

## **2004 EUROPEAN PARLIAMENT ELECTION BRIEFING NO 22 THE EUROPEAN ELECTION RESULTS AND THE EUROPEAN PARLIAMENT OF 2004**

**Giacomo Benedetto**  
**London School of Economics**  
**E-mail: G.Benedetto@lse.ac.uk**

### **Key points**

- First election in much larger EP of 732 members from 25 states
- Party Group balance the same, with small shift to right, marginal increase for Eurosceptics. Greens and Left perform less well
- Possibilities for less cohesion because enlarged groups are more heterogeneous
- European People's Party and Party of European Socialists alliance formed for parliamentary presidency
- 'No' votes on the new European Commission reflect ideology, government or opposition status of parties in domestic politics, and transnational party affiliations of Commissioners

### **Background**

The European Parliament elections of 2004 were the first to be held in the newly enlarged EU of 25 member states. This is a Parliament, which co-decides the content of over 70 percent of European law, a figure that will rise to all but a handful of intergovernmental policy areas if the EU Constitution is ratified. Despite its extensive powers, the composition of the new Parliament, just as its predecessors, was determined by 25 second-order national campaigns. If any of the campaigns focused on European questions, this concerned only the contest between Euroscepticism and pro-integrationism, over which Parliament has no power, rather than on policy questions, such as the budget and the vast bulk of European regulation, over which the Parliament *does* have power.

### **The Formation and Re-Constitution of Political Groups**

The political groups and national party delegations thereof are the key units in organising power within the European Parliament. They provide resources, access to speaking time, the establishment of the parliamentary agenda, and allocate the membership and the chairs of the parliamentary committees that determine the outcome of legislation.

Table 1 shows that in 1999, parties of opposition had won the European elections, gaining 57.6 percent of the seats, while those parties both in opposition and without a member of the European Commission accounted for almost 40 percent of the seats. An important difference between the Commission appointed in 2004 and its predecessors was the *loss* of one Commissioner from each of the five larger member states, where it had been practice for governments to allow the pro-system opposition to nominate a member of the Commission, albeit in a relatively junior post. While in the past, pro-system opposition parties were able to support an incoming Commission and much of its programme, because *their own* Commissioner provided them with a stake in the system, this change inevitably reduced the support base of the Commission within the increasingly oppositional Parliament. The share of seats won by opposition parties, none of which had a Commissioner, rose to 64 percent (Table 2).

**Table 1: State of the political groups in the EP, July 1999 and their role in government and opposition**

	EUL	Greens	PES	ELDR	EPP	UEN	EDD	TDI <sup>1</sup>	NA	TOTAL	%
Government	9	25	153	23	49	6	0	0	0	265	42.4
Opposition	33	23	27	27	184	15	16	18	17	360	57.6
Commissioner	0	7	147	12	105	6	0	0	0	277	44.3
No Commissioner	42	41	33	38	128	15	16	18	17	348	55.7
Opposition with no Commissioner	28	21	3	14	114	15	16	18	17	246	39.4
TOTAL	42	48	180	50	233	21	16	18	17	625 <sup>2</sup>	
Percentages	6.7	7.7	28.8	8.0	37.3	3.4	2.6	2.9	2.7		

**Table 2: State of the political groups in the EP, July 2004 and their role in government and opposition**

	EUL	Greens	PES	ALDE	EPP	UEN	IND/DEM	NA	TOTAL	%
Government	2	13	104	36	88	13	4	3	263	35.9
Commissioner	0	0	93	21	68	4	0	0	186	25.4
Opposition with no Commissioner	39	29	96	52	180	14	33	26	469	64.1
TOTAL	41	42	200	88	268	27	37	29	732	
Percentages	5.6	5.7	27.3	12.0	37.6	3.7	5.1	4.0		

<sup>1</sup> The TDI (Technical Group of Independent Deputies) was a group of convenience composed of some of the extreme-right and Emma Bonino's Radicals. It was dissolved in September 1999 for failing to comply with the Rules of Procedure under which political groups were required to have political affinity.

<sup>2</sup> One seat was vacant.

