

THE 2024 EUROPEAN PARLIAMENT ELECTIONS
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2024 EU Elections:
old issues for new challenges

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1. From the financial crisis to the pandemic and beyond

The 2024 vote for the EU Parliament took place in a very different scenario compared to the one in which the previous elections were held. Indeed, in 2019 the EU was still coping with the aftermath of the financial crisis that, stemming overseas, had hit the European continent in the earlier decade. By contrast, the context in which the birth of the new legislature (the 10th) is to be framed is marked by many - and, for several aspects, unexpected - different events.

In a brief summary, it is worth mentioning, first and foremost, the outbreak in 2020 of the Covid-19, which led the EU to undertake unprecedented measures in order to assist the Member States most affected not only by the health crisis, but also by the economic consequences of the pandemic, demonstrating its willingness, albeit cautiously, to finally equip itself with those operational tools that would enable it to imbue European citizenship with a truly social dimension. Indeed, this objective seemed to be achieved through a series of initiatives which, on the whole, appeared likely to bring about the decisive social change in the EU that has long been awaited. Indeed, the approval of ‘*Next Generation EU*’¹ marked a historic stage in the process of political integration: for the first time a mechanism that takes the form not only of a plan for loans, but also of a considerable amount of outright grants². These subsidies were envisioned as the first step on the road to the establishment of a true common European debt governed by a sort of European loan guarantee system, launched thanks to the other fundamental decision to increase the amount of the Union’s own resources³. A development that seemed to foreshadow the initial

^{*} The text is an anticipation of the final - updated and revised - version that will be included in the volume “*The European Parliament elections of 2024*”, published by Giappichelli, Turin.

¹ See *Presentation by Commissioner Hahn of the NextGenerationEU – Funding strategy to finance the Recovery Plan for Europe*, at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_21_1743.

² Art. 2.2 of the Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 *establishing the Recovery and Resilience Facility*.

³ Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 *on the system of own resources of the European Union and repealing Decision 2014/335/EU, Euratom*.

core of that genuine European fiscal system that has long been lacking since the resources to support the above-mentioned subsidies could not be transferred by the same Member-state, rather had to be found elsewhere, primally directly on the market⁴.

Yet, such an important progress in the path of integration was set within a well-defined timeline, which is now about to expire.

Furthermore, one cannot overlook the other historic decision to generally link the use of European financial aid to Member States' respect for the rule of law, which is aimed at giving substance to the idea of an EU not as a mere "community of law", but as an authentic "community of values", i.e. as a real political community based on (and regulated by) a core of rules to be considered substantively constitutional. A major proof in this direction comes from the Decision taken by the CJEU⁵ to dismiss the annulment actions brought by the Hungarian and Polish Governments against the so-called "Rule of law Conditionality", arguing that such a Regulation⁶ was adopted through procedures with no legal basis in as much as assumed to fall outside Article 7 TEU. By contrast, the Court highlighted – as never before – that the EU must be able to defend the EU's shared values - which define the very identity of the EU - with any legal means, not necessarily (and not only) those enshrined in primary law, although within the limits of its powers.

In the meantime, a "Conference on the Future of Europe" had been launched as an initiative to gather the willingness of citizens with a view to sharing their ideas on the functioning of the Union⁷. Indeed, even during the pandemic, the limitations of the EU's current institutional set-up were revealed, as was already the case with the previous economic and financial crisis. Although the Conference was not expected to make any concrete operational proposals in terms of revising the current Treaties, its outcome was nevertheless supposed to be able to shape the *modus operandi* of the European institutions in relation to the implementation of EU policies and/or even to inspire a new season of Treaty reforms.

2. A totally unexpected scenario of war and related big matters

Furthermore, since 2022 a new war has been shattering the European continent due to the Russian invasion of Ukraine. This state of affairs has suddenly posed further urgent issues.

⁴ Cfr. *Presentation by Commissioner Hahn of the NextGenerationEU - Funding strategy to finance the Recovery Plan for Europe*, available at https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_21_1743.

