

Conference Report

**“The future of the European Union.
Democracy in a multi-level and multi-national system”**

Joint Conference of
Coelner Monnet Vereinigung für EU Studien e.V. (COMOS)
Centre international de formation européenne (CIFE)

In the framework of the Jean Monnet project DAFEUS

Nice, 31 May-1 June 2019

Abstract

The 2019 conference "The future of the European Union. Democracy in a multi-level and multi-national system" took place in Nice from 31 May to 1 June 2019.

Against the backdrop of the current debate on the future of the EU, the conference aimed to throw light on the current political developments and academic debates. By comparing the EU to federally organised countries, the question of how the EU can be made more democratic was explored. It was further discussed what the EU can learn from other federal systems. The conference thereby aimed to contribute to open research on European integration to expertise from the field of comparative federalism.

Highlights of the Conference

- **Keynote speech by Andrew Duff** (Spinelli Group & DAFEUS advisory board)
- **Policy recommendations: How to make the EU more democratic**
- **Panel I: Democratic challenges in quasi-federal systems**
- **Panel II: Elections and political parties in quasi-federal systems**
- **Panel III: Parliaments and the legitimacy crisis of the European Union**
- **Discussion: The European elections 2019 and the repercussions for the European integration project**

with contributions of:

Fulden Eskidelvan, Tobias Kunstein, Alice-Anna Oeter, Moritz Rau, Darius Ribbe, Steffen Schönhaar, Thomas Traguth

31 May 2019

11:00 – 11:30

Registration

Lea Hopp, COMOS & University of Cologne

11:30 – 11:45

Welcome and introduction

Helgard Fröhlich, COMOS & Centre international de formation européenne

Johannes Müller Gómez, COMOS, Ludwig-Maximilians-University Munich & Université de Montréal

Alina Thieme, COMOS & University of Cologne

Wulf Reiners, COMOS & German Development Institute

Rapporteur: Moritz Rau, COMOS & University of Cologne

11:45 – 12:15

Democracy in multi-level systems: EU and Canada compared

Background paper presentation: Christian Raphael, COMOS & University of Cologne

Rapporteur: Moritz Rau, COMOS & University of Cologne

12:15 – 12:45

Policy recommendations: How to make the EU more democratic

Joint presentation of the findings of the DAFEUS policy lab:

- Deborah André, University of Rouen
- Xaver Haack, Vrije Universiteit Brussels
- Lukas Kolloge, University of Osnabrück
- Tania Muscio, FTI Consulting Strategic Communications
- Katharina Pfeffer, Centrum für Europäische Politik, Freiburg & Albert-Ludwigs-University Freiburg
- Alexandre Portes, Leuphena University Lüneburg
- Magda Stumvoll, Austro-French Centre for Rapprochement in Europe
- Lily Young, Hochschule für Politik, München

Rapporteur: Darius Ribbe, COMOS & University of Cologne

12:45 – 13:30

Lunch

13:30 – 14:00

Introduction: Online interaction and Q&A

Johannes Müller Gómez, COMOS, Ludwig-Maximilians-University Munich & Université de Montréal

Alina Thieme, COMOS & University of Cologne

14:00 – 15:30

Key note speech: The state of the European Union as a democratic system

Andrew Duff, Spinelli Group & DAFEUS advisory board

Chair and discussant: Wolfgang Wessels, COMOS & University of Cologne

Rapporteur: Fulden Eskidelvan, COMOS & Gesellschaft für Internationale Zusammenarbeit

15:30 – 16:00

Coffee

16:00 – 17:45

Panel 1: Democratic challenges in quasi-federal systems

Chair: Linda Dieke, COMOS & DLR

- Multinational democracies: the Canadian case (Sebastian Geßler, Augsburg University)
- Democratic organisation and contestation in Spain (César Colino, Universidad Nacional de Educación a Distancia)
- The crisis of legitimacy and the reform of the EU (Sophia Russack, Centre for European Policy Studies)
- The European Council and the EU's reform debate (Wolfgang Wessels, COMOS & University of Cologne)

Discussant: Lenka Rovná, Charles University & DAFEUS advisory board

Rapporteur: Thomas Traguth, COMOS & Centre international de formation européenne

18:30

Dinner

1 June 2019

09:30 – 11:00

Panel 2: Elections and political parties in quasi-federal systems

Chair: Andreas Raspotnik, COMOS & High North Center, Nord Universitet

- Political parties in federal and multi-level systems (Lori Thorlakson, University of Alberta & DAFEUS advisory board)
- The development of the Belgian Party System (Siebo Janssen, COMOS & Heinz-Kühn-Bildungswerk)
- Decentralization and the Dynamic Fragmentation of Regional Party Systems (André Kaiser, University of Cologne & DAFEUS partner)

Discussant: Tobias Kunstein, COMOS & University of Cologne

Rapporteur: Tobias Kunstein, COMOS & University of Cologne

11:00 – 11:30

Coffee

11:30 – 13:00

Panel 3: Parliaments and the legitimacy crisis of the European Union

Chair: Cyril Gläser-Zolke, COMOS & University of Cologne

- Elections to the European Parliament and the European party system (Enrico Liedtke, University of Bonn)
- Diffuse democracy in the European Union and the European Parliament (Olivier Costa, College of Europe & Sciences Po Bordeaux)
- National parliaments and the EU's democratic deficit (Claudia Heffler, COMOS & DLR)

Discussant: Wulf Reiners, COMOS & German Development Institute

Rapporteur: Steffen Schönhaar, COMOS & University of Cologne

13:00 – 13:45

Lunch

13:45 – 14:45

Discussion: The European elections 2019 and the repercussions for the European integration project

Moderators:

- Johannes Müller Gómez, COMOS, Ludwig-Maximilians-University Munich & Université de Montréal
- Alina Thieme, COMOS & University of Cologne

Technical coordinator: Lea Hopp, COMOS & University of Cologne

Rapporteur: Alice-Anna Oeter, COMOS & University of Cologne

14:45 – 15:00

Coffee

15:00 – 15:30

Conference findings and concluding debate

The future of the European Union. What can the EU learn from federal systems?

- Hartmut Marhold, COMOS, University of Cologne & Centre international de formation européenne
- Johannes Müller Gómez, COMOS, Ludwig-Maximilians-University Munich & Université de Montréal
- Alina Thieme, COMOS & University of Cologne

Rapporteur: Darius Ribbe, COMOS & University of Cologne

16:00 – 18:00

General assembly of COMOS

COMOS members only

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Media, social media & interviews:

- Anita Bethig, COMOS, Rheinische Friedrich-Wilhelms-Universität Bonn & Phoenix
- Katrin Schmermund, COMOS & Deutscher Hochschulverband

Coordination of reporting:

- Lea Hopp, COMOS & University of Cologne

31 May 2019

Democracy in multi-level systems: EU and Canada compared**Speakers:** Christian Raphael, COMOS & University of Cologne**Rapporteur:** Moritz Rau, COMOS & University of Cologne

Christian Raphael, University of Cologne, commenced the program by taking up on the [findings of the last year's conference](#). While comparing Canada's and the EU's multi-level systems, he established the territory and provided the framework for the subsequent discussions.

