoints on the pillars of unity and cooperation of its member states. However, the very last elections to the European Parliament as the highest representative of the EU constituents in 2014 have given rise to concerns and frustrations among the European population.

The lowest voter turnout in the Union history, which amounts only to 42,61%⁵⁵, questions the level of citizens' trust in the EU and triggers doubts about the effective convergence between it and its electorate.

⁵⁵ Results of the 2014 European elections, European Parliament, <http://www.europarl.europa.eu/elections2014-results/en/turnout.html>

Since the level of credibility in the EU largely depends on citizens' participation in elections to the European Parliament, it is essential to analyse causes leading to such a high level of voters' absenteeism. Undoubtedly, there is no single reason of this phenomenon and everything should be assessed in its complexity. But in the meantime, it is appropriate to devote the first stage in this evaluation to concrete, separate issues allocation.

In this essay, such a topic as the insufficient participation of voters living outside the EU and obstacles to their voting rights exercise would be highlighted.

As a rule, citizens of the EU living elsewhere within the Union automatically have the right to vote in the European Parliament elections⁵⁶, but rules for voting in case of living outside the Member States vary significantly.

⁵⁶ Treaty on the Functioning of the European Union, 2007/C 306/01, **13 December 2007**

On the one hand, electoral equality is one of the underpinnings of every democratic society. All instruments of the EU enshrine this principle and there are no exclusions imposed due to the proximity of the EU citizen's current residence and his/hers voting rights.

For instance, back in 1957 the Treaty of Rome envisaged the possibility for the elaboration of a uniform electoral procedure based on direct universal suffrage⁵⁷. Or, the Treaty of Lisbon in 2007 granted Members of the European Parliament the status of representatives of the European Union's citizens instead of the "peoples of the States"⁵⁸.

Furthermore, in November 2015 the European Parliament adopted the resolution on the reform of the electoral law of the European Union, where the idea of the right to vote in the European elections for

⁵⁷ Treaty establishing the European Economic Community, 25 March 1957

⁵⁸ *Ib.* 3

all Union citizens living outside the EU was directly introduced⁵⁹.

On the other hand, this aforementioned notion of consolidated European Union citizenship and broad electoral equality conception runs counter to the multiplicity of national electoral rules, which still play a dominant role in the European Parliament elections procedures.

Indisputably, with regard to national elections procedures, margin of appreciation remains with every single Member State and it is upon its own discretion to decide whether and on which grounds to grant citizens living abroad an opportunity to vote or not.

Nevertheless, when it comes to the European Parliament elections and European Union's citizens as

⁵⁹ European Parliament resolution of 11 November 2015 on the reform of the electoral law of the European Union (2015/2035(INL))

a whole electorate, it seems reasonable to adhere to the one unified system and approach.

To date, millions of the EU citizens live outside the Union. For example, according to the data from the United Nations' Department of Economic and Social affairs, the United Kingdom is the EU country who has the most citizens living abroad (4.9 million), followed by Poland (4.4 million), Germany (4 million), and Romania (3.4 million)⁶⁰.

Still, not all Member States of the European Union provide their citizens with the possibilities of voting from abroad. Furthermore, even among the States granting such an opportunity, there are many variations in terms of conditions to cast these votes.

Czech Republic, Ireland, Malta and Slovakia do not entitle their citizens to vote from abroad as of today⁶¹.

⁶⁰ Mapped: EU citizens living outside of their home country, Morgane Croissant, June 26, 2017

⁶¹ 2014 European elections: national rules. European Parliamentary Research Service. 140762REV3. 10/04/2014

Belgium, Denmark, Greece, Italy and Portugal grant the right to vote to those of citizens who are living in another EU Member State⁶². Austria, Finland, France, the Netherlands, Spain and Sweden grant their nationals the right to vote irrespective of their country of residence⁶³.

Several Member States require voters to pre-register with their national electoral authorities to be eligible to vote from abroad. Some EU States also impose time limits to non-resident nationals⁶⁴. In the United Kingdom, the right to vote is confined to certain citizens who have lived abroad for less than 15 years, and in Germany this right can be exercised by citizens who have lived in another country for less than 25 years⁶⁵.

⁶² EP Elections 2014: Voting Rights When Living Abroad, European Parliamentary Research Service Blog, 1 May 2014

⁶³ *Ib.* 8

⁶⁴ *Ib.* 8

⁶⁵ *Ib.* 8

In addition, there is no unity in questions concerning methods of voting from abroad. For instance, during 2014 elections citizens of Italy, Romania, Cyprus and Hungary had a possibility to vote only in the respective embassies⁶⁶. Non-residents of Luxembourg, Latvia and Germany could vote merely by post⁶⁷. The e-voting was available only for Estonian citizens⁶⁸. France, the Netherlands and the UK granted their citizens an option to vote by proxy⁶⁹.

Thus, it is noteworthy that the following systems of voting from abroad exists: personal voting through embassies, postal voting, vote by proxy and electronic voting. Certainly, the diversity of voting methods available could increase the feasibility of the EU citizens living abroad to participate in the elections.

⁶⁶ Ib. 7

⁶⁷ Ib. 7

⁶⁸ Ib. 7

⁶⁹ Ib. 7

It is not enough to have, for example, an option to vote only through the embassy as the issue of accessibility arises. Moreover, taking into account modern date and the level of technological development, it is worth pointing out the role played by the e-voting. The above-mentioned Resolution of the European Parliament also emphasized the necessity of electronic and internet voting possibilities implementation⁷⁰. As many of the EU citizens living abroad are young people, this kind of suffrage exercise could encourage their participation in elections and could contribute to tackling the high level of youth absenteeism in general.

Article 10 of the Lisbon Treaty loudly proclaims the right of every citizen to participate in the democratic life of the European Union⁷¹. Nonetheless, in order to make representative democracy work efficiently and to ensure its quality, the EU citizens involvement in politics should be at the highest level. Declaring to

⁷⁰ Ib. 5

⁷¹ Ib. 2

express the will of its citizens, it is not reasonable and shrewdly, on the side of the EU, to neglect people's participation in the Parliament elections on the basis of their right to free movement realization.

Harmonisation of the EU and national approaches in relation to this issue, diversification of "vote from abroad" methods will increase number of voters among the EU population and, consequently, will lead to promoting EU credibility and effective EU-scepticism combating. It is necessary to encourage subsequent electoral reforms in this matter and to move further the above-mentioned adopted resolution.

Transnational lists – a huge step forward to strengthen democracy in European Union

Teresė Škutaite

More and more citizens within the European Union Member States identify themselves as Europeans. European Union itself plays a big role in every European's life and even though federalist ideas are getting more popular nowadays, there are a lot of challenges to be faced on improving advocacy of Members of the European Parliament to the citizens. A controversial but essential tool for that - transnational list for elections of European Parliament.

The principle of a Pan-European district is quite simple to understand. Voters of Member States get to vote for the fixed number of their national candidates, as usual, but also for transnational ones – politicians from all over Europe. It is still debated, whether the list of candidates should be open, semi-open or closed and how would the parties nominate their candidates but

the whole idea is creating a new class of Members of the European Parliament who would not have their specific districts but would be advocating on behalf of all the European citizens.

The founder of the idea of Pan-European district is a liberal ex Member of the European Parliament Andrew Duff. He announced the draft during the seventh legislature (2009 – 2014) of the European Parliament. The case, back then, was that the European Parliament should be enlarged to create transnational seats. Duff's idea was approved in the Committee of Constitutional Affairs (AFCO) but did not achieved enough support in the plenary.

However, today the European Union has a huge opportunity to seize. Brexit gave not only confusion and disaster to the Union but a magnificent chance for transnational lists to occur. Former seats of the UK Members of the European Parliament will be empty so it would be reasonable to use them for transnational lists for the 2019 elections. It would solve three

general problems the European Union is facing at the moment: the lack of a European identity, unfair proportional advocacy in the European Parliament and campaigns of candidates focusing on national issues, not European.

During the last years the European Union has faced many challenges to democracy. Brexit, the French and Austrian presidential elections, the parliamentary elections in the Netherlands and Germany. Also, it is highly important to mention the refugee crisis, Russian propaganda and cyber-war, and the threat of ISIS.

To oppose alt-right movements and other threats, it is essential to strengthen advocacy tools and the belief of the European Union as a success. From my point of view, one of the most common problems the European Union has is that it does not recognize itself as a united continent. The European Union could be a great player in a world trade arena, competing with USA, China and other strong regions. But due to national problems

every Member State faces and a lack of confidence in liberal democracy, the idea of the European Union as a world trade leader and a huge influencer fails to succeed.