⁵ CJEU, 16 Feb. 2022, in Cases C-156/21 and C-157/21.

⁶ Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 *on a general regime of conditionality for the protection of the Union budget*.

⁷ *Joint Declaration of the European Parliament, the Council and the European Commission on the Conference on the Future of Europe Engaging with citizens for democracy. Building a more resilient Europe 2021/C 91 I/01*, available at [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021C0318\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021C0318(01)&from=EN)

First, an energy crisis depending on the bans adopted by the EU and its Member states against the occupant and, as retaliation from the latter to the former, the drastic reduction of Russian gas purchasable by the European countries.

Furthermore, as a consequence of the war, the ancient proposal of constitute a system of European common defence has been relaunched. Indeed, it is well-known that at present time the effective military defence of the European continent is first and foremost entrusted to NATO, and thus to its more powerful members, USA and Turkey ahead. The issue is all the more relevant in the perspective of further elections to be held in 2024, among which the American ones. In this regard, one cannot forget that Trump, again in competition for the post of USA President, has announced the proposal to ease the American military commitment for Europe, in case of his victory.

This topic is strictly linked to another, given the need to strengthen a true shared European foreign policy, first and foremost against the diverse policies adopted in more than two years of war by the Member States in relation to the aim to differently support (some countries more and others less, and even with diverse determination in different times) the Ukrainian resistance.

Moreover, it is needed to take into account the aim to make the common market (and its single currency) more competitive, first for economic purposes, in comparison with large-scaled economies, such as China and USA.

In both cases, what is at stake is the progressive and unstoppable marginalization of the EU in the global geopolitical context.

The overall scenario in which the recent European elections occurred appears all the more innovative due to the already started (and still ongoing) “double” transitions, namely the “green” one and the so-called “digitalization”. Moreover, the latter comes in addition to another big novelty, which marks the 2024 electoral campaign as the first led under the full operation of Artificial Intelligence.

A part from issues of regulation, in order to strike a fair balance between the different values at stake – and which cannot be addressed here – what matters the most in the current analysis is the potential, high risk of spreading fake news and, more in general, of negatively affecting the free formations of voters’ willingness perceived during the electoral campaign.

3. Nothing new under the sun

Despite all the above-mentioned novelties, even so briefly recalled, the latter continued to be managed first and foremost by national parties, differently affiliated to the European ones, namely, as it is better to say, to the traditional European political families. Indeed, it is still national parties that nominate candidate MEPs for elections, who keep debating more on domestic issues rather than clearly presenting

to the electorate the different political visions and interests concerning the Union, its role in the global context, its policies, its current and future challenges.

Therefore, the European election campaign appeared once more run first and foremost in national political arenas, whilst electors were substantially left in the dark about what European policies would actually result from their votes. There have been only weak positive signs to enhance the creation of a European political party system, dating to 2014 before the parliamentary elections in the form of candidatures for the post of Commission President proposed jointly by national political parties with political affinities, as a sign of shared transnational policies. This system of so-called *Spitzenkandidaten* was expected to act as a reinforcement of the political role of the Parliament in its relationship both with the Council - due to the fact that the Treaty of Lisbon gave the European Parliament the right to elect the Commission President, instead of merely giving its consent to the Council's choice - and furthermore with the Commission itself, in line with a more parliamentary type of governance of the EU. Yet, in 2019 the system did not work as the elected Commission President, Ursula Von der Leyen, was not the leader of her group. Nor, despite all expectations, the leading candidates were fully known to the majority of Union citizens, not even in the most recent elections. Rather, for many voters even the affiliation of the national parties to the European families remains unclear or indefinite.