His presentation took the form of two parts. First, he elaborated on both the connection and relationship between executive and legislative bodies in Canada as well as in the EU. By focusing on the dimension of input legitimacy, he depicted relevant chains of democratic legitimation in each of the two political systems. Second, he referred to democratic challenges in multinational systems and raised the issue of minority representation and related stability imperatives as a key concern in the academic debate. In this regard, Christian Raphael discussed how federal designs – depending on the level of asymmetry – impact the formation and success of secessionist movements. On this subject, he reflected upon linkages between forms of differentiated integration and stability in the EU from a comparative federalism research perspective. Referring to Canada's multinational character, he put emphasis on autonomy and independence as two distinct arrangements vis-à-vis province and capital relationships in multi-level governance with different political implications.

In his concluding remarks, Christian Raphael ended his contribution by asking a number of stimulating questions: How are different levels within a multi-level system connected? How should (quasi-)federal subunits be represented on the (quasi-)federal level? How can (national) minorities be represented on a (quasi-)federal level? To which extent should they be granted autonomy?

Policy recommendations: How to make the EU more democratic

- Speakers:** Deborah André, University of Rouen
Xaver Haack, Vrije Universiteit Brussels
Lukas Kolloge, University of Osnabrück
Tania Muscio, FTI Consulting Strategic Communications
Katharina Pfeffer, Centrum für Europäische Politik, Freiburg & Albert-Ludwigs-University Freiburg
Alexandre Portes, Leuphenia University Lüneburg
Magda Stumvoll, Austro-French Centre for Rapprochement in Europe
Lily Young, Hochschule für Politik, München
- Rapporteur:** Darius Ribbe, COMOS & University of Cologne

Prior to the DAFEUS Conference 2019, several international students, scholars, and practitioners came together in Nice, to discuss, analyse, and assess current challenges for the European democracy and the Unions democratic legitimacy. As one major take-away the participants formulated concrete policy recommendations which were presented at the DAFEUS conference and discussed with the audience. The policy lab participants formulated their ideas for a more democratic Union – with a strengthened European Parliament, a less dominant European Council –, further transnationalisation, and first steps to strengthen European identities.

Overall, the participants of the policy lab found the issue of a European Union democracy and the legitimacy of the different institutions to be of the outmost importance for a sustainable development of the EU-27 in the years to come. This issue should be taken up not only in times of European elections or the aftermath, when debates on EU-positions will spark and revitalise the public debate regarding democratic standards in the EU. However, varying concepts and definitions of democracy and legitimacy lead to manifold concepts and ideas on how to strengthen the EU’s democratic legitimacy in the future and overcome the “democratic deficits” or weak-spots in the system’s design.

The participants structured their recommendations alongside different topics such as legislation procedures, transparency, participation, and the most important institutions in the European Union and formulated clear advice and reform ideas:

- For the European Parliament, the analysis found the institution to be too weak within the institutional balance of the Union. As a directly democratically elected and therefore legitimised body, the EP should be able to initiate legislature in the future, the participants of the policy-lab found. Further, a strengthened EP should have a mandatory say in all policy-fields of European politics, with an opt-out option for country sensitive issues (e.g. defense policy). Still, this would increase the jurisdiction of the institution by default and fully integrate the parliament into European policy making.

Regarding the election of the EP, a truly European parliament would need to rely on European, transnational voting districts, then requiring transnational party lists as a logical consequence. As a transition to transnational party lists and European districts has proven to be complicated, time consuming and still far away from consensus in the Member States of the Union, the participants of the policy lab developed a two-step transition plan, with the old and the new system running parallel at first, slowly adapting to a transnational system with a Second Chamber representing the different regions of the Member States of the European Union. Such a Second Chamber shall be advised by the Council of the EU. Thereby, the participants argued, the transnational character could be implemented without losing regional representation.

Further, the policy recommendations argue in favour of restructuring the Spitzenkandidaten-procedure, the nomination and appointment of the Commission President. Whereas the European Council is seen as the key player in today's system, the policy lab participants would restrict the role of the heads of state or government to a consultative role, with very limited veto-rights in specific cases. Thus, the Spitzenkandidaten-procedure would be implemented and the institutionalised nomination procedure for the Commission Presidency.

- The European Council is found to lack the transparency needed for democratic accountability, undermining the perceived legitimization of this club of state leaders. Further, the political agenda of its presidency should be made publicly available and accountable.
- The Council of the European Union is perceived to be restrained in its integrative powers by its strict voting regulations. Therefore, to unleash the integrative forces of the EU system, the participants argue for Qualified Majority Voting within the Council, thus ensuring veto-options for smaller Member States, yet more independence from single veto-players.
- The European Commission shall become a more Europeanised institution within the EU system, in the believes of the policy lab participants, freeing this executive body from its ties to the Member States and giving it a truly supranational character.

Apart from the institutional reform ideas, several issues were addressed by the policy recommendations in a more general way:

- Regarding the overall transparency of the legislative procedures in the European Union, the policy recommendations argue strictly for an extension of the lobby register of the European institutions, to make contacts and efforts of interest groups publicly available and enclose possible ways of influence to the European public.
- Further, the participants of the policy lab reflected their own position as experts on different parts of the EU system and found the need for more general education on the political system of the Union, starting as early as secondary schools. With common knowledge of the political system, the policy recommendations argued, the understanding of processes and procedures increase, and participation becomes easier.
- In addition, a common, transnational media outlet could increase the understanding of the fellow Europeans within the Union, could transport diverging regional narratives, fostering intercultural and transnational exchange, as well as creating a European public and strengthening the still weak European identity building.

During the whole conference, these ideas were taken up as inputs for discussions and in several Q&A sessions, leading to a lively debate on the Spitzenkandidaten-procedure, how transnational lists could benefit the European democracy, and if it would make sense or even be possible to take the leading

role from the European Council and split it up between the other institutions of the Union. Most commentaries agreed, however, that a strengthening of the European Parliament and a transnationalisation of the European elections will become necessary for the EU-27 in the years to come.

Key note speech: The state of the European Union as a democratic system**Speakers:** Andrew Duff, Spinelli Group & DAFEUS advisory board**Discussant:** Wolfgang Wessels, COMOS & University of Cologne**Rapporteur:** Fulden Eskidelvan, COMOS & Gesellschaft für internationale Zusammenarbeit

Performing as a chair and discussant to the key note speech *Wolfgang Wessels*, COMOS & University of Cologne, took the floor to introduce *Andrew Duff*, Spinelli Group. As a former member to the European Parliament as well as of the Constitutional Convention on the Future of Europe, Duff now is heading the Spinelli Group advocating the idea of a federally designed EU.