### **The Left**

The Socialist (Party of European Socialists - PES) group suffered a further electoral setback, compared to 1999, falling from 28.8 to 27.3 percent of the seats. The British Labour Party and German Social Democrats incurred the most notable losses, although these were partially offset by significant gains on the part of the French Socialists. The Socialists from Spain, Portugal, the Netherlands, Austria, Denmark, and Estonia also performed well. Unlike some of the other groups, the PES did not gain new member parties from the new member states, besides those that had already affiliated for some years to the transnational federation of the PES. Whereas in 1999, the PES had been an overwhelmingly governmental group, of whose MEPs only 27 out of 180 were in opposition, Socialists from opposition parties numbered just under half of the group's MEPs in 2004. While Socialists were present in 12 of the 15 governments and among 10 of the 20 Commissioners in 1999, their representation had fallen to 12 of the 25 governments and 8 of the 25 Commissioners. Between 1999 and 2004, the collective weight of the PES, Green, and United Left (EUL) groups declined from 43 to 39 percent. In view of the ejection of PES parties from national government and the European Commission, the loss of influence for the left in EU policy outcomes was likely to be reduced by more than its decline of 4 percent in the Parliament.

The losses of the Greens were mostly offset by their gains in Germany. A serious decline was the loss of most of the group's regionalist party members from Wales, Galicia, the Basque Country, and Flanders, although the decision by the MEP elected from the Russian ethnic party in Latvia to join the regionalists provided the Greens with their only MEP from the new member states.

The EUL suffered significant losses in France, Spain, and Greece. The electoral decline of the French Communists was matched by that of the more extremist French parties sitting in the group, while a change to a regional list system took its toll on smaller parties in France. The EUL group made gains in Germany, the Czech Republic, Italy, and the Netherlands. Cyprus provided the EUL with its only MEPs from a government party. The two MEPs from Sinn Fein also joined the group.

### **The Centre and the Right**

Turning to the groups of the centre and the right, the EPP was by far the largest group, retaining the same share of seats at 37 percent as in the previous Parliament. Its small drop in MEPs from the EU15, above all among the British Conservatives, was offset by a good performance of its member parties in the new member states. This rendered the group more heterogeneous, with a relative decline of West Europeans and notably the Christian Democrats, replaced by Central and East European national conservatives, representing 19 parties in 10 states. In 1999, the EPP had officially changed name to EPP-ED, the ED (European Democrats) being a mechanism to retain the British Conservatives within the group, since they were not members of the transnational party and wanted to guarantee the freedom of Conservatives who were not Christian Democrats. The British Conservatives and Czech Civic Democrats further institutionalised the group's heterogeneity by re-constituting the ED as a *sub-group* of Eurosceptic Conservatives that included the Portuguese People's Party and Italian Pensioners' Party. A political group can be constituted by 19 MEPs from at least 5 member states. The ED would therefore require one MEP from one more

member state to establish itself as a separate group. This places it in a strong bargaining position within the EPP, which can only be sure of maintaining its numerical strength by not losing its 41 ED members.

While the combined share of the left wing groups fell from 43 to 39 percent, with the EPP retaining its share, but with a likely drop in internal cohesion, the gains in 2004 were made by the Liberals in the centre and, to a more limited degree, by the hard Eurosceptics on the right. The European Liberal Democratic and Reformist group (ELDR) changed its name to the Alliance of Liberals and Democrats for Europe (ALDE), in respect to its new centrist members whose backgrounds were not necessarily Liberal. The British Liberal Democrats made a small gain, matched by the decline of the governing Liberal parties in Belgium, the Netherlands, and Denmark. However, the significant gains were made by the German FDP, which re-entered the Parliament with seven MEPs after an absence of 10 years, and by the decision of two new parties to join the group: the Lithuanian Labour Party with five MEPs and Polish Freedom Union with four MEPs. The French UDF and Italian Margherita *defected* from the EPP to the ALDE on account of the former's drift to Conservatism and Euroscepticism, as well as the presence of domestic political competitors in the EPP. The two Italian *Radicali* and the Basque National Party also joined the group. This enlargement therefore increased its share of seats from 8 to 12 percent.