However, if every citizen of any Member State would feel closer to the activities of the European Union's institutions, the situation could change. The Pan-European district could lead to more Europeans feeling responsible for actions of the European Parliament and the future of Europe.

Moreover, transnational lists would be a game-changer towards the inefficient campaigns for the European Parliament elections. It is proven that citizens tend to be more concerned about their national issues than international ones. A good proof of that would be presidential campaigns in some of the EU member countries.

By most constitutions, the president's main function is to form international relations of a country but most candidates running for office tend to choose national

policy issues as the main arguments for their campaigns.

For instance, when a president of my country, Lithuania, Dalia Grybauskaite, was running for office for the first time in 2009 the main topic she was focused on was fighting against the corruption in Lithuania. Of course, she got elected. The situation is basically the same during the elections of the European Parliament, most of the candidates focus on their national policy issues, not European or sometimes on their country's preferences on foreign affairs.

Transnational lists would technically solve the problem because lobbying the votes of foreigners talking about national issues would fail. Transnational candidates would put more effort on social-media campaigning, getting to know more languages and trying hard to reach as many European citizens as possible. The campaigning and its tools itself would bring more understanding of EU problems to the

citizens – the time before elections would bring lots of needed discussions and debates to all the Member States.

Finally speaking, transnational lists would improve the proportional advocacy within the European Parliament. The electoral reform is a highly discussed topic in general. The European Parliament faces the issue of overrepresentation of smaller member states. Elections are held by the principle of degressive proportionality – that brings inequality because the amount of citizens represented by every Member of the European Parliament is different.

Bigger Member States agree on having smaller representative power because if counting by the population, smaller states would have very little voting power. This might seem fair and bring solidarity to the European Union but in general, the size of a country should not be an argument for any subsidies. Transnational lists would give an equal and fair opportunity (as lists could be made of amount of

candidates proportionally by population of Member States) for all the countries to improve advocacy towards its citizens.

Even though there are dangers of this game-changing reform, it is essential to understand that it would give positive results in a long-term perspective. Of course, there would be confusion at first and voters would still probably choose their native politicians for the transnational seats. However, later on the public would get more and more enlightened on European issues and feel more responsible for the actions of the European institutions.

The idea is not utopian – it is backed by Emanuel Macron, Italian authorities, the ALDE Parliamentary group, ex-president of European Parliament Martin Schulz and many more authorities within the EU. For a better advocacy, more efficient campaigning and stronger European identity transnational lists is a reasonable tool and the time for adaptation is now.

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Transnational Lists: To be or not to be?

Roman Leuta

The idea of reforming the electoral system of the Parliament of the European Union is not new. For 20 years, discussions have been held on whether to introduce a system of transnational lists or not. The discussion got a new breath after the French president, Emmanuel Macron, announced his intention to revive European democracy. France wants about 50 seats available in the pan-European list, that is, voters could vote twice, for the national deputies of the European Parliament and for the European MEP's. The Italian government also supports transnational lists, which have long been supported by some European liberals and federalists.

[1]

In the European Parliament, each country has a fixed number of seats, which are distributed according to the principle of so-called "degressive proportionality".

This means that the multi-populated countries delegate a larger number of deputies to the parliament than the states with a small population, but in terms of one resident, small countries eventually have more mandates. At the same time, the principle of "degressive proportionality" ensures in the parliament a variety of parties from small states. In the national delegations, they have a minimal quota. If mandates were distributed each time proportionally to the population, Malta, for example, would not get a single seat.

On the other hand, the working capacity of the parliament is thus guaranteed. Otherwise, large countries would be represented by too many deputies. As a result, the EU legislative body would be too bloated and unable to effectively perform its functions. The principle of "degressive proportionality" also prevents the preponderance of the interests of large countries in parliament, but in practice some large countries are poorly represented. [1]

The current system, based on a mathematical formula (fudged by political calculations), led to the emergence of an "extremely unequal parliament" in which, for example, Hungary has one deputy more than Sweden, despite the same percentage of the population. The French MEP has a constituency of 900,833 people, which is the largest in the EU, and a deputy from neighboring Luxembourg has a constituency of 96,042 people.

According to the Lisbon Treaty that came into force in 2009, the number of deputies in the new European Parliament will be 751 seats. Each state receives a minimum of 6, a maximum of 96 seats. As the most densely populated country in the European Union, Germany gets the largest number of seats in parliament. The population of the country is 80.5 million people. This means that with a quota of 96 seats allotted to Germany, each deputy represents the interests of approximately 838,000 residents. In turn, Malta, with a population of 400 thousand people, has

a minimum quota of 6 seats in parliament, that is, one deputy has 67 thousand inhabitants. [2]

As a result of Croatia's accession to the EU in July 2013, it became necessary to redistribute seats in the legislature so that a new member of the European Union also received representation in parliament. [1]

The looming exit of Britain from the European Union a few months before the parliamentary elections in mid-2019, sharply increased hopes for the implementation of the idea with transnational lists, as 73 seats in the parliament become vacant, which will allow no member state to lose the number of their MEP's, for the implementation of the experiment.

The introduction of such a system, in the opinion of many, would give greater "transparency" to the issues of the European Union, would increase the interest in elections among voters, citizens across Europe would choose candidates from the common lists directly.

On the other hand, there is an opinion that this reform will create an additional bureaucratic barrier with a

new class of deputies who are cut off from their constituents. And indeed, the question arises about the language barrier. How to overcome it? Can such deputies understand and represent the interests of all citizens of the European Union? When there is no proper understanding between the speaker and the audience, it grows into a serious problem and harms any political activity.

Also, the unwillingness of citizens to represent their interests by a foreigner can also act as a barrier, but over time and the way individual individuals become more and more known in the EU political arena, attitudes towards foreigners can change significantly.

But suppose, citizens decided to give their vote, for a candidate from another country, how to do it? In what system of lists will elections take place: open, semi-open, closed? The answers to these questions have yet to be found.

In this respect, reform can become more expensive over time, as it is necessary to allocate funds to solve

emerging problems at a time when the reform is still fresh and not polished to the smallest detail. [3]

Another important issue to consider is the difference between European and national-level parties during the election period. Parties of the national-level on one side, better cover the public, and on the other side the party at the European level, who must carefully select candidates, since the lack of internal cohesion in the party and well-known individuals can lead to poor promotion of candidates at the local level, which could potentially cause damage to the party.

It is necessary to understand whether it is possible to get rid of these differences at all levels and, if not, what consequences may be due to such features. Parties of a transnational level can be invited to spend most of their campaigns where they are represented least.

Parties at the national level may not want to spend money on campaigns outside their own country, which raises concerns about the lack of motivation for such parties to reach the all-European level.

Transnational lists would provide many opportunities for political scientists to study and all sorts of innovations to improve the electoral system in the future. [3]

Some members of the European Parliament argue that as long as Brexit did not actually take place, "the only correct decision that will help preserve the legal certainty for member states is the preservation of the same distribution of seats in parliament as in the current parliamentary term 2014-2019." [4]

One way to introduce transnational lists as painlessly as possible would be to reduce 51 of the 73 British seats in parliament after its withdrawal, resulting in a reduction in the number of seats from 751 to 700. These exempt seats can be used in the future in the case of EU enlargement, as well as for the implementation of transnational lists.

The remaining 22 British seats can be redistributed among the remaining 27 EU countries to emphasize the principle of "degressive proportionality", this will

allow member states not to lose any of their parliament seats. This will undoubtedly help to strengthen the European character of the elections while showing respect for equal representation. [4]

However, for such a drastic change in the rules, it is necessary to completely reform the treaty on the European Union, it is difficult to reach agreement on this issue. This requires the unanimous support of all EU leaders, some of whom have not expressed a desire to redistribute the British seats.

In anticipation of the final withdrawal of Britain from the EU, everyone has to hold their breath and watch as the heads of the member states decide the fate the vacant seats, whether they will attempt to make Europe even more democratic and erase national borders in politics or postpone this idea for another 20 years.

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Single or multiple constituencies – which is more efficient?

Skirmantas Baikauskas

The European Union made impossible work uniting the majority of the Europe states. To make sure that this Union was and is made for the European citizens and their prosperity, there are elections going on every five years. 500 million people from all twenty-eight Member States vote and elect the members of the European Parliament. In view of different voting systems, 751 members of European Parliament are elected. Some Member States use single constituency, while others multiple constituencies. But how to make sure that the most democratic way of a voting system is the primary principle?