Addressing the state of the European Union (EU) as a democratic system, Duff's main argument was that the European entity is doing well as a democratic system but definable as incomplete. To that end, Duff reasoned that the EU's democratic quality will unfold once it is both institutionally and politically fully federal. To make his point, Duff put forward his view on the 2019 European elections results, continued with the specific bodies in the EU's institutional architecture and commented on relevant political developments.

To begin with, he evaluated the electoral week as a good one for the EU. The voter turnout has increased indicating that the electorate has been paying attention to the EU as well as assessing the parliament as an important institution. Concerning the result as such, Duff concluded that the grand coalition is insufficient in dealing with both prevalent challenges and addressing people's needs. Labelling the new composition of the parliament a more pluralistic one, he summarized that this change will be positively significant for the EU's state of democracy.

He continued his speech by addressing the EU's institutional architecture in terms of its democratic performance. Starting with the European Parliament, he utilized two examples to characterize the role of parliaments. The first incident was the European Commission's proposal being blocked by the EP. This was a proposal by the Commission to grant member states greater national GMO distortion. The second disagreement has been a veto concerning the budget that would have been a door opener for progressive economic and structural reforms. Against this background, Duff concluded that these instances highlight that parliaments can be obstructive to reforms and act as a brake.

Turning the attention to the European Commission, Duff describes its track record as altering between doing less better and doing more worse. As to the performance of the European Council under Tusk, Duff debates that Tusk may have his qualities but is not a federalist. During his tenure, the now still incumbent president rather has focused on stability and unity, hereby opposing to reform. This is why, in constitutional terms, Duff sees the last five years as unsuccessful. In general, both the European Commission and the European Council have done well with engaging in efforts promoting the rule of law. However, with regard to the salience of latter concept and the simultaneous emergence of corruption in member states, this topic calls for upholding. This will be essential in fostering democratic values within and through the EU.

Brexit was another topic he touched upon. Calling the Brexit a disaster, Duff stated that integrating Article 51 into the Lisbon Treaty was a right act as it grants member states a safety clause. Though the Article was highly disputed, he emphasized that it was and is necessary to have an orderly withdrawal procedure. After Brexit being a consuming topic, he hopes that the EU will be able to focus on necessary reforms.

Regarding neighborhood policies, Duff summarized that relations with both Turkey and the Balkans are on hold and going into a backwards direction. Also, neighborhood partnerships such as with the Ukraine are in trouble. Against this background, the EU must be able to draft a coherent strategy for a neighborhood policy that is federal by character.

The Q-&-A began with Duff answering the question which candidate the Spinelli Group would have chosen as European Commission president. He stated that one has to look outside the formal Spitzenkandidaten mantra. Also, in the absence of transnational lists, the new president needs both to be a person with governmental experience and requires to appeal to a cross-party majority. According to Duff, neither Weber nor Timmermans fulfil these criteria. As a consequence, it is crucial to increase the size of the pool for potential candidates.

A second question inquired the concept of sovereignty and federalism and their historical evolution. Stating that sovereignty postulates that all power is vested in one place, Duff reasoned on how the concept of sovereignty would work in a federal system. He argued that a federal system requires the

concept of sovereignty being given up. The latter statement was complemented by stating that one naturally can be patriotic and be an EU citizen at the same time.

To summarize, Duff – in all his arguments as well as the subsequent Q-&-A – made the point that the concept of federalism and its concrete manifestation in the EU as a political entity is crucial to increase its democratic performance and quality. A dynamic association needs to be constructed with a strong normative framework. To that end, Treaty changes are crucial and require proper preparation and exploitation. After all, so Duff, the Constitutional Convention on the Future of Europe has been a great success, but the potential as such was not fully capitalized.

Panel I: Democratic challenges in quasi-federal systems

Chair: Linda Dieke, COMOS & DLR

Speakers: Sebastian Geßler, Augsburg University

César Colino, Universidad Nacional de Educación a Distancia

Sophia Russack, Centre for European Policy Studies

Wolfgang Wessels, COMOS & University of Cologne

Discussant: Lenka Rovná, Charles University & DAFEUS advisory board

Rapporteur: Thomas Traguth, COMOS & Centre international de formation européenne

Sebastian Geßler, Augsburg University, presented the case study of Canada as a multi-national and multi-cultural political system.

The key issue in Canadian federalism is the representation of national minorities and cultural groups in the political system. Specifically, it was asked, how this representation takes place and at what level, both federal and provincial.

A first consideration of representation is exactly who is supposed to be represented, namely individuals, or rather pre-defined groups of citizens. This, in turn, requires a definition of groups to be recognised for participation. These could consist of territorial but also cultural communities (e.g. the Muslim or Chinese minorities). Such a definition returns to differing and competing narratives of the origins of Canada as a state.

The francophone narrative of Canada emphasizes a veto right for both nations, the French speaking and the original peoples and inhabitants of Canada. An anglophone narrative stresses that 10 provinces and 3 territories decided to join together, not so much differentiated about what kind of nations they originate from, but rather under the principle that all provinces are equal.

These two narratives are impossible to reconcile and have shaped the discourse on representation since the 1960s. They fundamentally disagree as to the very nature of the Canadian political system, or put briefly, what Canada is all about. Over the following decades, Canada has become a much more diverse country, intensifying the debate about political representation, to the extent that the original question must be reconsidered: Who is the demos, in other words, who is the group to be

represented? Should the focus lie on the founding nations, the territorial communities or multicultural groups?

The Charter of Rights and Freedoms, enacted in 1982, introduced both individual rights and the protection of social and individual rights of minorities. This change is also mirrored in progress on the procedures of representation and transparency of the political process. While until the 1980s, negotiations often took place behind closed doors, after the reform, referenda have become a more important instrument of decision-making in Canada.

For example, in the past, Québec always demanded the right to appoint 3 out of 9 judges from Québec, whereas it was the Prime Minister who ultimately decided on their appointment. Today, Québec can suggest candidates and the PM will have to accept one of the proposed candidates in an attempt to render the process more transparent and democratic.

Another example was the attempt by the province British Columbia to change the electoral system from 'first past the post' to a proportional representation, which was ultimately defeated in a referendum which was held from October to December 2018.

Equally, the two referenda for independence held in Quebec are an expression of such progress in Canada's attempt to enhance transparency and even direct democratic procedures. While both referenda failed, their result was never questioned and the outcome was ultimately accepted as a legitimate democratic outcome.

As a consequence of these reforms, Canada has become one of the most decentralised political systems in the world and the current system of representation takes this into account.