#### **The Eurosceptics: Soft and Hard**

The UEN had originally been a Eurosceptic group, although the failure of its French members to secure re-election and the moderation of its other members changed that. Only Mogens Camre from the Danish People's Party can be described as hard Eurosceptic. The group is dominated by National Alliance from Italy and Fianna Fail from Ireland, which were both parties of government. The Polish Law and Justice Party with seven MEPs and the member parties from Latvia and Lithuania saw themselves a future parties of government. The UEN was a group of coalitionable nationalist-conservative parties that were either unable to enter the EPP group on account of the prior affiliations of their domestic competitors, or because they rejected both the federalism of the EPP and the hard Euroscepticism of the IND/DEM group. The UEN's share of seats in Parliament remained between 3 and 4 percent and it was therefore not a significant potential partner for the EPP, although the group enjoyed some homogeneity as pro-integration national-conservatives rather than Eurosceptics. In fact, the profile of the UEN was probably more pro-integration than the ED component of the EPP group.

Most of the hardest Eurosceptics joined the Independence and Democracy group (IND/DEM), previously known as the EDD. The group was more heterogeneous than its predecessor, as well as more distinctly right wing. The group increased its size to 37 MEPs, equivalent to 5 percent of the seats, however it was in no sense coalitionable. Its only members who were neither right wing populists nor Christian traditionalists were the group's co-leader, Jens-Peter Bonde, the sole surviving MEP from the Danish June Movement, and the three MEPs from the Swedish June List. The largest delegations were the League of Polish Families, a nationalist, Catholic, fundamentalist party, and the UK Independence Party. The Dutch Calvinist Christian Union and the Movement for France were the only parties to have links with the group in the past. The new members of the group included the Italian Northern

League, which was the group's first governing party, a Greek Orthodox traditionalist party, and right wing Czech and Irish independents.

For the third Parliament in succession, the extreme-right, consisting of the French National Front, the Flemish Bloc, the Austrian Freedom Party, and the Italian parties, Tricolour Flame and Social Alternative led by Alessandra Mussolini failed to form a group due to insufficient numbers.

### **President of Parliament and Committees**

The President fulfils the public role of representing the Parliament, attending meetings of the European Council and Intergovernmental Conferences at Head of Government level, and chairing the plenary meetings of Parliament, its Bureau concerned with administrative issues, and the committee of the political group leaders that determines the agenda.

In 1999, the EPP had broken a ten-year pact with the PES for revolving the Presidency of the Parliament. Each of the two large groups had taken turns in choosing one of their own members to be the President. The EPP instead concluded a pact with the Liberal group for sharing the Presidency of the Parliament and for logrolling the chairs of the more important parliamentary committees. In 2004, the EPP decided to reverse this agreement in favour of once again making a deal with the PES. A Catalan Socialist, Josep Borrell, was elected President of the Parliament with the support of most of the EPP, against rivals from the ALDE and EUL groups. However, he presided over a centre-right Parliament, in which the EPP, ALDE, and UEN groups commanded a majority on legislative issues if they so wish. This reflected the centre-right majorities on the Commission and the Council, which together with the Parliament determine the content of European law and regulation. The presidency of Borrell almost disguised this reality.

Centre-right dominance of the Parliament was reflected in the assignment of the chairmen of important parliamentary committees. As Table 3 shows, of the 20 chairmen, seven were granted to the Socialists, of which the important ones can be considered Economic and Monetary Affairs, Internal Market and Consumer Protection, and Constitutional Affairs. Although the latter is not a legislative committee, it has influence through scrutiny of the process of ratifying the EU Constitution. The Trade Committee will not have much power unless the EU Constitution is ratified, while the extensive legislative powers of the Employment Committee are unlikely to be used during the tenure of the de-regulatory Barroso Commission. Of the eight committees controlled by the EPP, the powerful ones are Budgets, Environment, Regional Affairs, Legal Affairs, and Industry. The group also chaired the Foreign Affairs committee, which is more prestigious than powerful, but will vet the EU Foreign Minister and be required to approve CFSP initiatives if the Constitution is ratified. Likewise, the group's powers will grow through control of the hitherto not so important Agriculture Committee, since a ratified Constitution will extend Parliament's powers of co-decision to the CAP. For the first time, the Liberals are large enough to chair three committees, of which Citizens' Rights and Freedoms is the most important, since the extension of co-decision to Visas, Asylum, and Immigration earlier in 2004. This committee was also instrumental in entering a negative opinion on the appointment of Commissioner-designate Buttiglione.