According to the Treaties⁷², every Member State can choose their electoral system. In the 2014 European Parliament elections only Belgium, France, Ireland, Italy, Poland and the United Kingdom had multiple constituencies. The other Member States had national (single) constituencies. On the one hand, this principle of multiple constituencies is rational in accordance with the fact, that elected members of European

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http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_1.3.4.html The European Parliament Treaties regarding the election procedures

Parliament are obliged to represent the people that elected them in their constituency. This causes the elected parliamentarians to be accountable to the people who elected them. On the other hand, the European Parliament members have to represent all European Union citizens.

In this case, members of the Parliament make laws and take decisions for all 500 million European citizens. Thus, it makes the multiple constituencies pointless. The people who elected their representative in a constituency based on region for example, expects that parliamentarian to take decisions for their benefit. This leads us to the point that there should be only one (single) constituency. For instance, people would not expect from the members of European Parliament to bring some kind of assets.

Moreover, the single constituency is more fitting when speaking about the votes that come from the people. When a plurality voting system is used a lot of votes disappear, which means that in this voting system the proportion of representativeness is the smallest. People who are voting not for candidates but for the parties express their preferences better.

Proportionality is a very important indicator of democratic representation, which is almost neglected in most representation systems. Thus, it means that the votes of one of the parties are perceived at the expense of others. With this in mind, correct and

proportional distribution of votes in European Parliament by reducing the domination of large parties and allowing its representatives to have small parties and national minorities. Above all, the single constituency is more efficient because it's strengthens democracy by ensuring all people votes counting.

Despite this, the principle of the multiple constituencies comes very handily when speaking about proportionality. The allocation of seats is laid down in the European treaties. It takes into account the size of the population of each country, with smaller countries getting some more seats than if strict proportionality would imply.

The number of people which one European Parliament member represents varies widely in every Member State. For example, a Maltese member of the European Parliament represents approximately 70,000 citizens, while one Polish member of the European Parliament from Łódź constituency represents 1,260,000 citizens. For the European Parliament elections Poland is divided into 13 constituencies, with each allowing for separate party lists.

The distribution of the seats is decided by votes counted in the country as a whole by proportional representation using the D'Hondt method, with the requirement of a minimum of 5 percent support for each party. Seats are then distributed in the 13

constituencies by the winning list using the Hare-Niemeyer allocation method.

However, Malta has single (national) constituency and the delegation to the European Parliament was elected by Single transferable vote⁷³ which means that candidates need to reach a set share of the vote, known as the quota, determined by the number of positions to be filled⁷⁴.

It seems reasonable to assume that the citizens from the smaller Member States are more represented than the citizens in bigger Member States. The principle of proportionality is simply the only practical way to go, multiple constituencies are convenient when speaking about representing the citizens in bigger Member States.

Moreover, it is also often proven that single constituency favors big parties⁷⁵. In fact, parties which are not popular in the Member States have fewer chances for their candidates to be elected to the European Parliament. For example, in Lithuania the elections to the European Parliament in 2009 was won

⁷³ Malta's voting system
<https://www.gov.mt/en/Government/DOI/Pages/General%20Elections%20Information/electoral-system.aspx>

⁷⁴ <https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/single-transferable-vote/>

⁷⁵ <http://www.osce.org/odihr/elections/eu/38680?download=true>
OSCE/ODIHR Expert Group Report on European Parliament elections in 2009 (page 15)

by the Homeland Union – Christian Democrats⁷⁶. It is one of the biggest and most popular parties in Lithuania⁷⁷. Smaller parties like liberals or Work party only won one seat, while Christian Democrats four (out of 12 total members). Not to mention, that when electing politicians using a plurality voting system non-party or smaller party candidates have more chances to get elected.

To that end, a multiple constituencies voting system guarantee that an equal proportion of people are represented not only in smaller Member States but also in bigger. Provided that non-party candidates have more chances to win the seat in the Parliament.

All things considered, the European Union became a very strong and important creation of Europe and to keep this creation lasting there always has to be ongoing changes. Above all, it seems pertinent to remember that every Member State chooses how the election to the European Parliament is being proceeded. However, European Parliament itself

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http://www.vrk.lt/statiniai/puslapiai/2009_ep_rinkimai/output_lt/rezultatai/index.html Lithuanian elections to the European Parliament 2009 results

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<http://www.vilmorus.lt/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=6&cntnt01returnid=20> Lithuania parties ratings (Homeland Union – Christian Democrats in Lithuanian is *Tėvynės Sąjunga-Lietuvos krikščionys demokratai*)

could establish one reasonable voting system customized to all Member States. Then again, multiple constituencies are more fitting to the bigger Member States, while single constituency for the smaller. Although, it cannot be denied that the number of constituencies depends on the election system. With this in mind, the European Parliament must decide which system is the most democratic one and ensure the stability and well-being of the Union.

Unifying the electoral systems throughout Europe

Anouk Van Brug

The predecessor of the European Union, the Common Assembly of the European Coal and Steel Community (ECSC) adopted the European Parliament in 1962 (Lodge 1996: 63). However, the European member states did not follow this up until the 1980s (Ibid). Since the founding fathers of the European Union never expected the European Parliament to play a role in European integration, the European Parliament was given only limited powers (Ibid).

Things like legislative power were never provided to the European Parliament, its role was only advisory and supervisory (Ibid). Over the years the European Parliament started to overstep this narrow definition.

Part of this overstepping is the fact that the European Parliament actually did play a role in the promotion of federal developments in European integration (Lodge 1996: 63). The European Parliament did this in three

areas (Ibid). Firstly, the European Parliament did this through the direct elections in which the parliament is elected. Secondly, the expansion of the European Parliament's role, functions and powers played a part in the active promoting of federal developments in European integration. Lastly the European quest for the holding of a constitutional convention is considered to have played a role (Ibid).

In this essay I will zoom in on the first role the European Parliament played in European integration as described by Lodge (1996: 63). According to Palmer the European elections will be held according to procedures worked out by each European member state individually (Palmer 1977: 122). This leads to different ways of electing the members of the European Parliament all over Europe.

By looking closer into the direct elections of the European Parliament, and more specifically the way the elections are set up over the European countries,

there will be given a better insight in the effects of the way elections are held over Europe.

Within the political science there has been written quite a lot of literature on the subject of European Parliamentary elections and the way the media and its framing shape the outcome of the elections over the European countries. However, little attention has been paid to the effects of different electoral systems used over Europe in order to elect the members of the European Parliament from country to country.

The differences in these electoral systems are considered to be relevant to the way the European Parliament is constituted. This is derived from the fact that political scientists did investigate the influence of electoral systems on party systems (Grumm 1958). According to Grumm (1958: 357) the influence of the electoral system on the party system is considered to be obvious.

Especially since the European Parliament has begun to overstep its primary goals and powers it is becoming

a more powerful instrument within the European Union. To do so an allocation of seats is laid down in the European Union treaties (European Parliament January 10 2018). This allocation of seats is based on the degressive proportionality principle (Ibid).

Through this principle the countries with larger populations have more seats than those with smaller populations (Ibid). By this way of directly electing the members of the European Parliament seats of the Parliament are allocated evenly over the inhabitants of the Union. This makes that every inhabitant of the European Union is considered to have an equal vote in the election.

The way the electoral system is shaped influences factors such as: party solidarity, electoral alliances and dependence of candidates on party organization (Grumm 1958: 376). The way the elections are held within the various countries can however make a differentiation in this principle of the European Union. This has to do with the fact that the impact of one vote

differs over various electoral systems. One of the electoral systems is the majority system (Hague & Harrop 2016).

In this system a party needs to get the majority of votes in order to become elected for a seat for a seat in Parliament (Ibid). In a plurality system a party has to get the most votes to become elected for a seat in Parliament. The last system is the proportional system in which each vote is weighed evenly and has the same impact on the outcome of the election (Ibid).

Apart from these electoral systems the use of districts as in the UK for example or an electoral threshold as is the case in Germany can have an impact on the outcome of the elections (Hague & Harrop 2016). Also voting in rounds, or the ranking of candidates can have an impact on the electoral outcomes as well (Ibid).

Once elected, all members of the European Parliament are considered to be equal. And the goal of the elections for the European Parliament is that every European citizen has an equal say in shaping the

European Parliament. The degressive proportionality system is put in place to make that work. This however is not entirely true. Different electoral systems in various member states have a huge impact on the individual power of European citizens.

On the grounds of the degressive proportionality system, through which the seats of parliament are divided, these differences of the impact of a single vote I consider to be unacceptable. This has everything to do with the aim of the European system to make the votes of every European inhabitant more equal. The current system does not match with this aim. But why do we have the current system then?