On a theoretical note, this raises the questions, whether decentralised representation has made Canada more democratic?

In the early stages, Canada was set up as a centralised policy, which underwent subsequent waves of decentralization – and, indeed, reversals thereof – but over time, the general trend has been one towards more decentralisation. What is interesting in this development is that these changes do not take place at the level of the constitution, but rather at sub-constitutional level.

Canada is based on cooperation between its two levels of federal government in a strong division of power between them, i.e. there are few concurrent powers. Premiers of provinces meet in the

“Council of the Federation”, which was founded in 2003 to decide on the general strategic orientation of the federal government. This body allowed provinces to cooperate more cohesively. In a parallel development towards decentralisation and sub-national self-government has strengthened the autonomy of certain groups, e.g. the Aboriginal peoples of Canada, adding further to the complexity of Canada’s political system since the 1980s.

In sum, there is, today, largely a better representation through a resulting multicultural policy and greater inclusion at federal level. Also, referenda and the development in the common law system have added to this enhanced democratic representation. While many changes happened at sub-constitutional level, it was only in the 1980s that the constitution reform process was accomplished. A legacy of these ongoing processes is a clearer understanding and new rules on who is represented how in Canada and how groups should be formally represented. Notwithstanding, the process often remains a matter of practical negotiations in the political process.

Lessons to be learned from the Canadian political system for the EU could mainly lie in the different forms of representing nation states or different “cultural groups”. Given the complex nature of this process and Treaty reform in the EU, it is recommended that such issues be better attempted as sub-constitutional level.

A commentator critically remarked on the political differentiation with the quote in the academic literature of “Canada as a loose confederation of shopping malls”¹, a term attributed to Pierre Trudeau and to Joan Didion.

Another question in the audience was concerned to what extent the two founding nations appear to be destroying Canada as a political entity (e.g. through Quebecois nationalism). To this, the speaker replied that when national identities are encouraged, involvement may in fact increase, and identity with the federal level may also increase. In this context, the concept of “complementarity of identity” (Vaclav Havel) was mentioned. In other words, would it be possible to be both a member of a cultural group and a member of the federal political system?

¹ Turner, Roy. “Modernity and Cultural Identity: Is There an Alternative to the ‘Loose Confederation of Shopping Malls?’” In Artibise, A., and Langlois, eds., *Canada: Traditions and Revolutions/Canada: traditions et révolutions*. Montreal: International Council for Canadian Studies, 1990

César Colino, Universidad Nacional de Educación a Distancia, asked the overarching question: Which lessons can the EU learn from Spanish democracy?

He first outlined the foremost political issues of “Spain in crisis”, namely decision deadlock, segregation and a legitimacy crisis.

In a second step, the presentation looked back at how Spain had accommodated multi-nationalism and diversity and what the implications of that have been for the political system.

Since the financial crisis, which hit the Spanish banking sector hard, the model of federalism and its quality of democracy has become a matter of intense debate. Before the onset of the crisis, the Spanish system was considered to have achieved reasonable success in terms of inclusion, representation and accountability as a working federal democracy. Specifically, a growing balance of power between governments, vertical and horizontal division of powers, as well as integration and subsidiarity, esp. regional parliaments working together in central parliament, all gave an example of good governance, as measured by comparative indicators. An overall robust economic development (some even termed it an “economic miracle”) underscored this perception.

More recently, however, new parties have been created revealing more pronounced attitudes: anti-establishment forces, right wing parties, increased fragmentation and even Catalanian secessionism have stirred up Spain’s political landscape. During the last 40 years, Spain had not witnessed coalition governments, only majority or stable minority governments. Traditional parties are now facing a decline in influence, while they used to control the central government in the past, albeit with sporadic support from regional parliaments. A generally greater public disaffection with politics and the defiance of the constitution by Catalan premier and the impulsive Catalanian attempts at independence have eroded the overall willingness and ability to cooperate in central government, which used to be one of the hallmarks of the legitimacy of the Spanish political system. Consequently, the rise of the right-wing parties and the issues that these parties have brought to the agenda, the Spanish political spectrum now faces more electoral competition on similar issues than ever before. This has had strong and changing effects. For now, there have been problems with government formation. Three general elections were held in Spain in only five years, and the two last general

budgets could not be approved. More generally, there is a deadlock in central parliament to implement important reforms, such as on financial and fiscal policy and education.

Moreover, a pessimist discussion about Spanish democracy has taken hold of the public discourse, which has been described as “depressing”. This is fuelled by a preponderance of the executive over the legislative, and perceived excessive power of some parties. Not least, the incapacity to deal with multinationalism and diversity, especially since Catalan secession and the unfortunate dealings with it have shaken the political system. This is exhibited by a polarisation and a largely adversarial relationship between government and the opposition with damaging effects for decision-making and the capacity to represent Spain as a whole. In contrast, in the 1970s, there was a large consensual or consociational style of politics. As it stands, these new confrontations may mean that Spain is heading for democratic stalemate, the “perfect storm of Spanish democracy”.

More specifically, three principal factors which once characterised the strength of Spanish democracy may now explain its demise:

- 1) Consensus as a mode of decision-making is seen as limiting representation and leads to dominance of some parties over others
- 2) The territorial model of integrating is now partly responsible for Spain’s predicament, some saying it is too centralist, others saying it is too decentralised
- 3) The parliamentary system had working majorities in the past, but it is now accused of being incapable of reaching a necessary consensus, being too inefficient

The key instruments of ambiguity and symbolism coupled with flexibility which once made Spain successful have now turned against it. In the past, recognition of diversity was delivered through informal asymmetry - a kind of ‘autonomy à la carte’. This allowed to incorporate different aspirations of self-government, recognition of languages etc. while safeguards for autonomy were introduced, e.g. regional autonomy could not be changed by central government.

Today, the optimistic views are joined by pessimistic ones, claiming for example, that the autonomy is of low quality and not sufficiently recognised in the constitution. A differentiated status should be enshrined in a more formal asymmetry, e.g. veto rights and revised fiscal rules could point towards a solution.

So, what are the possible solutions currently being discussed:

- 1) A symbolic recognition of different national identities may be an important political concession to the autonomous regions. The current Spanish constitution has not yet pushed the regional and national identities to their logical consequence, increasingly demanded.
- 2) More shared rules, veto rights according to nationality, the de facto 'pluri-nationality' should be allowed in the constitutional reform discussions and the wider public sphere, in what could be a new concept of Spanish sovereignty.
- 3) The right to decide or to secede remains as the final option to be foreseen in a constitutional settlement between the central government and the autonomous regions.

Lessons for the EU could, thus, lie in these modes of flexible accommodation of regional interests in policy making. The Spanish experience of an enhanced recognition of diversity and shared rule over a number of policy issues may serve as a point of departure for further reforms in the EU.