**Table 3: Committee chairs assigned to political groups and delegations, 2004**

<b>Committee</b>	<b>Group</b>	<b>Party</b>	<b>State</b>
Environment, Public Health and Food Safety	EPP	CDU	D
Industry, Research and Energy	EPP	Conservatives	GB
Budgets	EPP	PO	PL
Regional Affairs	EPP	PP	E
Legal Affairs	EPP	Forza Italia	I
Agriculture and Rural Development	EPP	UMP	F
Foreign and Security Policy	EPP	CDU	D
Women's Rights and Equal Opportunities	EPP	KDH	SK
Economic and Monetary Affairs	PES	PS	F
Internal Market and Consumer Protection	PES	Labour	GB
Constitutional Affairs	PES	SPD	D
Trade	PES	PSOE	E
Employment and Social Affairs	PES	SDI	I
Culture, Education, Media, Youth and Sport	PES	PASOK	EL
Budgetary Control	PES	MSzP	H
Citizens' Rights and Freedoms	ALDE	UDF	F
Transport and Tourism	ALDE	Margherita	I
Fisheries	ALDE	UDF	F
Development	EUL	PRC	I
Petitions	UEN	PiS	PL

The EUL group was allocated the less important Development Committee, while the Greens of similar size preferred to take control of the sub-committee for human rights. The hard Eurosceptics of the IND/DEM group were large enough for the first time to take a chairmanship of a less important committee, but preferred to use their weight to gain senior vice-chairmanships of the Environment and Agriculture Committees. Since the Greens and IND/DEM turned down the offer of junior chairmanships, the UEN also had the chance to take the Petitions Committee, which has no significance, but was allocated to Marcin Libicki of the Polish Law and Justice Party. Three other Central Europeans became committee chairmen: for the EPP, Janusz Lewandowski of Polish Civic Platform became chairman of Budgets, while Anna Zaborska of the Slovak Christian Democrats became chairman of the Women's Committee; for the PES, Szabolcs Fazakas of the Hungarian Social Democrats became chairman of the Budgetary Control Committee.

The other important positions were the leaderships of the main political groups. These were distributed to the German Christian Democrats in the case of the EPP, to the German Social Democrats in the case of the PES, and the British Liberal Democrats in the case of the ALDE.

### **Executive-Legislative Relations**

Since 1994, under the Treaty of Maastricht, the Parliament has exercised the power of assent over the appointment of the European Commission. In 1999, the Treaty of Amsterdam also provided Parliament with the power to approve the nominee President of the Commission in advance of the Commission as a whole. The term of office of the Commission runs for five years and commences in the November following each European Parliament election, providing the possibility for the Commission to be formed to reflect the results of those elections. Following the Treaty of Nice, the European Council nominates the President of the Commission by

qualified majority vote. Parliament then approves or rejects the candidate by a simple majority. This procedure allows for the appointment of a Commission against the wishes of a *losing opposition* in the Council and Parliament, whose legislative programme could be approved by a *winning majority* in the latter two institutions. Despite the appointment of a de-regulatory, centre-right Commission, reflecting the centre-right majorities in Council and Parliament, efforts were made to retain consensus with the PES. The nomination of the Prime Minister of Portugal, José Manuel Barroso, by the Council was therefore unanimous. It had the support of PES governments like those of Spain and Germany, both of which were able to appoint senior PES Commissioners and wished to avoid being seen in a *losing minority* on the Council. Would this support for Barroso be replicated by PES MEPs?