This might have to do with a combination of A) the fact that the founders of the European Union never expected the European Parliament to play the role it currently plays within Europe and B) trying to leave as much open space for the European member states to shape their own elections. As a result of point A changing the electoral systems for the European

Parliamentary elections may be proposed in order to equalize the vote of every citizen. However, when point B is taken into consideration such a change might be problematic. By changing the current electoral systems there might become a decrease in the acceptance of the European Parliament as a whole since it changes the ways known to a country and its inhabitants.

Nevertheless, I consider such a change to be relevant in order to give every inhabitant of Europe an equal vote in the European Parliamentary elections. If we fail to do so the main idea of equality within the European Union is not met in the European elections. This will have negative results on the sympathy for the European Union all over Europe.

In order to make sure that those sympathies do not arise a reform in the electoral system is needed in order to give every citizen of Europe an equal vote in the European Parliamentary elections.

A new way to make the EP elections more equal is the introduction of transnational lists. By introducing this system members from all over Europe can vote on all the candidates, instead of just those running from their country. Those in favour of the introduction of such lists claim that this will make for a bigger European engagement.

Since Brexit leaves some seats in the EP open, there is a possibility to try out the system. However, the implementation of transnational lists has many scenarios. All these scenarios lead to a different way in which the transnational lists should be implemented before the upcoming elections.

Since there has not been made a specific proposal for one of the possible scenarios it is too early to implement this system. Yes, we should aim to have an equal weight to each vote, but at the moment the introduction of transnational lists is not the answer to the problem at hand.

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Harmony of Europe: A Path To a Proportional European Parliament

Arthur Kharytonov

For the first time since the end of the Second World War, Europe found itself on a crossroads full of drama. The antagonism of the right and left political forces, the Eurosceptics and the Euro-optimists, the conservatives and the liberals, each day gains a determinant feature of hostility, reducing the possibility of reaching a fair deal or a compromise between the various parties to the conflict.

This, in turn, not only makes the bright, democratic future of the united Europe more illusory, but also creates real threats for the proper functioning of the pan-European bodies, work of which, unfortunately, is being increasingly filled with bureaucracy and inefficiency. The economic strain in southern Europe, the migration crisis, Brexit, the triumph of nationalists in Poland and Hungary, parliamentary instability in Germany, etc., have become tough tests for the European Union in recent years.

The situation and flashy political conflicts in Scotland and Catalonia have also become acute. Together with the pressure of the dangerous global policy tendencies associated with the instability of the administration of the US President Donald Trump, the occupation of the Autonomous Republic of Crimea and the war in the

east of Ukraine by the Russian Federation, the continuing military and humanitarian catastrophe in the MENA region, totalitarian acts and emancipation ambitions of the People's Republic of China, all these issues have become global in the context of ensuring peace, prosperity and the rule of law in Europe. All of them will have a non-direct impact on the preparation for the European Parliament elections in 2019, taking into account the legal principle of reality.

That is why the reform of the institution of elections to the main collegiate body of the European Union, which essence is intended to unite the peoples of Europe, maintain and protect the high liberal-democratic values, becomes of paramount importance.

As mentioned above, the current political situation directly affects the legal security of the European Parliament - the only body formed by the exercise of direct suffrage by the people of Europe. It will depend on how the electoral procedure will be conducted, whether in the future the EU will be able to overcome all the trials of the new times and ensure the prosperity that the founding fathers of the European Union were trying to succeed in their times.

Unfortunately, it is difficult to argue that the current electoral pan-European legislation creates fair, proportional and necessary conditions for the

consolidation of the rule of liberal democracy. The insufficiency of the pan-European legal norms regulating the procedure for elections to the European Parliament has created a situation in which this body is often unable to represent the European people, first of all, through the tsarist of non-liberal and undemocratic groups of eurodeputies who profane the exercise of European parliamentary functions. However, the growth of the political weight of euro-skeptics is not a spontaneous phenomenon⁷⁸.

This is a direct consequence of the denial of certain EU member states of different models of the EU Constitution, giving preference to legal lacunae and other factors that were problematic in the context of the European Union's previous enlargement. One can safely assume that the EU acts, as well as the Lisbon Treaty, with all its derivatives, are not enough to overcome the problems that the European people will have to deal with in practice.

The EU member states should finally determine, in fact, what the European Union is: an international

⁷⁸ Ignasi Pérez. Euroscepticism inside and outside the European Parliament: A proposal of new classification for critical with the European Union

organization or a federal (quasi-federative) or confederative entity⁷⁹. This question that might at first sight look philosophical will determine how and according to which norms the elections to the European Parliament will be conducted. However, there is no doubt that the availability of the EU Constitution and the unification of electoral rules for peoples represented in the European Union will be able to provide a more perfect representative picture in the European Parliament.

The current legislation states that elections to the European Parliament should take place in a proportional electoral system in accordance with national rules in each EU member state, with the possibility of setting a pass barrier of up to 5%.

The proportional electoral system by its nature shall display the results of voting through the distribution of seats of deputies, and the passage barrier should make it impossible to impede the work of the lawmaking body in connection with the failure to reach a coalition agreement between many small

⁷⁹ Панкевич, О. Особливості обрання Європейського Парламенту [Текст] / О. Панкевич, М. Кілик // Вісник Центральної виборчої комісії. - 2007. - N2. - С. 89-94

groups of elected deputies. At the same time, the issue of the existence of a passage barrier to the European Parliament has already caused criticism of the bodies of constitutional justice of European countries.

In 2011, the German Federal Court declared unconstitutional a 5 per cent barrier when electing European deputies⁸⁰. In 2014, it was reduced to 3%, and at the moment it is 0.5%. In other countries, the passage barrier for political parties in the classical sense does not apply, as for example in Malta, where the SVT system operates instead. That is, it is precisely the normative definition of the necessity to conduct elections solely on the basis of a proportional system that is not perfect, and the right of the member states to establish such barriers created problems for direct democracy.

Due to the prohibition of the majoritarian system when electing European deputies, there are no European single-mandate constituencies in the EU. States Parties at the national level have the right to

⁸⁰ Андрей Румянцев, Пятипроцентный барьер на выборах в Европарламент признан в Германии неконституционным Сравнительное конституционное обозрение, № 6 (85), 2011, с. 94-102.

establish constituencies on their own, taking into account political, social and linguistic-ethnic factors, as is the case in Belgium and the United Kingdom. But such rules do not exist in all the countries, which often offends a certain percentage of voters who are not only disappointed with the essence of the European Parliament, but are often reliant on euroscepticism and populism, which emphasize the unfair and anti-national character of the EU as a phenomenon.

Of course, the replacement of the proportional system with the majoritarian, as a way out of a difficult situation, will have more negative consequences due to the loss of a significant number of votes. However, this problem can be solved through a non-conventional path that can be characterized by the following steps:

1. Rejection from the quasi-bicameralism of the European Parliament, which now provides the lower chamber in the form of the actual European Parliament and the Council of the European Union; but the creation of a "classic" bicameral European Parliament, when both chambers are elected by the people.

Such a proposal is linked to the existing syncretism of the legislative and executive functions of the Council

of the European Union, which is elected through an indirect vote, but is appointed by the executive authorities of the participating countries.

This undoubtedly causes such a phenomenon as a deficit of democracy. However, if we step back from rethinking the role of the EU Council and returning to the European Parliament, then classical bicameralism would be able to overcome, firstly, the lack of democracy, and secondly, distrust of the European Parliament as an organ.

Thus, the elections to the lower house would be carried out according to the rules of the proportional electoral system, and to the upper chamber - according to the majority system of the relative majority in European constituencies.

At the same time, it would be advisable to determine these constituencies by the European Union bodies, taking into account all the social, political and ethnic characteristics of the EU member states. Under such a system, the representatives of a united Europe who would be guided by the pan-European ideas would fall into the lower chamber, and the representatives of different national constituencies to the top chamber. Such a tandem would help to establish harmony in the

European Union and avoid unwanted eurosceptic attitudes of certain groups in the EU member states.

2. Giving preferences to the unified rules of holding elections to the European Parliament through the adoption of the European Electoral Code or its analogues. Such a decision was dictated by the availability of diverse approaches to the conduct of the European Parliament elections at the national level. And while pluralism is important for the establishment of a liberal-democratic regime, the lack of clear rules during elections can be an obstacle to a democratic process.