Consequently, the 2024 elections once more showed to be as the consultation of citizens from 27 different member States, rather than the political expression of a unique, true European people. In this regard, the aim to transform the EU Parliament in the (sole) venue directly representing all EU citizens (as enshrined in art. 10, par. 2 TEU and again recalled in art. 14, par. 2 TEU), namely a unique European people, rather than being the assembly in which all *"the peoples of the States brought together in the Community"* are represented (as previously laid down by the Treaty establishing the European Community, art. 189, par. 1) is to be considered broadly nullified.

With the same aim, a major obstacle is still represented by the persistent lack of a uniform electoral law for the European Parliament, despite long-standing exhortations by the European institutions. Whilst these admonishments have been expressed legally - since the Treaty of Rome itself in 1957, that already envisaged the possibility of elaborating a uniform electoral procedure based on direct universal suffrage, to current Article 223, par. 1 TFEU - their implementation has not progressed beyond the formulation of certain highly-general and commonly-shared principles which have been incorporated in single acts of national legislation. No comprehensive agreement on a truly uniform electoral legislation has yet been achieved and only some convergence of electoral systems has taken place gradually among Member States, as a result of the adoption of secondary legislation. Thus, the major reform of the Electoral Act

dates back to 2002 requiring Member States to abolish the dual mandate for MEPs and to conduct elections on the basis of proportional representation using either a threshold (up to 5%) or not.

It means that up until today the allocation of seats in the European Parliament is not determined by one true European election within transnational constituencies, but rather – as said – through 27 national elections to be conducted in national or even infra-national constituencies.

In summary, up until now European elections are still governed for the most part by national laws, electoral campaigning remains national and European political parties are still too weak - being only the “projection” outside the institution of political groups existing inside the Parliament by the reunion of MEPs sharing only some generic political affinities - to fulfill their constitutional mandate and “*contribute to forming European political awareness and to expressing the will of citizens of the Union*”, as required by Article 10.4 TEU.

4. The 2024 elections results and future perspectives

This is the context in which, not fully surprisingly, populists as well as nationalists have thrived, exploiting the wide scepticism with which some peoples of Europe look at the integration process, due in part to the anti-European propaganda often pursued on national level by political elites, at times also with the support of the media. Indeed, it appears easy to off-load onto third parties (and in particular the EU and its system of governance) the failure of national policies and consequently responsibility for restructuring measures which, even though they are not always adequate, are nonetheless oppressive for national electorates. This is precisely what has just happened in some EU countries with the electoral success of far-right parties which foster anti-integration feelings on the basis of strong nationalism. Indeed, what really takes aback is the fact that a major success of far-right wings turned out in some founder countries, such as France and Germany, where even the stability of the current domestic Governments are seriously put into crisis after the EU elections. In other countries, maybe less unexpectedly and thus less traumatically, the electoral results have simply confirmed the current, conservative majority already present in national parliaments (as happened in Italy), nonetheless equally calling into question the role these Member States will play in shaping the EU in the future.

Yet, the overall electoral outcome does not appear suitable to hinder the usual EU parliament majority, formed by the EPP, S&D and the liberals of Renew Europe, which is currently tasked with the appointment of the new Commission President, and other institutional posts. In this regard, a second mandate for Ursula Von der Leyen is likely even though it cannot be taken for granted since at the moment there is a quest for performing a role in such a decision from the more conservative national



parties joint together in the EU Parliament against the veto posed in this direction by some other political forces, mainly social-democrats and liberals.

Given these premises, the most urgent question remains unanswered: will the renewed EU institutions be able to tackle the push coming from all the sovereigntist/populist political forces, sitting today in the EU Parliament as well as in national ones, in order to avoid fragmentation and to carry on the needed Treaties amendments or will they give up under the nationalist strains?

In other words, the core challenge for the integration process today is whether the crisis following the pandemic and the war could become the springboard for the hoped-for consolidation of a new political Union with genuinely federal structure and social vocation as it is patent that - in current times as probably never before - the future of the EU mostly depends on its ability to regenerate itself through effective and lasting reforms. Whilst the new MEPs are still grouping, EU citizens can only wait and see.