During the week before the Parliament's first sitting in July 2004, Barroso appeared before all the political groups, conveying mixed messages to his various audiences. To the EPP and ALDE, he spoke in favour of de-regulation and entrepreneurship. To the PES and other left-wing groups he emphasised his commitment to preserve the European social model and environmental standards, insisting that he was a reformist of the Centre rather than a Conservative. Only the EPP and UEN groups declared themselves wholeheartedly in favour of his candidacy, while the Greens, EUL and IND/DEM groups were opposed. The PES and ALDE were divided, although most of their members would vote in favour, despite the opposition of the French and German delegations in the PES. Lobbying by their party leaders in government ensured that the British and Spanish members of the PES group would vote in favour. The vote to approve Barroso was held by secret ballot, but the figures of 413 against 251 demonstrate that around half of the PES members probably voted against his appointment. In 1994, Jacques Santer had achieved a simple majority by the narrowest margins, opposed by most of the PES group at the time not for his Social Christian and regulatory policy positions but in protest at the method of his appointment a right-wing Council.

In 1999, Romano Prodi was approved by the overwhelming majority of MEPs from the three largest groups, as well as many Greens and UEN members, but excluding the British Conservatives. In 2004, the support for Barroso was less overwhelming than for Prodi, and this was for ideological reasons and perhaps due to his appointment by a *de facto* qualified majority in Council, since some governments otherwise opposed to his appointment did not vote against it going forward.

During the early Autumn of 2004, the relevant parliamentary committees held hearings on the appointment of the new Commissioners-designate. Each government makes a nomination that is accepted by the President of the Commission, who assigns the portfolios. The entire Commission is then approved by a qualified majority in the Council and a simple majority in Parliament.

The Italian nominee, Rocco Buttiglione, who had been assigned a Commission Vice-Presidency and the Justice and Home Affairs portfolio expressed views on the rights of homosexuals and the role of women that were unacceptable to the Citizens' Rights and Freedoms Committee. Meanwhile Laszlo Kovacs, the Hungarian nominee for the Energy portfolio, was the subject of a negative opinion by the Industry Committee on the grounds of failing to master his brief. A bare majority of MEPs from the secular political groups of the left and centre made it clear that Buttiglione was an

unacceptable candidate. Having calculated almost certain defeat, Barroso withdrew his team from the vote of approval by the Parliament in October.

In most cases the Parliament works by consensus, a characteristic preserved through avoiding a vote. However, the Buttiglione case illustrates the occasion when a party-based division could occur in the European Parliament, when exercising its powers of appointment over the Commission. While the Liberals normally vote with the EPP on economic questions, they vote with the left on civil liberties and environmental regulation. In this case, the weight of the ALDE was pivotal. The PES and ALDE groups had reluctantly accepted the appointment of Barroso in return for guarantees concerning social and environmental policy. The statements by Buttiglione and his refusal to apologise broke the unwritten accord on which the consensus of the centre and left depended.

Buttiglione was replaced by the more conciliatory Franco Frattini, while Kovacs was reshuffled to a different portfolio. This was sufficient to placate the three large groups. Parliament approved the appointment of the amended Commission in November, three weeks later. The vote for approving the entire Commission, unlike the President, was public, so it is likely that MEPs were less satisfied with voting Yes than they had been in July, despite the larger number of 449 who approved the new team. The majority of 61 percent was lower than the respective 67 and 66 percent that had approved the Santer and Prodi Commissions in 1995 and 1999.

Compared to the case of Prodi in 1999, the EPP was more solidly in favour. This reflected the greater number of EPP Commissioners in the new team and the greater number of government party MEPs in the group. Six British Conservatives voted Yes to the new Commission, compared with none in 1999, while only one rebel Conservative voted against. The UEN group approved the Commission, though Mogens Camre of the Danish People's Party voted against, while the Polish Law and Justice Party abstained. Just like the EPP, the UEN group was much more solidly in favour of the Barroso Commission than its predecessor.



**Table 4: Vote of Approval in Barroso Commission by political group, November 2004**

	GUE	Greens	PES	ALDE	EPP	UEN	I/D	NA	TOTALS
Yes	0	0	123	57	241	16	0	12	449
No	34	40	29	0	1	1	28	16	149
Abstain	0	0	31	21	19	7	3	1	82
Did not vote	0	1	3	3	2	1	1	1	12
Absent	6	1	14	6	5	2	4	0	38

Most PES members voted Yes, although the French Socialists voted No, in protest at the *libéralisme* of the new Commission. The Greek and Italian members of the PES all abstained, while the Portuguese and Dutch members were divided between approval and abstention. Almost all the Socialists had voted Yes to the Prodi Commission in 1999.