All in all, one can come to the conclusion that in order to overcome the crisis situation in the EU, it is necessary to change the approach to the elections to the European Parliament. Elections should be based on the principle of proportionality, that is, interventions to it by the EU should be caused only with the necessity and the ensuring of protection of human rights and freedoms.

The current system does not allow creating equal conditions for the electorate of the EU member states to elect their own representatives, openly neglecting the diversity of some of the great powers that cannot

fully represent themselves within the European Parliament.

Moreover, one cannot close his eyes on the principle of reality, according to which changes in legislation should be made taking into account the current political situation. Which, in its turn, demands harmonization, including the electoral system.

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Vision for a Pan-European election system

Lucas Honoré

The current elections systems in the representative European Union membership countries only allow a voter to vote for their national politicians. But why does it have to be like that? What if a certain voter shares more values and visions with a candidate from another country than the one where he or she is living.

The vision for a future election system shall be the realisation of a true Pan-European election system enabling citizens of the European Union to vote for a candidate running for a seat in the European parliament to strengthen the European integrity, integration and none the least – the sensation of cohesion within the European Union.

Ever since 1979 when the European Union consisted of 9 member countries the percental voter turnout has

only decreased⁸¹. That is certainly a miserable situation and a clear signal that the citizens have lost their interest in the European project. One way to encounter that unfortunate development could be to enable voters to vote for more politicians and enlarging the possibility of the sensation of voting for a candidate that share the voter's beliefs and visions for the European Union.

Today, the European Union consists of a vastly greater amount of member countries at the time of writing – 28 to be exact. Furthermore, the difference in the voting systems are very likely to be huge and ever growing. The vision should be to unite and standardise the voting procedure.

There are at least three reasons to enact this change: Firstly, ensuring that any citizen of the European Union has the option to vote for a candidate that represents his or her opinions; secondly, making the

⁸¹ <http://www.europarl.europa.eu/elections2014-results/en/turnout.html>

election process more transparent and launched from a central organ to counteract the risk of corruption; and thirdly, to promote the interest in the politics of other European countries and become aware of current political affairs in the entire European Union and not only in the country one resides in.

Imagine a resident of Bulgaria desperately wanting to vote for a candidate of another European country, but with the system of today decides not to vote. Most likely, people would still be inclined to vote for a candidate from one's own country. However, opening the option of voting for candidates running for the European parliament beyond the national borders should be the future of the European Union.

The European Union should have as its high priority to continue to be a democratic light beam in a world of undemocratic regimes. This position can be secured through continuously developing the deep integration of the member countries.

Internally, the European Union has faced vast amounts of scepticism in the recent years and the dropping voter turnouts call for a change in the election structure. A truly liberal and pro-European move in this case would be to enable the voters to have a free choice of candidate, not limited to nationality, but extended to candidates from the entire European Union.

Even though one may have a pro-European standpoint, as a liberal one should be accepting and open to other views and standpoints. For example, UKIP had vast affiliation in the United Kingdom eventually leading to Brexit⁸².

This is obviously unfortunate in the eyes of someone pro-European, but in fact, very democratic indeed. Democracy must be the foundation of the European Union as a global frontrunner. The idea of the true pan-European elections would enable, for example, a EU-

⁸² <https://www.theguardian.com/politics/2017/mar/27/ukip-brexit-paul-nuttall-nigel-farage>

sceptic Croatian political group to directly support a movement in another European member country who share their beliefs by being able to vote for them in the elections for the European Parliament.

The vision should be to develop an electoral system enabling European citizens to vote for candidates in the entire European Union before the elections in 2023. There is no certainty that this will be a reality and functioning properly. But if the vision is to empower the European integration even further this appears to enable the citizens to choose freely.

Hopefully, and more realistically, the 2023 elections should be the first elections for the European Parliament that allow some randomly selected citizens across the European Union based on population size in the respective member countries to vote according to this new pan-European voting procedure.

Standardisation of the election system(s) across the European Union could ease the enormous effort of

trying to developing campaigning strategies for each of the member countries. Instead, a platform inspired by the Danish candidate test⁸³ could be created to enable the voter to find the right candidate that has the same visions for the European Union.

The candidate test should consist of 20-50 questions concerning the development of the European Union and thus the test suggests which candidates are closest to sharing the beliefs of the voter. The issue today is in fact that the campaigns of many candidates for the European Parliament do not reach the potential voters. Ideally, the platform should also work as the actual voting platform – making the process quick and easy. The most difficult part may be to develop the questions that signalises the beliefs and visions of the candidates and voters respectively, however that should be possible. The democratic action of voting is an action of great importance and should not be neglected. However, if less than half the population

⁸³ <https://www.altinget.dk/kandidater/kv17/holdningsprofil.aspx>

that have the right to vote, actually do vote, is it then really democratic after all?

The voter turnout is obviously not the only concern in dealing with the election systems of the European Union, but still it is eye-catching that the voter turnout apparently is in free fall.

If the European Union is not capable of renewing its electoral systems to improve the turnout at elections for the European parliament, it may soon completely lose the interest of the average voter. Something has to be done to further democratise the institution.

The European Union's objective should be to empower the everyday lives of its inhabitants and an important part in this is to give the voters a free choice of candidates to represent them.

Creating an impact where it matters, a plea for a simultaneous top-down and bottom-up approach to engage the EU citizen

Ashmita Krishna

With European elections coming up in 2019 and 73 seats in the European Parliament becoming vacant due to a certain incident called 'Brexit', the matter of the European electoral system is more relevant than ever. At the same time Euroscepticism by populist and nationalist parties question the legitimacy of the European Union while political parties at the European level remain weak to perform the linking pin function of connecting EU citizens with institutions.

In this paper I will explore several possible solutions to rekindle the European flame; one being top-down, where I address the measures which could be taken on a European level, like introducing the concept of transnational lists and further exploring the

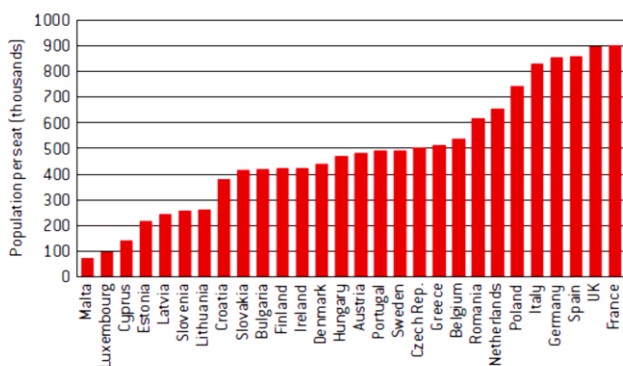
‘Spitzenkandidaten’ concept. Secondly, a bottom-up approach where I explore what on a European level can be done to empower the EU citizen.

Feeling a democratic deficit

You could argue that Europe is suffering from a democratic deficit as suggested by Kalcik and Wolff (2017).⁸⁴ Under the current system of degressive proportionality (art. 14 TEU) large countries are underrepresented while small countries are overrepresented. As can be seen from figure 1, France has almost one million citizens being represented by one MEP, while a MEP from Malta represents not even one tenth of that amount. Although it is understandable that small countries do not want to feel overruled by larger countries, most EU citizens do live in those larger countries and feel themselves underrepresented in the current system. The current system is at odds with that same EU treaty, which also

⁸⁴ Kalcik, R. and Wolff, G.B. (2017) ‘Is Brexit an opportunity to reform the European Parliament?’, *Policy Contribution*, issue nr 2.

emphasize the importance of equality and equal treatment of citizens by EU institutions. As a consequence, EU citizens feel less engaged with Europe than they could be.



Source: Eurostat, European Parliament.

Figure 1: Number of citizens represented per MEP per country

Creating a common European identity

Political parties are defined and embedded by their national standards and needs. While in the past parties were much more defined by their ideology or support base, nowadays, generally speaking, parties are more defined by their national political setting. This has consequences for political parties at the European

Level (Europarty), like our own ALDE Party. First of all, national parties have the power to largely influence the candidate selection...and that selection is not seldom based on national considerations.

The British liberal Andrew Duff⁸⁵ introduced the concept of a transnational list. In this concept 25 additional MEPs should be chosen from a single list directly managed by a Europarty. This will break the monopoly of the national parties in the candidate selection.

Furthermore, a transnational list will make the Europarty more visible to European citizens. While there was still quite some resistance against this concept in 2014, currently France, Belgium, Spain and Italy openly support the creation of transnational lists.

A positive outcome of the transnational list is that it would broaden the scope of debates, away from a national perspective to a European one. Having a

⁸⁵ Duff, Andrew, Why do MEPs fear electoral reform?, *EuObserver*, Opinion, Brussels, 14 March 2012.

transnational list could lead to the emergence of a European identity.

