The European Commission
Where now? Where next?

Research Briefing 4: The Commission Presidency

What, if anything, is distinctive about the Juncker Presidency? How does the Juncker model compare to other Commission Presidencies? How does the Juncker Presidency fit historically in terms of the development of the presidential office? What model might follow the 'political Commission'?

Background

The Commission Presidency has changed very significantly over time. Historically a weak office, the Commission Presidency todays bears very little resemblance to the post a biographer of former Commission President, Roy Jenkins, described as 'an impossible job … indeed, hardly a job at all'.[1]

Treaty changes have greatly empowered the office, particularly since the Nice Treaty, but presidential leadership is also shaped by personal style and political circumstance.

The 'rise and rise' of the Commission Presidency

The Commission President under the original treaties

Although the Commission President was considered to lead and symbolise the European Communities, the powers available to the office were limited.

In formal terms, the Treaty did not significantly differentiate the President from other members of the Commission. Member governments agreed among themselves who should be appointed to which College portfolio, and the principle of collegiality extended to the procedures and organisation of the Commission.

The first Commission President, Walter Hallstein, was both the architect and a strong defender of collegiality, which he considered to embody the institution's supranational mission. 'By recognizing the right of all Commissioners to participate in decision-making across the full range of EU action, and not only the areas for which they hold portfolio responsibilities', Kassim *et al* (2013) observe,[2] the

For further information:

Project website:

https://www.uea.ac.uk/political-social-international-studies/research/the-juncker-commission

Contact

Professor Hussein Kassim
Project leader,
University of East Anglia,
h.kassim@uea.ac.uk

Please cite as: Connolly, S. and Kassim, H. (2019) 'The Commission Presidency', The European Commission: Where now? Where next? Research Briefing 4

[1] John Campbell (1983) *Roy Jenkins*, Palgrave, p. 181.

[2] Hussein Kassim et al (2013) *The European Commission of the 21st Century*, Oxford UP, p. 154.

University of East Anglia
Deutsche Universität für Verwaltungswissenschaften Speyer
European University Institute
Robert Schuman Centre for Advanced Studies
The University of Edinburgh

The European Commission
Where now? Where next?

The Commission Presidency

principle underlined 'the organization's claim to represent the general interest of the Union, transcending narrow interests including those of the member governments who nominated the Commissioners'.

Commitment to collegiality as an operational principle also ensured, however, that power remained dispersed at the political level of the organisation, and, combined with the weakness of the presidential office, limited the College's ability to lead or steer the services. In particular, the capacity of the Commission centrally to define, impose and implement a policy programme was weak.

Not only did the Presidency lack the prerogatives and authority that in a domestic setting allow the prime minister to lead government, but functions and responsibilities that in most administrations are centrally located, such as budget, communications, human resources, were decentralised in the Commission.

Only Walter Hallstein, who was surrounded by peers from the wartime generation, and Jacques Delors, who came to office with the strong support of Paris and Bonn, and continued to work with both capitals, were able to overcome the post's institutional and organisational limitations.

Three areas of strengthening

For four decades the responsibilities and expectations of the office were out of kilter with the powers and resources available to it. However, the Commission Presidency was significantly strengthened by successive treaty reforms in the 1990s. Although the evolution began at the beginning of that decade, the Nice Treaty was a key milestone in the development of the office in terms of the formal resources it made available.

Successive reforms of the treaty progressively differentiated the Commission Presidency and have strengthened the office in three areas (see Table 1).

First, the selection of the Commission President has been separated from other members of the Commission – a process that began under the Maastricht Treaty and was extended by the Nice Treaty, then by the Lisbon Treaty. The appointment procedure has also been *parliamentarianised* – since Maastricht, the nominee has to be approved by the European Parliament -- largely in response on the part of member states to demands to reduce the 'democratic deficit'. It has also been *Europeanised*. It is the European Council rather than the Heads of State and Government who makes the nomination and since Nice, the requirement is for a qualified majority. Individual governments have lost their veto power.

