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Article

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SHOULD THE EU HAVE A PRESIDENT WITH TWO HATS?

YES

BEN CRUM*

A debate has recently started about the future of the presidency of the European Union. In turn, the prime ministers of France, the UK, Spain, Italy and Sweden have argued that the current system of the rotating presidency should be replaced by a full-time president. Clearly the rotating presidency is running out of steam. As if governing one's own country is not enough, the presiding government is expected to fulfil ever more duties. Some governments are better able to handle the presidency than others. Moreover, after enlargement, each member state will only come to hold the presidency once every 12 or more years.

While the proposal for a full-time president will remove the problems of the rotating presidency, it will create others as it institutionalises a second system of executive power in Brussels. So far the European Commission has been the most permanent embodiment of the Union, but its executive powers are limited in important respects. Most strikingly, executive power in key policies, such as foreign policy and security, has been kept under the firm control of the Council and its own secretariat.

With a full-time president, the Council secretariat is likely to develop into a parallel administration. This will create serious coordination problems, if not outright conflict, between the two administrations. More fundamentally, the presence of two administrations is bound to further reduce the credibility of the Union in the eyes of the public.

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To prevent this situation, the obvious solution is to fuse the two administrations and to have this fusion embodied by the Union President with 'a double hat': chairing the European Council as well as the College of Commissioners. The advantages of this reform are manifold. First of all, it would restore a relationship of trust between the Council and the Commission. It would clarify the administrative organisation of the Union, as well as facilitate the integration and simplification of executive procedures. It would also preclude the development of the Council secretariat into a second European administration and optimise the use of Union resources.

This radical proposal is bound to provoke a number of objections. For a start, one may wonder whether an EU President with two hats would not distort the precious institutional balance of the Union. However, this risk can be avoided by subjecting the President's powers to checks and balances, some of which can already be discerned in the present system. The European Treaties provide a stringent delineation of the Union's powers. Further, the President's powers would be bound by the European legislator consisting of the Council and the European Parliament. Following Montesquieu, the key here is to ensure that the institutions remain politically separate and that none of them will ever be able to control the decisions taken by the other.

Would not an EU President distort the role of the Commissioner as the impartial guardian of the European interest? The classical image of the Commission as a technocratic, impartial broker has long been superseded by actual practice. As the Commission has assumed ever more tasks, it has also been obliged to take a political stance, but this does not necessarily imply that it has to relinquish its role as guardian of the general European interest. Moreover, to prevent the Commission from developing into a party-political body, its other members should still be nominated by the member states (in collaboration with the President).



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Can an EU President be held democratically accountable? Supposedly the EU President would be a former head of state who has substantial experience in the European Council and can wield the necessary authority inside and outside the Union. Thus, naturally, the European Council should be able to control the selection procedure. At the same time, if the EU President will be at the head of the Union's executive powers, the nominee would also need the support of a majority of the European Parliament. Similar to the right of approval it currently enjoys on the Commission President, the Parliament should have a decisive word on the Union President.

Thus, while the European Council would indicate whom of its former members it would be willing to accept as its President, the European party groups could turn the choice of the President into a central issue in the EP elections. Imagine the electoral impact if in the next EP elections the two major party groups in the European Parliament, the Christian-Democrats and the Social Democrats, were to adopt José Maria Aznar and Tony Blair as their candidates for the EU Presidency. Indeed, a President presiding over an integrated European executive and accountable to both the European Council and the European Parliament may be the key to providing Europe with a credible democratic face.