In accordance with the transnational list and rule out (as far as possible) national considerations, it can be desirable to elect European candidates at a European level. The concept of the Spitzenkandidat could be a solution here which is based on the concept of a European 'champion' who will compete for policies and votes.

In 2014, this concept was successfully used for the first time. The campaign had personalities, making the European Union less abstract and bringing it closer to its citizens. To add to this from a campaign perspective, it could help to use a consistent branding with logos and colors used. Ballots should not be drafted in line with national preferences but in line with ALDE Party itself.

There should be a common European start point for campaigning in all member states and the polling stations should close at the same time as to create a

common mutual shared European momentum. ALDE Party could play an impactful role here. Regulation 2004/2003 clarifies the distinction of duties between EP Groups and Political Parties at the European Level (PPELs) and assigns to the latter the responsibility for the campaign and conduct of European elections. Having these European champions can increase the visibility of Europe and European liberal politics and engage the EU citizen.

The question remains though, if a transnational party creates a transnational party system. Creating a transnational party system requires more than simply the presence of transnational parties.⁸⁶ Party systems, following Sartori's (1976: 43-4) ⁸⁷ classic definition, are 'systems of interactions', which means that they are systems in which parties engage with one another,

⁸⁶ Bardi, L., Bressanelli, E., Calossi, E., Gagatsek, W., Mair, P., Pizzimenti, E. (2010), How to Create a Transnational Party System, Florence, *EUDO Report* 2010/2.

⁸⁷ Sartori, G. (1976), *Parties and Party Systems: Volume 1: A Framework for Analysis*, Cambridge: Cambridge University Press.

usually competitively, in defined arenas. This competition stays limited to the national space, where Dutch parties compete with the Dutch, French with the French and Czech with Czech.

Currently there is no European party system where the Dutch party competes with the Czech. This is a missed opportunity for European politics through which we keep thinking with our national mindsets. One could argue that chances that the Dutchman will vote for a Czech candidate are very slim in this case. With no transnational party system a transnational list and the concept of Spitzenkandidat will face difficulties to become very successful.

Brussels is a far away from home

Hence what will need to change first, the system or the mentality of the EU citizen?

EU citizens need to be more involved in its political system, but is its system drafted to be involved in? Many Europeans are not happy by how democracy is working as can be seen from Figure 2.

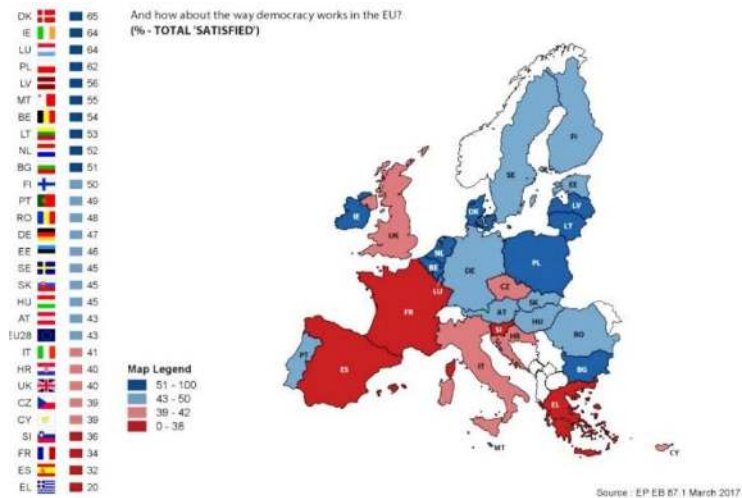


Figure 2: Satisfaction about how democracy works in the EU

But what can they do themselves to improve their situation? One could ask if the European citizen is really that eager to participate on a European level, several initiatives have been taken, among which a program called 'Europe for Citizens'. This program, which has been running since 2014 has been funded with € 185,46 million and aims to promote citizenship and improve the conditions for civic and democratic engagement of the citizens of the EU.

Secondly, to increase the involvement of EU citizen there are tools available, unfortunately underused, like the European Citizens Initiative (ECI). The ECI was introduced with the Lisbon Treaty in article 11.4. With the ECI, citizens can petition the EU Commission with a new legislative initiative, after collecting one million signatures. Only one out of more than 60 petitions have led the European Commission to act. Not the greatest success either.

Most people are looking now at the largest supporter of citizen participation at the current, French president Emmanuel Macron, who will launch this year democratic conventions throughout Europe to involve European citizens in the refoundation of the EU. This initiative has received the support of President of the European Commission Jean-Claud Juncker. These gatherings, also called mini-publics, will randomly select demographically representative citizens to advise elected decision-makers.

The concept has been successful in Canada and Australia. And while Macron is still making use of the momentum which he has created you could wonder if these initiatives are really bringing Europe to the local realities of the EU citizen. As an example: very few EU citizens who are residing in another EU state choose to exercise their right to register and vote where they live despite substantial efforts made by the Commission to getting these citizens to use their voting rights during last EP elections in 2014.⁸⁸ You would think that at least these EU citizens would feel a closer connection to Europe.

Conclusion

Unlikely for a liberal this paper has a rather pessimistic and cautious look on the upcoming European elections. Systems cannot be changed overnight, where a transnational party system is a condition for a successful implementation of the

⁸⁸ Alemanno, A. (2017) '5 big ideas to reboot democracy in the EU', *World Economic Forum*.

concept of a transnational list. As a true liberal though, positive actions can be taken to steer Europe to a brighter perspective. While I strongly believe that only with a simultaneous approach which is top-down and bottom-up the EU citizen can be engaged and feel involved with Europe, there is a lot which we can do through ALDE party. A consistent brand and charming campaign can bring European liberal politics and candidates on the radar. The early bird catches the worm.

The Single Transferable Vote

Mijat Kontić

STV is the system of choice of groups such as the Proportional Representation Society of Australia (quota-preferential proportional representation), the Electoral Reform Society in the United Kingdom, and Fairvote in the USA (which refers to both STV and instant-runoff voting as ranked-choice voting, although there are other preferential voting methods that use ranked-choice ballots).

Its critics contend that some voters find the mechanisms behind STV difficult to understand, but this does not make it much harder for the voters to rank the list of candidates in order of their own preference on an STV ballot paper.

As of 2018, in government elections, STV is used for countries such as Ireland, Malta, United Kingdom (Northern Ireland and Scotland), New Zealand, Australia and even the United States. In the British Columbia electoral referendum held on May 17, 2005, it received around 57% support and passed in 77 of 79 electoral districts. It was not adopted, however, because it fell short of the 60% threshold requirement

the Liberal government had set for the referendum to be binding.⁸⁹

The degree of proportionality of STV election results depends directly on the district magnitude. While Ireland originally had a median district magnitude of five (ranging from three to nine) in 1923, successive governments lowered this. Systematically lowering the number of representatives from a given district directly benefits larger parties at the expense of smaller ones.

STV is perhaps the most sophisticated of all electoral systems, allowing for choice between parties and between candidates within parties. The final results retain a fair degree of proportionality, and the fact that in most actual examples of STV the multi-member districts are relatively small means that a geographical link between voter and representative is retained.

Furthermore, voters can actually influence the composition of post-election coalitions, as has been the case in the Republic of Ireland, and the system provides incentives for interparty accommodation through the reciprocal exchange of preferences between parties.

⁸⁹ Wikipedia, Single Transferable Vote

STV also provides a better chance for the election of popular independent candidates than List PR, because voters are choosing between candidates rather than between parties (although a party-list option can be added to an STV election; this is done for the Australian Senate).

The disadvantages that apply to Proportional Representation (PR), also apply to STV systems, in addition, STV is sometimes criticized on the grounds that preference voting is unfamiliar in many societies, and demands, at the very least, a degree of literacy and numeracy.

Also, the intricacies of an STV count are quite complex. This has been cited as one of the reasons why Estonia decided to abandon the system after its first election. STV requires continual recalculations of surplus transfer values and the like. Because of this, votes under STV need to be counted at counting centres instead of directly at the polling place. Where election integrity is a salient issue, counting in the actual polling places may be necessary to ensure legitimacy of the vote, and there will be a need to choose the electoral system accordingly.⁹⁰

⁹⁰ AceProject.org

STV, unlike Closed List PR, can at times produce pressures for political parties to fragment internally because members of the same party are effectively competing against each other, as well as against the opposition, for votes. This could serve to promote 'clientelistic' politics where politicians offer electoral bribes to groups of defined voters.