In response to the question from the audience, whether a differentiated identitarian sentiment is possible, there is the empirical observation that, indeed, the majority of citizens in Spain has expressed to hold a shared, non-exclusive identity, even in Catalonia, where these shared identities are prevalent and non-exclusive.

Sophia Russack, Centre for European Policy Studies, gave a general overview about how representative the European Parliament actually is. First of all, different criteria should be applied between EP and national parliaments because there are known institutional differences, which can be briefly summed up as follows:

- 1) The way national parties translate into groups
- 2) Links between executive and legislative
- 3) Gap between MEPs and their electorate
- 4) "Spitzenkandidatensystem" – System was copied from the national level and applied to EU level.

For the recent EU elections, this translates into the following analysis. Due to the principle of digressive proportionality, parties which are successful in smaller states are overrepresented in the EP with consequences for the overall composition of the EP. For example, if seats were allocated with

strict proportionality both the EPP and S&D groups would be almost equal in size, because the EPP has been strong in smaller MS. Also, Greens and Liberals would be equal, as they received roughly the same votes, and Greens are also bigger in larger member states. In principle, it holds that parties in larger MS are disadvantaged under the system of digressive proportionality.

EP elections remain second order elections in character. This usually means that established parties are weaker, overall turnout is lower and the issues on which campaigns are organised are mostly national. This is so, because less is at stake and there tends to be less politicisation of those issues. Furthermore, in EP elections, there is less strategic voting. Overall, however, it is expected that the expansion of EP powers has raised the stakes for voters and that these patterns may change in future elections.

With regard to the “Spitzenkandidatensystem”, it should be noted that this procedure was copied from national parliamentary systems where citizens vote for parties whose MPs then vote for their candidates. At EU level, the politicisation of the key offices intended to introduce such a mechanism, but it remains questionable, whether this process has had a real influence on electoral behaviour. In the most recent EP elections, the higher turnout may well be due to other factors than the Spitzenkandidatensystem. For example, some studies found that voters were quite unaware that their votes would translate directly into the office of the Commission president with a majority even being unaware of who the candidates actually were. The politicisation of the offices thus did not on its own change the way people vote for the EP. While this relatively new procedure, thus, did not significantly increase voters’ awareness, it did increase the relative institutional power of the EP vis-à-vis the European Council, thus affecting the institutional balance, at least in principle.

More generally, parties themselves are to be blamed for a lack of voter mobilisation. It was argued that the key need was to professionalise their campaigns and that they should be given more time for campaigning. But in the 2019 EP elections, only the Greens and the EPP did that, where other parties did not effectively start their campaigns earlier than in previous elections – in fact, there were effectively only two months of campaigns. It may also be criticised that a certain quality of campaigns was lacking as better-known politicians did not run for the EP. As in previous rounds, national parties

continue to serve as translators and mediators for the EP elections, but national parties failed to explain the context, or European dimension to the electorate.

The key insight remains that the EU continues to be a hybrid polity, with the MS continuing to play a major role in a 'sui generis' system, which is not (yet) a fully-fledged parliamentary democracy, not least because the EP does not have comparable powers to that of national systems. Thus, the "Spitzenkandidatensystem" has not yet fully shown its effect at EU level.

Wolfgang Wessels, COMOS & University of Cologne, gave a presentation on the European Council which proceeded in three steps, by first focussing on the multi-level nature of the EU political system, subsequently the role of the European Council within the institutional architecture and lastly the questions of its political legitimation within the EU institutional architecture.

Concerning the first argument on the EU multi-level system, it is the European Council and the Council of ministers which are the key institutions linking two levels, i.e. the national governmental level and the EU arena, both by design and by virtue of their office holders. In contrast, EP parliamentarians suffer the drawback that they are mostly not known in their national arenas². Equally, the Commission is seldom present in the national political debate in more differentiated terms other than a classic EU-level actor (albeit its president may feature more prominently). The true actor active in policy making on both levels is the Council in its different configurations.

At the same time, also on an administrative level, about one third of national ministries cooperate on a daily basis with international partners and one fourth with the EU level. Therefore, national civil servants are the operative link between the two arenas. It is in the Councils, where everyone is present, heads of state and government, ministers and the administrative level of national governments.

In a second step, attention should thus focus on the Council, and in particular the key role of the European Council. This is due to the fact that it represents both national interests and fosters genuine European solutions. National leaders often turn to the EU level to help them resolve even internal issues of domestic relevance, which can only be effectively solved at European level. The European

² see here the EP argument no 3 on the gap between MEPs and their electorate above

Council is, thus, the institution which sets the agenda by identifying the issues which are relevant at EU level.

Of course, it is the European Council that has framed and driven all constitutional issues in the EU, prominently enlargement, Brexit, migration, the debate over the multi-annual financial framework and own resources and others. Quite beyond 'high politics', more day-to-day issues in the European discourse have come under its competence, including the abolition of summer time or even the famous "Nutella case".

Regarding its decision procedures, the European Council decides by QMV only on staff decisions, but in all other matters unanimity remains the de facto decision-mode by national heads of government. In living practice, this procedural constraint leads to 'package deals', which are the complex result of a search for compromise, the success of which makes the European Council the major player in the institutional architecture. In short, the following formula fittingly sums up the European Council's logic: consensus by compromise leads to complexity.

On the final issue of legitimacy, consensus has been one of the sources of the European Council's legitimation, underscored by jointly concluded policies and treaty changes at EU level. For example, in the EU's evolution, core areas of national sovereignty were voluntarily transferred to the EU level (see e.g. Art 226 TFEU on shared competences). This has been achieved by different mechanisms. While the Commission and the ECJ have expanded the policy domain by practice and interpretation, member states deliberately did so in subsequent rounds of Treaty reform.

In the early years of European integration from the 1950s onwards, the European Communities were important to preserve peace through a functioning institutional set-up reconciling diverging interests through its institutional set-up. Since the Treaty of Lisbon, the EU's 'quasi-constitution' has also stated explicitly the EU's principles of representative democracy, through the following two pillars: a democratically elected European Parliament on the one hand and democratically elected heads of national governments - as represented in the European Council - on the other. Legitimacy has, thus, developed upwards over time from the national democratic systems to the European level. There are also more procedural terms, in which the EU's legitimacy is measured, such as input and output legitimacy.

In short, Lijphart's characterization of the EU as a model of "consensus democracy" – in a contrast between a majoritarian system in the UK and a consensual system in Switzerland – it remains that consensus may be a necessary factor in the EU political system, not at least because smaller members would otherwise not be sufficiently represented. Consensus ensures "voice opportunity" and is a value of great importance to the functioning of the EU. A drawback of this type of democracy is, however, a lack of transparency especially in the European Council. To a degree, this is a deliberate choice, to some extent such discretion is a necessary aspect of successful negotiations. There is an argument for weighing this success against the doctrine of total transparency. The recent developments around the "Spitzenkandidaten"-process is a good example of the consensus procedure, where in the end, a package deal of staff decisions reflects this consensus. On a final note, quite above representation, responsiveness is an important factor. In other words, do politicians really follow up on their promise? As only then can we speak of a political system which is perceived to be legitimate both in form and function.

