

Last rites for Spitzenkandidat

The next European Commission president will most likely be chosen in a backroom deal.

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Illustration by Hokyoung Kim for POLITICO

- The race for European Commission president has barely started, and the *Spitzenkandidat* is on life support.

The EU's so-called lead candidate system was adopted in 2014 as a way of creating at least a veneer of democracy, and to push back against critics accusing Brussels of being controlled by unelected bureaucrats. Generally speaking, the process calls for the candidate of the party that wins the most seats in the European election to be made Commission president.

The process worked in 2014 in large part because the EU's two main parties already had a power-sharing agreement in place. After Jean-Claude Juncker, of the center-right European People's Party (EPP), was chosen for the EU's top job over Martin Schulz, the Socialist candidate went back to his post as Parliament president with the backing of his supposed rivals in the EPP.

Since then, the power-sharing agreement has collapsed, and the heads of government on the European Council [have said they will not be bound](#) by the *Spitzenkandidat* process. Meanwhile, parties other than the EPP have turned against the system, recognizing that it overwhelmingly benefits the conservatives, who are once again virtually guaranteed to win the most seats in Parliament in next year's election.

At best, the parties will go through the motions. But even if the EPP's *Spitzenkandidat* emerges as Commission president, it will almost certainly be because of yet another backroom grand bargain that divvies up plum EU posts, thereby undermining the spirit of the process, which was to create a sense of electoral democracy.

Some of the strongest resistance is coming from the Alliance of Liberals and Democrats for Europe.

Already, some parties are floating the names of lead candidates not with the goal of winning the Commission presidency but of positioning them for consolation prizes, which include the Parliament presidency, and the position of high representative for foreign affairs.

At worst, the Council and the Parliament could end up in a bitter standoff.

Commission's Spitzenkandidat process at risk

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According to European treaties, the Commission president must win the approval of both the Council and Parliament. A failure to agree could unleash an institutional crisis threatening the legitimacy of the EU and bolstering the complaints of the fiercest critics of Brussels, particularly the right-wing populists making inroads across the Continent, most notably in the three largest countries remaining after Brexit: Germany, France and Italy.

Some of the strongest resistance is coming from the Alliance of Liberals and Democrats for Europe (ALDE), which has only the fourth-largest faction in Parliament but has made strong gains in national elections and is soon expected to hold eight seats on the European Council — the same number as the EPP.



Guy Verhofstadt has been outspoken about the Spitzenkandidat system | Stephanie Lecocq/EPA

Because ALDE is most popular in small EU countries like Denmark, Luxembourg and Estonia, it has virtually no chance of winning enough seats to overtake the EPP. At best, it might surpass the second-largest faction, the Progressive Alliance of Socialists and Democrats (S&D) in Parliament.

Guy Verhofstadt, a former Belgian prime minister who is the leader of ALDE in the Parliament — and was the party’s candidate for Commission president in 2014 — [has accused the EPP of destroying the *Spitzenkandidat* system](#) by blocking a proposal to allow transnational candidate lists, a move that would partially offset the numerical disadvantage.

“By refusing the transnational lists, they killed *Spitzenkandidat*,” Verhofstadt told the French daily newspaper *Ouest-France*. “They are the ones who killed it.”

ALDE has yet to decide if it will nominate a *Spitzenkandidat*. Its position is also complicated by the hope that it will join forces with French President Emmanuel Macron, whose national party, La République En Marche, has yet to join a European political family. Macron, who ran his own campaign as an independent, upending the traditional left-right parties in France, has emerged [as an outspoken critic](#) of the *Spitzenkandidat* process, which favors party allegiance.

The only party that is eagerly embracing the process is the EPP, which will vote for its nominee at a party congress in Helsinki on November 8.

Manfred Weber, the German leader of the EPP group in Parliament, has already declared his candidacy. And two bigger name contenders, the chief Brexit negotiator, Michel Barnier, and former Finnish Prime Minister Alexander Stubb, seem poised to jump into the fray.



Alexander Stubb, the former Finnish prime minister | John Thys/AFP via Getty Images

Barnier, [the veteran French fonctionnaire](#), and [Stubb, a triathlete](#), are both regarded as formidable contenders. Neither man has officially announced his plans, and other candidates like former Irish Prime Minister Enda Kenny could be put forward before the EPP's October 17 nominating deadline.