STV can lead to a party with a plurality of votes nonetheless winning fewer seats than its rivals. Malta amended its system in the mid-1980s by providing for some extra compensatory seats to be awarded to a party in the event of this happening. Many of these criticisms have, however, proved to be little trouble in practice. STV elections in the Republic of Ireland and Malta have tended to produce relatively stable, legitimate governments comprising one or two main parties.

STV has long been advocated by political scientists as one of the most attractive electoral systems, but its use for legislative elections has been limited to a few cases—the Republic of Ireland since 1921, Malta since 1947, and once in Estonia in 1990.

The core principles of the system were independently invented in the 19th century by Thomas Hare in

Britain and Carl Andre in Denmark. STV uses multi-member districts, and voters rank candidates in order of preference on the ballot paper in the same manner as under the Alternative Vote system. In most cases, this preference marking is optional, and voters are not required to rank-order all candidates; if they wish, they can mark only one.

STV systems vary, both in ballot design and in whether or not voters are obliged to provide a full list of preferences. In jurisdictions such as Malta, Republic of Ireland and Northern Ireland, voters may rank as many or as few candidates as they wish. Consequently, voters sometimes, for example, rank only the candidates of a single party, or of their most preferred parties. A minority of voters, especially if they do not fully understand the system, may even "bullet vote", only expressing a first preference, or indicate a first preference for multiple candidates, especially when both STV and plurality are being used in concurrent elections.

Allowing voters to rank only as many candidates as they wish grants them greater freedom, but can also lead to some voters ranking so few candidates that their vote eventually becomes "exhausted"—that is, at a certain point during the count, it can no longer be

transferred and therefore loses an opportunity to influence the result.

The method can be confusing, and may cause some people to vote incorrectly with respect to their actual preferences. The ballots can also be long; having multiple pages also increases the chances of people missing the later opportunities to continue voting.

Some opponents argue that larger, multi-seat districts would require more campaign funds to reach the voters. Proponents argue that STV can lower campaign costs because like-minded candidates can share some expenses. In addition, unlike in at-large plurality elections, candidates do not have to secure the support of at least 50% of voters, allowing candidates to focus campaign spending primarily on supportive voters.

A Case for the Additional Member System (with a Twist of E-Democracy) and the Direct Election of the President of the European Commission along with the Vice President of the European Commission

Hunor Deak

Abstract

This paper sets out the election process to select the members of the European Parliament and argues for the direct election of the Commission President and Vice President using an Electoral College similar to the system in the United States of America, but with massive improvements using a PR system with a single Transferable Vote where the district magnitudes would be maintained at a low to moderate range with a maximum of 6 votes per minimum unit.

The Additional Members System is explored as a good way to elect representatives using an adopted structure of it. Moreover, it discusses the possibility of online voting in the European Elections, the setup of mandatory voting and the creation of a European Union wide agency to deal with possible corruption in the voting systems. To ensure further democratization

of the European Union, cross-country voting lists should be established to ensure the presence of MEPs who purely look after the good of the European People.

Introduction

The current electoral process in the European Union along with democracy in the EU suffers of several problems. The method of election is not standard across the European Union and it doesn't have an agency like the UK's Electoral Commission to oversee if the voting process is clean of corruption. The President of the Commission is not directly elected by the people, but he/she can write laws and enact legislation. This causes extreme dislike towards the institutions of the European Union as it is seen as a possible tyrant trying to pry away freedoms from the nations of Europe.

In order to stop this perception ripping apart the European Union, the President, along with the Vice President should be elected directly. The way the Commissioners are chosen should be changed with making the European Parliament more involved in the process outside of the power to veto the potential candidates. (europarl.europa.eu, 2018)

Along with the direct election of the President, the election of the MEPs should be overhauled too. A system needs to be introduced to promote MEP

responsibility but keep representation fair. In order to improve the quality of European governance, cross-national electoral lists should be introduced allowing pan European representation. This would encourage MEPs to look after the interests of the European Union along with the interests of the individual member nations.⁹¹

The Additional Member System (Known as Mixed Member Proportional around the world) with the possible introduction of E-Democracy and mandatory voting

The Additional Member System is the best of both worlds. It takes elements from the First Past the Post Systems and from the Optional Preference Systems. It is made of two parts represented by two different ballots. The first system elects a local representative, which gets the largest chunk of the vote while the second system uses a list of preference to select regional candidates. ('SCOTTISH PARLIAMENT ELECTORAL SYSTEM', 2011)

⁹¹ The idea of transnational lists has existed as an idea for quite a while. This is an interesting idea worth exploring as it could help voter turnout in some Eastern European nations while it encourages MEP responsibility towards the institutions of the Union. The possibility of Transnational lists was voted down in 2018, however it is a policy worth advocating for after 2020. The one major hurdle with the policy is to find a way to close the voter to MEP communication and representation gap as the parties voting against the bill claimed this as the main reason for their no vote. (euractiv.com, 2018)

This system could be enhanced by allowing EU citizens who can't get to the polls, to vote in the elections from their computers using a safe, chain linked system. Lithuania, a respected EU member has plenty of experience in E-Democracy so their knowledge on the subject can be easily incorporated into the wider system.⁹² (Rybnikova, 2014)

A law making voting mandatory EU wide could be added to the system similar to Australia or to Singapore (Compulsory Voting Around the World, 2006). The A.M.S system has been tried and tested by nations like Scotland and New Zealand. In Scotland it made elections fairer as smaller parties have a larger representation compared to Westminster. A.M.S. prevented single party super-majorities encouraging cross-party cooperation similar to the German system. (Galatas, 2004) (Gallagher and Mitchell, 2005, pages: 221-224)

Regional lists would bolster diversity as more women candidates can be entered into the elections. The system implemented increased the interest of voters towards smaller parties [**Figure 1.**] (Curtice, 1996) (Curtice, 2004) Introducing mandatory voting would

⁹² In mostly rural nations like Romania online voting would drive up voter participation; however, it is worth noting that non-paper ballot elections can be hacked or distorted by hostile state and non-state actors by using malicious software to infect voting machines or servers handling and storing the digital data. (theintercept.com, 2017)

reverse the 20 year trend of decline in voter participation.(Malkopoulou, 2009) (‘Voter Turnout Trends around the World’, 2016)

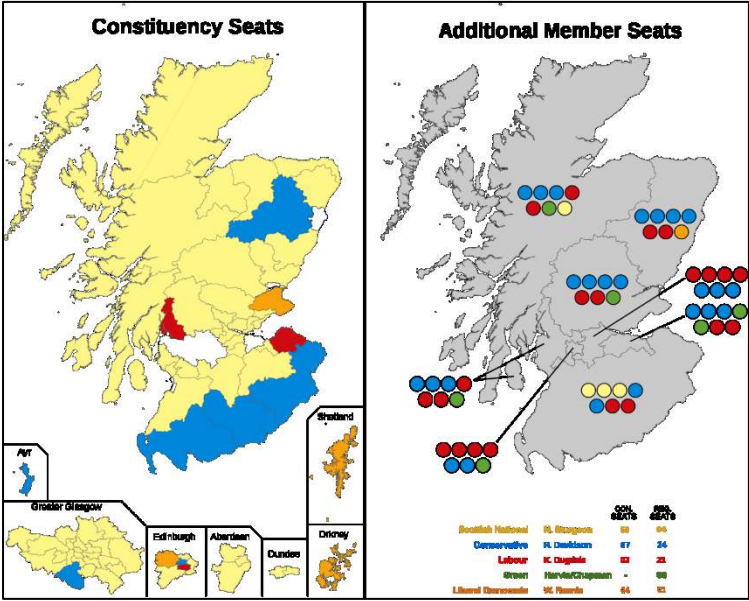


Figure 1.: The Additional Member System implemented in Scotland. The results above are from the 2016 Scottish Parliament Elections (Commons.wikimedia.org. (2018). File:Scottish Election Results 2016.svg - Wikimedia Commons. [online] Available at: https://commons.wikimedia.org/wiki/File:Scottish_Election_Results_2016.svg)

The implementation of A.M.S. would be feasible as the E.U.’s largest member, Germany has plenty of

experience in maintaining and managing a system like that.⁹³

The voting system of A.M.S. would be enriched by the introduction of the single transfer vote system. Systems using this method exist around the world like Australia where the system has been refined electoral cycle after electoral cycle. This system reduces the possibility of radical parties gaining foothold while helping smaller parties gain more votes, therefore more seats. This dynamic while not completely favouring a diverse range of parties in power helps the institution by encouraging larger parties to adopt the policies of smaller parties to stay competitive. (Tideman et. al., 1995)

As seen in the 2016 Scottish elections Mixed Member Proportional, produced a balanced field in the Scottish Parliament with the smaller parties coming from Additional Member seats rather than from the Constituency seats. **[Figure 1.]**

⁹³ It is worth noting that the A.M.S. system can drive voter participation down if the public is not properly educated on its functions and possible results.