1 June 2019

Panel II: Elections and political parties in quasi-federal systems**Chair:** Andreas Raspotnik, COMOS & High North Center, Nord Universiteit**Speakers:** Lori Thorlakson, University of Alberta & DAFEUS advisory board
Siebo Janssen, COMOS & Heinz-Kühn-Bildungswerk
André Kaiser, University of Cologne & DAFEUS partner**Discussant:** Tobias Kunstein, COMOS & University of Cologne**Rapporteur:** Tobias Kunstein, COMOS & University of Cologne

The second panel discussed the role of elections and political parties in quasi-federal systems.

Siebo Janssen (COMOS & Heinz-Kühn-Bildungswerk) started his intervention “The development of the Belgian Party System” by going back to Belgium’s immediate post World War 1 history. He described the language border between Flanders, Wallonia and the German minority as the starting point of the process of decentralization, which was a constituent feature of Belgian politics to the present day. He went on to describe the complete split of the political system since the 1970s. Unlike, for example, Switzerland, Belgium had three party systems, three political debates, and so on. The fact that Belgium needed a record 541 days to form a government after elections in 2010 illustrates the problems emanating from a fragmented political system. Siebo Janssen argued that the Belgian party system was deeply divided. Regional groups tried to keep each other out of government. He subsequently raised the question if and what the EU can learn from the Belgian case. In response, he considered the EU’s ability to reach compromise as essential. He argued that this ability for compromise was rooted in shared interests of EU members. In Belgium, maximum positions usually translated into minimum success. In the present state, he would compare Belgium to Bosnia, rather than to the EU. He went on to describe decentralization in the Belgian case, which also led to party system fragmentation.

André Kaiser (University of Cologne & DAFEUS partner) presented a paper “Decentralization and the Dynamic Fragmentation of Regional Party Systems”, co-authored with Leonce Röth. The paper is the result of a comprehensive research project including 219 regions in 13 countries. It starts from the

observation that there is a trend towards decentralization in democracies and asks if decentralization is furthering or dampening party system fragmentation. The paper investigates the hypothesis that parties that achieve decentralization postpone fragmentation due to their initial electoral strength but lose their ability to prevent fragmentation afterwards. 16.900 observations of party results between 1920 and 2020 form the empirical backbone of the project. The independent variable is decentralization, the dependent variable is fragmentation of the party system. Distinguishing between “Rokkan regions” (heterogeneous, with asymmetric decentralization reforms) and “non-Rokkan regions” (homogeneous, with symmetric decentralization reforms), the project finds that decentralization leads to regional party system fragmentation, which in turn leads to fragmentation at the statewide level. André Kaiser considered the results as only indirectly relevant for the EU. However, fragmentation at regional and national level might negatively affect the supranational level as well at some point. He noted that also the EU faces increasing fragmentation in its institutions, as exemplified by the EP election results.

Lori Thorlakson (University of Alberta & DAFEUS advisory board) took the floor as the third speaker. Her intervention was entitled “Political parties in federal and multi-level systems”. She dealt with the question if parties in federal systems fare better as integrated parties or independent parties. In her view, the answer to this question depended on institutional features of the respective system. An interesting aspect of federal systems in that regard was whether partisanship holds across levels. Parties could thus act as “glue” to hold together a federation. According to the speaker, this aspect was particularly relevant to the EU, where elections still have a second-order character. She went on to discuss internal party organization (rather than party systems) as a constitutive aspect of the success of parties in multi-level systems.

In the general discussion (again, the audience was able to pose questions and make comments via Sli.do), participants welcomed the diverse character of the individual contributions to the panel, ranging from a historical case study to a quantitative large-n design to comparative and configurational methods. In substantive terms, one recommendation for federal systems that emerged from the general discussion was to decentralize as little as possible. Participants argued that decentralization occurs only early on in the development of a political system. From that perspective,

party system fragmentation since 2000s was unrelated to decentralization but caused by other factors. With a view to Belgium, participants raised the question if Brussels could act as tie between the French and the Dutch population. André Kaiser noted that Belgian elites accentuated differences between the regions in order to mobilize mass support for their policies. For ordinary citizens, the regional split was not that important. Siebo Janssen agreed, citing a recent representative survey. As far as the EU is concerned, participants considered the language barrier between many member states as rather inconsequential for the bloc's stability. For solving cross-border problems, English as a working language and translation worked fine. Language can become problematic when national identities linked to language are at stake.

Panel III: Elections and political parties in quasi-federal systems**Chair:** Cyril Gläser-Zolke, COMOS & University of Cologne**Speakers:** Enrico Liedtke, University of Bonn

Olivier Costa, College of Europe & Sciences Po Bordeaux

Claudia Heffler, COMOS & DLR

Discussant: Wulf Reiners, COMOS & German Development Institute**Rapporteur:** Steffen Schönhaar, COMOS & University of Cologne

Cyril Gläser, University of Cologne & COMOS, chaired this panel and welcomed distinguished experts who shared their views on Parliaments and the legitimacy crisis on the European Union.

Enrico Liedtke, University Bonn, talked about the 2019 elections to the European Parliament and the role of political parties in the European Union. He stressed, that this election is a remarkable milestone for the development of the European party system. In addition, party politics matter for the institutional logic of the political system of the European Union. After this year's election, the core of the European party system has fundamentally changed. According to Liedtke, the following parties belong to the core: The European People's Party (EPP), the Party of European Socialists (PES), the Alliance of Liberals and Democrats for Europe Party (ALDE), the European Green Party (EGP) and the Party of the European Left (EL). Furthermore, the majority of the seats by the two biggest groups – the European People's Party (EPP) and the Party of European Socialists (PES) – is gone and there is no clear political majority left. Nevertheless, most European parties reclaim the competence to codify about the assignments of office, and there are at least four of political relevance, which are the presidents of the European Commission, European Parliament, European Council and the High Representative for Foreign Affairs and Security Policy. Finally, he referred to the results of the 2019 European parliament elections. The typical second order character of European elections has not become that clear in 2019 as it has been the case over the last forty years. The new European parliament is remarkably different from the previous ones. The longtime absolute majority of the two biggest party groups has come to an end and new powers arisen, especially the liberals and the greens. The growth of radical and far right parties has not been realized as expected. The European

Council has now taken into account the result for its proposal for a new president of the European Commission.