The changing behaviour of the EPP and PES groups is directly attributable to the changing party compositions of the Commission and national governments. The ALDE group members mostly voted to approve the Commission, although its French and Italian members from the UDF, Margherita and Radicali abstained. On the part of the UDF this was due to a perceived lack of federalism in the new Commission, while the Italians protested against a member of Forza Italia holding the Justice portfolio. All but two of the ELDR members had voted Yes to the approval of the Prodi Commission in 1999. Nearly all the members of the Green, EUL and IND/DEM groups voted No, although nearly half of the Greens had approved the Prodi Commission in 1999, reflecting their then status as government parties in five member states and the appointment of a German Green as a member of the European Commission.

Among the non-attached, the Slovak HZDS, New Italian Socialists (part of the Berlusconi government), and Polish Self-Defence all voted to approve the new Commission, while the Democratic Unionist from Northern Ireland, the Flemish Bloc, the French National Front, Hans-Peter Martin from Austria, and Alessandra Mussolini voted No. The Austrian Freedom Party's MEP abstained.

### **Conclusion**

The first elections for a much larger European Parliament of 732 members, across 25 states with a population over 450 million did not result in an institution whose party group composition was much different from that of the previous Parliament. The EPP and UEN groups retained the same share of seats, though with EPP losses in Western Europe were matched by gains in the new member states, further diluting its Christian Democratic core. The UEN, on the other hand, became more homogeneous as a group for non-federalist, national-conservatives, without a significant presence of hard Eurosceptics. In the intervening period since 1999, the EPP and UEN had also become more governmental, while the PES and Green parties were more likely to find themselves in opposition at the domestic level and less well represented on the Commission. The collective share of seats for the PES, Green and EUL groups also

declined from 43 to 39 percent. Although many PES members voted to approve the incoming Commission of José Manuel Barroso, the tendency of many to be opposed was consistent with the move in the other direction made by members of the EPP since 1999. The *winners* of the 2004 elections, both in terms of votes and then changing alliances, were the Liberals, who increased their seats and attracted new parties, some of which defected from the EPP. Despite this gain, the new ALDE group found itself isolated and replaced by the PES as the preferred partner of the EPP group. Another, but more marginal gain of 2.5 percent, was made by the IND/DEM group, whose hardened scepticism was matched by a drift towards harder right wing positions, on account of its British and Polish members.

The significance of these results is not the (very) small change in the share of seats between the groups, but the dilution of the EPP and ALDE groups in particular, and a consistent centre-right majority on economic issues across the Parliament, Council and Commission. However, it should be noted that on a limited number of policy areas, including those raised by Rocco Buttiglione, the ALDE group votes with the left. While the EPP and PES formed an alliance for the Presidency of the Parliament, the EPP has been able to control the chairmanships of most of the more powerful legislative committees that will consider legislation introduced by the EPP-dominated Commission and Council. However, the dominant position of the EPP is dependent on the acquiescence of either the PES or ALDE groups, neither of which was forthcoming in the Buttiglione case. Whether in 1999 or 2004, a consistent explanation emerges for the number of votes against an incoming Commission. ‘No’ votes are likely to be common in the future, since they reflect the ideology, government or opposition status of parties in domestic politics, and the transnational affiliations of Commissioners. The improved performance of opposition and anti-system parties at each European election, the chance that Commissions will not reflect an absolute consensus on the Council, and the lack of correspondence between the party affiliations of Commissioners and MEPs from the same member state are likely to make the approval votes of the future more contentious.

*This is the latest in a series of election and referendum briefings produced by the European Parties Elections and Referendums Network (EPERN). Based in the Sussex European Institute, EPERN is an international network of scholars that was originally established as the Opposing Europe Research Network (OERN) in June 2000 to chart the divisions over Europe that exist within party systems. In August 2003 it was re-launched as EPERN to reflect a widening of its objectives to consider the broader impact of the European issue on the domestic politics of EU member and candidate states. The Network retains an independent stance on the issues under consideration. For more information and copies of all our publications visit our website at <http://www.sussex.ac.uk/sei/1-4-2.html>.*