The presidential mandate has been strengthened as result of the change in its source. Under Lisbon, 'taking into account the elections to the European Parliament and after having held the appropriate consultations, the European Council, acting by a qualified majority, shall propose to the European Parliament a candidate for President of the Commission'. The Commission President is not simply 'approved' by the European Parliament as under Nice, but 'elected'.

The *Spitzenkanditaten* process, although a para-constitutional innovation championed by the a number of the main European party groups and supported by the European Parliament, aimed to strengthen the mandate still further by linking the campaign for the elections to the European Parliament and the outcome of those elections to the selection of the Commission President.

Second, there has been a presidentialisation of appointment powers. Originally, the appointment of Commissioners was exclusively in the hands of member governments, with the Commission President a bystander. The Treaty of European Union preserved the nomination of members of the College by common accord of governments, but added 'in consultation with the nominee for president'.

The European Commission
Where now? Where next?

The Commission Presidency

Table 1: Five models of the Commission Presidency

	Collegial (e.g. most pre-Nice Presidencies)	**Improvised Presidential** (e.g. Jacques Delors)	**Ministerial Presidential** (e.g. Romano Prodi)	**Personal Presidential** (e.g. José Manuel Barroso)	**Programmatic Presidential** (e.g. Jean-Claude Juncker)
Conception of presidential office	• *Primus inter pares*, with influence and role in particular areas	• Strong personal leadership; responsibility for major projects, but *primus inter pares* elsewhere	• Personal steer on overall priorities; responsibility for some major projects; Commissioners have considerable autonomy elsewhere	• Strong personal leadership • Authorship or co-authorship of major projects	• Strong political leadership • Commission President defines the priorities to be pursued by the Commission
Conception of College/service interaction	• Decisions made by College, with input from services	• Decisions made by College, with input from services • Strong presidential lead in key areas & presidential influence at service level	• Decisions made by College, with input from services	• Decisions made by College, supported by administrative mechanisms designed to enhance presidential control • College is flat	• Services work to deliver the President's policy priorities • Vice Presidents implement President's policy, coordinate work of Commissioners in their teams, and steer the work of the services
New resources	• Rome Treaty does not differentiate Presidency from other Commissioners • President has no say in appointments or portfolio allocation	• Strong personal political support from Bonn and Paris (contingent) • Limited strengthening of Presidency by TEU - Commission President to be consulted on appointments	• Amsterdam Treaty (effective 1999) underlines pre-eminence of President in giving political guidance to the Commission	• Nice Treaty (effective 2003): - Pre-eminence in setting policy underlined - Conditional powers of appointments of Vice Presidents and Commissioner resignation	• Lisbon Treaty (effective 2009): - appointment powers; - resignation power - power over internal organisation
Procedural changes enacted through Rules of Procedure	• Collegiality in decision making is near-universal, including over agenda setting, and internal organisation	• 1993: presidential nominee has role in appointment of members of College	• 1999: The Commission should act collectively, decide its work programme and et annual priorities 'in compliance with the political guidelines laid down by the President' • Presidents sets weekly College agenda	• 2005: President decides multiannual programme, as basis for annual work programme and draft budget • Can create groups of Commissioners	• No formal change to Rules of Procedure • Presidential communication on the 'New Working Methods' introduces 'new ways of working'
Administrative/ organisational changes		• Powerful cabinet • Centralised press office	• Commission President decides whether to set up working groups	• SG becomes presidential service • Strengthened impact assessment capacity • Groups of Commissioners • Better Regulation	• Creation of intersectoral project teams led by 7 Vice Presidents • Vice-Presidents supported by the Secretariat General act as enforcers of the President's priorities • Strengthening of Better Regulation
Agenda-setting	• President shares agenda-setting power	• President leads and sets policy in key areas	• President leads and sets policy in key areas	• President leads and sets policy in key areas	• Commission implements President's policy priorities

The European Commission
Where now? Where next?

The Commission Presidency

The Nice Treaty gave the Commission President the authority to structure, allocate and reshuffle responsibilities for the first time, but the President needed the approval of the College for the appointment of Vice Presidents or requiring Commissioners to resign. This constraint was removed by the Lisbon Treaty.