The direct election of the President of the European Commission and the Vice President of the European Commission with a possible change to how the individual Commissioners are selected

As mentioned in the introduction the selection of the President involves democratic elements of the national government but it is not truly democratic on its own. (ec.europa.eu, 2018) This encourages mistrust towards the European Union and towards the Commission. (theguardian.com, 2014) This can be avoided if the President and the Vice President are elected directly by the people of Europe. Bellow I worked out a method that is democratic but encourages long term stability and ensures that the Commissioners selected underwent a democratic test directly from the European people.

Political Parties in the European Parliament select a candidate each, to nominate in the European Elections for the President of the Commission. In order for someone to be nominated he/she needs to have the majority support of the party's MEPs, be elected an MEP and served at least 5 years in the European Parliament. The candidates of each European Parliament parties engage in a European wide debate lasting a month. At the end of the campaigning period, the election is held across Europe, which would take place next to the European Parliamentary elections. The winner would be selected by a European Electoral

College similar to the U.S. system but with several key differences.

The election would be based on the PR system combined with a single transferable vote to elect the candidates who would penultimately select the Commission President and the Commission Vice President. The voting areas would not be based on gerrymandered districts, as individual committees would not decide the electoral area.

Instead, it would be based on the mathematical projections laid out in the paper: *The Electoral Sweet Spot: Low-Magnitude Proportional Electoral Systems* by John M. Carey and by Simon Hix. The size of the districts would be low to medium in area and the single individual unit would have 6 voted in candidates. (Carey and Hix et. al., 2011)

This ensures maximum representation while allowing the formation of an electoral college where enough views are represented so that the President and the Vice President are representative enough of the people's views.⁹⁴ The candidate with the largest

⁹⁴ The electoral system set out in the paper is for the selection of government representatives but it could work for an electoral college that is fairer than the American system. The Electoral College is a useful institution as it ensures that the more rural parts of Europe are as fairly represented as the urban members. This eliminates the possibility of dissatisfaction from the countryside where people might claim that they are not being represented. However, it is worth noting that in a dual system it is highly possible that a single candidate wins

number of electoral votes would be selected President of the European Commission, the runner up would become the Vice President of the Commission.

The setup of an electoral college is tricky as it can produce stable, functional governments but it can output unexpected results. If a system like that would be applied for the European Elections in 2014 the results would have been similar to [Figure 2.]. (arnoldplaton.wordpress.com, 2016)

This would have ensured a coalition of parties that can work together but have diverse views allowing the formation of well scrutinized laws.⁹⁵ The term of the President and Vice President would last 5 years, each which can be renewed only 2 times. This set up would ensure a fair selection process ensuring a democratic selection but only allowing experienced candidates to hold office.

The runner up being selected the Vice President allows ideological diversity, making sure that the weaknesses of the First Past the Post system does not occur, namely a candidate with a minority of the

the popular vote but not the Electoral College. (Miller et. al., 2011) It is worth noting that my system would have a multi-candidate field where the dynamics would be vastly different to the one in the United States of America.

⁹⁵ Some people might argue that an Electoral College is a bad idea especially from the recent history of the United States but I believe it is an idea worth exploring to eliminate the current democratic deficit of the European Union.

overall votes would not hold all of the power. (Blau, 2004)

After the the European Electoral College selects the Commission President and the Commission Vice President, the two would need to select their cabinet members or namely the Commissioners.

This procedure would stay more or less the same except with one key difference: All of the individuals need to be an MEP serving in the European Parliament. This would ensure democratic clout as all of the commissioners would have been picked by the people, but the Commission President still gets some flexibility in their selection.⁹⁶

⁹⁶ This would defeat the claim on the Eurosceptic right that the Commission has no democratic right whatsoever to exist.

WHAT IF THE EUROPEAN UNION HAD "ELECTORAL COLLEGES"

A SIMULATION OF A USA STYLE PRESIDENTIAL VOTE USING THE 2014 EUROPEAN ELECTIONS ON A WINNER-TAKES-ALL SYSTEM*, WITH THE BIGGEST EURO-PARTY/COALITION TAKING ALL OF THE NATION'S "ELECTORS" (EQUAL TO THE NUMBER OF NATIONAL MEPS)

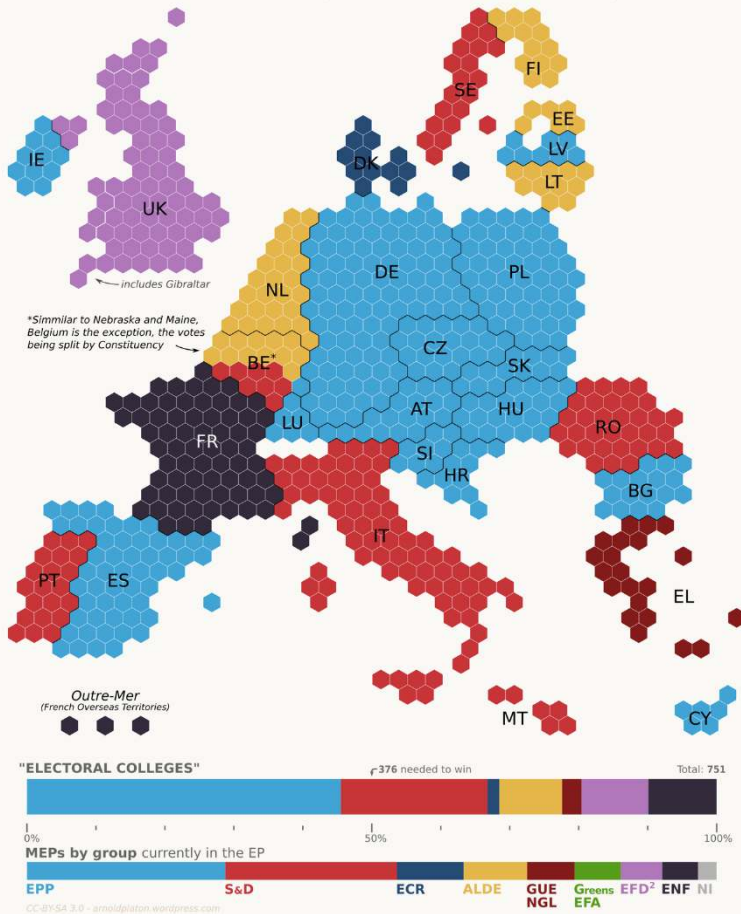


Figure 2.: The potential Electoral College layout of the European Union based on the voting data from 2014. (Platon, A. (2018). What if: the EU had presidential elections like the USA?. [online] A.P.

The creation of an E.U. wide agency called the Agency Against European Election Fraud (A.A.E.F.)

The European Union suffers of low voter turnout especially in Eastern Europe where participation in national and European Elections has been falling election cycle after election cycle. One of the problems causing lack of trust in the system is perceived corruption in the political process. Places like Romania are a prime example where government is apathetic towards corruption. (idea.int, 2017)

There is a possibility that the present corruption has seeped into the elections taking place in Eastern Europe. However there is no way to tell if corruption is present and if present no unitary agency exists to stop it. (transparency.eu, 2017) This could be solved by the creation of an anti-election corruption agency which could investigate concerns of voter fraud and corruption.

This agency would have the power to oversee elections Europe wide, clean up corrupt election processes and prosecute corrupt individuals. If transnational lists become a reality in the European Parliament, the A.A.E.F. would not just be an interesting thought exercise or a secondary agency. It would need to exist to ensure a fair pan European

system where the election standards are consistent through the European Union.⁹⁷

Summary

If the European Union wants to stay a legitimate, strong democratic force overseeing prosperity in Europe it should adopt my recommendations mentioned above. It should introduce the Additional Member System through the European Union, introduce Europe wide elections to elect the Commission President/Vice President and create an anti-election fraud agency. The possibility of a European Union transnational list should be advocated for, in order to increase the democratic legitimacy of the European Parliament with an MEP base that cares as much about the European Union as about the individual member states.

⁹⁷ The one problem with the agency would be the way funds would be allocated to run it. Based on the current model of the European Union funding, most of the money would come from the key founding nations such as Germany, France and Italy. This would allow leaders in smaller countries to try to delegitimize the agency by claiming that it favours the nations that finance it.

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