Olivier Costa, College of Europe & Sciences Po Bordeaux, discussed the diffuse democracy in the European Union and the European Parliament. According to Costa, the answer to the question regarding the democratic deficit and legitimation depends on the national citizen's perspective and not on expert judgements. In order to have a global view on the contribution of the European Parliament to EU democracy, one could go back to the systemic approach of political systems, which has been applied to the EU by Fritz Scharpf in the 1990s. The approach distinguishes between two levels: the people at the bottom and the political system at the top. Further, it assumes that there exists three ways of legitimation: The input-legitimation, which is a capacity of the system to take into account what citizens want. The output-legitimation, which is a capacity of the system to deliver decision policies and public goods to satisfy the citizens. Finally, the throughput-legitimation of the intersystem-legitimation, which is capacity of the system to work in a way which is perceived as democratic by citizens, because there are checks and balances, control and legal order. Costa refers to the contribution of the European Parliament to these three dimensions. With regard to input-legitimation, the capacity of the EU as a political system should take into account what citizens want. The European Parliament plays a key role, because it is a symbolic institution establishing the link mentioned by Art. 10 TEU. Furthermore, the European Parliament is involved in the appointment of the president of the European Commission and other actors of the EU. At some extent, the European Parliament considers the concern of citizens, for example environmental issues and trade agreements. However, there are no transnational lists that help to establish the connection between citizens and political institutions. In another step, Costa talked about the capacity of the system to control itself. Here, the European Parliament is playing a key role, as well, as it was created for this very reason. The first purpose – to control the European Commission and the European Parliament – still plays a central role. Moreover, the strategy of the European Parliament is problematic, because the institution has chosen to avoid any conflict. Finally, the output-legitimation deals with the following question: What is the system capable to produce to satisfy citizens? Here, the European Parliament has a role to play, through amendment or with the interaction of the civil society.

However, there are some limitations. With regard to output-legitimation, the absence of formal right of initiative of the European Parliament is a problem. Another problem is the central role of the European Council as the agenda setter.

Claudia Hefftlar, COMOS & DLR, talked about National parliaments and the EU's democratic deficit. After the Lisbon Treaty in 2009, national parliaments gained more power. There was a lot of focus and expectations towards what national parliaments can do to make the EU more legitimate. In the beginning, Hefftlar mentioned, that the EU is carried by two chains of legitimacy. First, the elections to the European Parliament constitute a direct link between the voters and the EU institutions. Second, voters can indirectly affect the composition of the European Council and the Council of ministers via national elections.

In parliamentary performance, several functions are important. First parliaments are ought to control the government, and what happens behind closed doors. Second, they are supposed to communicate with the electorate. Both elements are important to ensure that the input-legitimacy is going the right way. Furthermore, Hefftlar focused on public justification that parliaments perform. National parliaments have the opportunity to translate what happens at the EU level. For example, in national parliaments, language barriers do not exist and they are considered to be closer to the citizens. In a next step, Hefftlar referred to debating in national parliaments. With regard to conflicts about EU issues, the most obvious thing to look at are opposition parties. They are the national agent to create that conflict within the political institution of parliament. Moreover, she explained opposition parties EU-communication in national parliaments. The first main explanation is the party type: regular, anti-establishment, challenger or mainstream parties. Different party types are considered to affect debating EU-affairs differently. The other main explanation is the distance and ideological positions between opposition and government parties.

Wulf Reiners, COMOS & German Development Institute, alluded to the main findings and opened the discussion with the participants.

Discussion: The European elections 2019 and the repercussions for the European integration project

Moderators: Johannes Müller Gómez, COMOS, LMU Munich & University of Montréal
Alina Thieme, COMOS & University of Cologne

Rapporteur: Alice-Anna Oeter, COMOS & University of Cologne

For this interactive session the sli.do (www.sli.do.com) technology was used. The audience was asked a series of questions dealing with different aspects regarding the impact of European elections on the EU architecture and the EU integration project. The participants then had the opportunity to vote via mobile phones for the answer they favor and afterwards discuss the outcome of the voting.

Question 1: “Will the EP elections have an impact on the institutional balance of the EU?”

The majority of the audience voted with “yes” (52% vs. 40% with no), arguing that there is an impact on the institutional balance and there will be a re-adjustment of the institutional architecture. In particular, the relationship between the EP and the European Commission will be affected by the outcome of the Spitzenkandidaten procedure. Participants believed that the discussions regarding the Spitzenkandidat will go on for a few months and will end in a package deal negotiated mainly in the European Council. While the EP, by pushing through one of the Spitzenkandidaten, might be able to strengthen its own credibility, it could lose bargaining power in other areas to the Heads of State or Government. Moreover, in the view of participants, it remained to be seen how much the Commission – as gatekeeper - will allow a (perceived) strengthening of the EP’s role.

Question 2: “Will the outcome of the EP elections have an impact on the reform of the EU?”

Most participants think there won’t be an impact on the EU’s reform (52%). By contrast, 40% voted with yes, arguing that there will be a negative impact on the reform agenda because a more heterogeneous EP may not be able to push this agenda as in the past. With respect to budgetary aspects, the outcome of the EP elections will be accompanied by increasing difficulties – even if the EP will not manage to block the budget, but the intensity and tone of the discussions will possibly become tougher.

Question 3: Is the end of the grand coalition of EPP and S&D good or bad for EU democracy?

60% consider the grand coalition as a good thing, while 28% say it is bad, as they perceive the end of the grand coalition only as a symptom of a low degree of politicization at the EU level. The election results are “a slap in the face of EU democracy” as there are more EU-sceptic parties. 12% voted “not sure”, citing more pluralism on the one hand, but also a rising potential for conflict, less constructive debates, and less space for compromise and agreements.

Question 4: Which coalition will be the dominant driver in the in-coming EP?

1) EPP, S&D, ALDE & R (48%), 2) EPP, S&D, Greens/EFA (35%), 3) S&D, Greens/EFA, GUE/NGL, ALDE & R (9%), 4) Another coalition (9%), 5) No dominant coalitions (0%)

Participants argued that one must distinguish between two questions: a) constitutional matters (in terms of strengthening or weakening the EU) and b) policy-making at the European level. There are different coalitions regarding these two questions and it would be misleading to merge them. Beyond this statement, participants felt that there were many variants to take into account and that currently no reliable predictions are possible.

Question 5: Will the right-wing parties play a relevant role in the future EP?

52% voted with yes, 16% with don't know, and 32% believed that right-wing parties won't be as strong as before due to their increased fragmentation. The fact that a party openly opposed to the EU forms part of the EP was considered as less relevant in practice, as the respective MPs usually miss the parliament's sessions. The right-wing factions will grow informally by getting more attention and changing positions of the other parties.

Question 6: Who will be the next Commission President?