Even German Chancellor Angela Merkel, who is viewed as having the biggest sway — in both the EPP's choice of a *Spitzenkandidat* and the Council's secret deliberations — has expressed her own distaste for the system; never mind that her party has the most to gain from maintaining it.

For now, Merkel has backed Weber's candidacy, but her endorsement is largely a necessity of national allegiance, and in announcing her support she

made clear that merely winning the party's nomination would not guarantee that Weber becomes Commission president — an implicit renunciation of the *Spitzenkandidat* system.

Critics said one way or another, the chancellor would get her desired result.

“It remains a system where it is Mrs. Merkel who decides who is the next president of the Commission,” Verhofstadt said.

Other experts say that a major flaw in the process is a lack of any concrete rules.

Even parties nominally committed to the Spitzenkandidat system, like the Socialists, are increasingly unenthusiastic about it.

Officially, the EU treaties require only that the Council, “taking into account” the election of Parliament and acting by qualified majority, put forward a nominee for Commission president, to be confirmed by a majority vote of Parliament. A separate provision states, cryptically, that “due account is to be taken of the need to respect the geographical and demographic diversity of the Union and its Member States.”

The result, according to Olivier Costa, a professor who heads the Department of European Political and Administrative Studies at the College of Europe, is a sort of do-it-yourself, electoral home improvement project akin to repairing a roof in the rain. Only the holes the EU is trying to patch are in its democratic credibility.

Supporters of the process say that its benefits outweigh its flaws.

It requires each party to choose a candidate that serves as the face of their ideals and policy platforms, and allows for campaigning and, especially, televised debates, as well as rallies and town hall meetings with European voters. Most importantly, supporters say, it projects an aura of electoral democracy around the EU.

Weber, in promoting his own candidacy, has sought to reinforce this image of the coalition, noting that it would be normal in any EU country for the leader of the largest faction in parliament to become prime minister and form a government — the logic being that Weber as leader of the EPP group would be the natural choice for Commission president.



Manfred Weber, the leader of the European People's Party in the European Parliament | Emmanuel Dunand/AFP via Getty Images

But unlike national parliaments, the European Parliament is co-legislator along with the European Council, and members of the Council have made clear that they are not willing to relinquish their legal authority over nominating the Commission president in favor of an unwritten process that gives Parliament overwhelming control.

Even parties nominally committed to the *Spitzenkandidat* system, like the Socialists, are increasingly unenthusiastic about it, recognizing that it offers virtually no path to winning the Commission presidency.

“For us, it is complicated,” said an official from the S&D group. “In 2014, we had Martin Schulz as our natural candidate, and we believed that the *Spitzenkandidat* was a very interesting innovation.”

The official noted the unwritten requirements that any *Spitzenkandidat* also have the support of his or her national government — a difficult reach for Socialist candidates, given how few governments the party now controls.

The official offered Austrian Chancellor Sebastian Kurz of the EPP and his predecessor Christian Kern, a social democrat, as an example. “Who is going

to support a Socialist *Spitzenkandidat* in the Council?” the official asked. “Is Kurz going to add Christian Kern to a nomination package? Unlikely.”

As a result, the parties are calculating how to use the *Spitzenkandidat* process to improve their chances of securing one of the EU’s other top jobs — all of which will be open next year.



Maroš Šefčovič, vice president of the energy union | Philippe Lopez/AFP via Getty Images

For instance, some S&D members believe their best *Spitzenkandidat* would be Frans Timmermans, the Dutch first vice president of the Commission, with the real goal of installing him as the EU’s high representative for foreign affairs.

Commission Vice President Maroš Šefčovič, a Slovak who oversees the EU’s energy union, has declared his bid to be the Socialists’ candidate. Šefčovič has little chance of winning the nomination, but is widely viewed as using the candidacy to boost his name recognition and to increase his chances of securing another post, either in the EU or in the party.

The Parliament adopted a resolution earlier this year committing to follow the procedure, but the chamber that chooses the next Commission president will be comprised of members elected in May, not the ones who voted for the resolution.

Still, there is a sense among some officials, including some in ALDE, that as bad as the *Spitzenkandidat* process might be, ditching it would be worse.

“We stand by the system, if only because the alternative is wholly undemocratic,” said Sophie In’t Veld, a Dutch MEP from ALDE. “We don’t want leaders choosing behind closed doors.”