Perhaps against their better judgment, 48% voted for Margrethe Vestager (the European Commissioner for Competition since 2014 and ALDE member). Participants felt that she was a good compromise between the three largest parties in the EP and could get the absolute majority, even though her party group only came third in the elections. Participants were also in favour of giving the top job to a woman. This argument is further strengthened as the President of the European Council had announced that he will nominate two women for the top offices. Nevertheless, participants also

pointed to national elections in Denmark, the outcome of which might play an important role, and that the EP is quite sceptical about her nationalist position with respect to migration policy. The remaining votes were divided among the other possible candidates. 26% voted for Manfred Weber, while 9% thought that Frans Timmermanns would get the job, (9%). Michael Barnier was considered as an unlikely contender (0%). 17% expect somebody else, especially if the package deal is really convincing. It was also considered unlikely that a Spitzenkandidat from the Green party would receive a majority as the EP can't agree on one candidate.

Question 7: Is the Spitzenkandidaten-Procedure dead?

A majority of 40% expects the Spitzenkandidaten procedure to be changed. In the current situation, it will be a test about the Treaty rules. Participants considered that the legitimacy of the procedure will be lost if it won't become Vestager (even if she is not the outstanding candidate). Thus, there is a dilemma between carrying through sensible reforms and maintaining the democratic legitimacy of the procedure.

Question 8: In light of this year's turnout, the secondary order nature of the EP election has been overcome!

48% rather disagreed with this statement. However, several participants felt that something had been changing at national level during the EU election campaigns. There had been a tendency towards a more European outlook as well as a growing group of parties. European issues featured more prominently in campaigning. Nonetheless, 30% of participants argued that voters in EP elections were still thinking in terms of national parties.

Question 9: Should transnational lists be created?

A majority of 72% were in favour of transnational lists. Participants said that these would form a step towards a pan-European debate, which in turn would make the EU system more transparent and comprehensible. However, participants also highlighted that the current system reflects national and regional interests. If one planned to move to transnational lists, different reform options exist on how to improve the representation of smaller regions within the EP (e.g. representing all the parties of Malta). One option that was also discussed in the DAFEUS policy lab is to give two votes to every

voter, one for the national lists (tackling the regional aspects) and the second vote for the transnational list (which goes to the party). The German system provides a role model, but at the problem of overhang mandates would need to be resolved. Moreover, participants recommended to combine transnational lists with preference votes.

Question 10: Should the European Union contribute to the creation of a public broadcaster?

22% of participants do not consider a European broadcaster as essential. They argued that one can already connect to English television, for example. Taking into account the fast changes in media and communication, in the very near future there will be even more possibilities of using online and virtual tools.

By contrast, 26% of participants argue in favour of a European broadcaster, given that for the time being, only specific (elite) communities use international means of communication. The idea of a European broadcaster is to transmit the same programme at the same time and in all European languages in order to develop a European public sphere with a common understanding.

Even though a European broadcaster might not single-handedly solve the problem that Europe lacks a public sphere, it could contribute to a solution. Moreover, there is a need at the European level to address e.g. fake news and transmit political debates of the candidates and the EP (Maastricht debate). Admittedly, national politicians and broadcasters could also try to assume these responsibilities and explain the EU to the public.

Question 11: Providing the EP with the right of initiative will not reduce the democratic within the EU?

Half of the participants (rather and fully) agree that providing the EP with the right of initiative in practice would do little to reduce the democratic deficit of the EU. If the EP wants to enact legislation, it can always address the Commission. Participants highlighted that the EP doesn't have the capacity to work out legislative drafts. Drawing lessons from Germany, where a group of MPs in the Bundestag may initiate legislation, only 5% of legal acts originate in this way. Finally, a right of initiative for the EP would probably entail a right of initiative for the Council, making the whole system less transparent. Others argued in favour of a right of initiative by pointing out that in normative terms,

the parliament as legislator should not depend on the Commission. Initiating laws would provide more visibility to the EP. One counter-argument was that the act of adopting legislation is a superior source of visibility, as exemplified by the EU data protection regulation.

Conference findings and concluding debate

The future of the European Union. What can the EU learn from federal systems?

Speakers: Hartmut Marhold, COMOS, University of Cologne & Centre international de formation européenne

Johannes Müller Gómez, COMOS, Ludwig-Maximilians-University Munich & Université de Montréal

Alina Thieme, COMOS & University of Cologne

Rapporteur: Darius Ribbe, University of Cologne

In the final session, *Hartmut Marhold*, COMOS, University of Cologne & Cife, *Johannes Müller Gómez*, COMOS, Ludwig-Maximilians-University Munich & Université de Montréal, and *Alina Thieme*, COMOS & University of Cologne, brought the different topics and contributions of the various scholars and practitioners, as well as the policy recommendations articulated by the policy lab participants together under the question of possible futures for the European Union. With the large variety of questions raised and topics discussed, the common denominators of all contributions have been the analysis of the past and the present, with a look in the future of the political system of the EU-27.

By mentioning the most present and important terms of the DAFEUS Conference 2019, the panellists showed the intertwined and interconnected topics and their contributions to the overall question on “What can the EU do to learn from federal experiences?”. Whilst different federal systems, their flaws, weaknesses, strongholds, and advantages were discussed – such as Belgium and Canada – the institutional settings and political party constellations were equally referred to as questions on the participation of civil societies and key terms of democracy and statehood. Showing, that the potential learnings from federal systems for the stressed political system of the European Union are manifold, the individual findings of the different panels often connected to the questions raised by the policy recommendations by the policy lab – for example on transparency, legitimacy, and identity.

However, the panellists concluded, that the EU cannot shape itself, neither can scholars nor individual practitioners. When it comes down to shaping the political system of the Union, it was still dependent on the Member States and their political agenda. Yet, this restriction would have been implicitly

addressed by the DAFEUS conference, moreover is addressed by the DAFEUS project. The panellists see the conference and its main contribution in facilitating a broad fundament for and on new federal thoughts, under new federal spirits, which have the potential to overcome the analysed crisis of the inter-governmental modes of European governance. However, as federalists' concepts are as diverse as federalism itself, the analysed structures cannot be transposed to the European political system. Therefore, this DAFEUS conference did not offer an analytical nor a reformatory blueprint for the EU-27. The participants rather took a step before developing concrete plans or concepts, by assessing the fundamentals and basics, formulate learnings from different systems, to create a base of common knowledge for the European reform debate.

By linking the discussions of the Conference to these basic questions, the panellists added their own value to the individual contributions and reminded the audience of the purpose as well as the limitations of this conference on the learnings of federal systems.

Concluding the conference, the DAFEUS directors took up this meta-assessment of the conference to outline DAFEUS future strategy and actions, to thank the participants and contributors, the partners and supporters of the project and formulated further research questions based on the federal thoughts presented at the conference.

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