Third, successive treaty reforms have asserted the Commission President's pre-eminence. The Amsterdam Treaty signalled that: 'The Commission shall work under the political guidance of its President.' Nice added: 'who shall decide on its internal organisation in order to ensure that it acts consistently, efficiently and on the basis of collegiality'. It also made explicit that members of the Commission carried out their responsibilities under the authority of the Commission President.'

The Lisbon Treaty continued the process, stipulating that the Commission President shall 'lay down guidelines within which the Commission is to work', 'decide on the internal organization of the Commission, ensuring that it acts consistently, efficiently and as a collegiate body', and extending the right of appointment of Vice Presidents (other than the High Representative) from among the members of the Commission. Thus, presidential primacy over decision making was put on a formal footing by Amsterdam, strengthened by Nice and further expanded by Lisbon, while precedence over members of the College and the Commission as an organisation began at Nice, but was conditional until Lisbon.

The Prodi and Barroso Presidencies

Although Romano Prodi was the first beneficiary of the differentiation of the Commission President's powers under the Amsterdam Treaty, the Treaty of Nice did not come into effect until February 2003.

Under his Presidency, arguably the first steps were taken to creating a central planning and steering capacity within the Commission, as the Commission enacted the so-called 'Kinnock reforms' in the wake of the resignation of the Santer Commission. A key step was the establishment of Strategic Planning and Programming (SPP) in the Secretariat General.

The presidentialisation of Commission leadership began under José Manuel Barroso. Barroso argued that the Commission could only be effective with strong presidential leadership given the enlargement of the European Union, one Commissioner per member state, and an increased reluctance among member governments to delegate further authority to 'Brussels'.

Barroso also believed that the Commission's credibility depended on the extent to which it could limit the volume and assure the quality of its proposals. Again, this pointed to greater central control.

Barroso took a number of measures to strengthen the Presidency. First, he took personal responsibility for important dossiers. He also insisted on signing off key proposals on behalf of the Commission.

Second, he limited discussion in College -- though he did convene orientation meetings – and discouraged voting.

Third, Barroso transformed the Secretariat General from its traditional role as the guardian of collegiality into a powerful presidential office. He thereby extended the reach of the President into the administration and made it possible for policy activity in the services to be monitored from the centre.

Fourth, he strengthened better regulation within the Secretariat General in order to strengthen quality control over legislative proposals. Although Barroso was able to take advantage of the presidential prerogatives granted under the Nice Treaty, he was appointed to his second term in the autumn before the Lisbon Treaty came into effect (on 1 December 2009) and was therefore unable to make use of the new powers in the formation of his Commission.

The European Commission
Where now? Where next?

The Commission Presidency

Barroso was therefore unable to avail himself of the powers granted to the Commission President under the Lisbon Treaty to instigate a sweeping overhaul of the College, cabinets or services.

The Juncker Commission

The model of presidential leadership enacted by Jean-Claude Juncker was quite different. In contrast to his predecessor, the Commission's twelfth President was able to mobilise the full range of powers made available by Lisbon. Since he was also the first Commission President to be elected via the *Spitzenkandidaten* process, Juncker was able to claim a personal mandate enjoyed by none of his predecessors. With a defined set of priorities, and his candidature and his political programme supported by a 'grand coalition' in the European Parliament, Juncker did not need to make substantial concessions to the party groups. He was also able to plan the organisation of his presidency before formally entering office.

As candidate Commission President, incoming President, and indeed throughout his mandate Jean-Claude Juncker framed his administration as a 'political Commission'.

This formulation fulfilled a number of purposes:

- it captured the legitimacy deriving from the *Spitzenkandidaten* process, which Juncker explicitly invoked to support the appointment, composition and ambition of his Commission;
- explicitly linked to defined policy priorities, it served notice of the intention of the Commission to focus on the implementation of a specific programme; and
- it signalled that the Commission would be assertive and pro-active, that it would take political responsibility, and that it would be responsive.

The 'political Commission' was operationalised through a series of organisational and procedural changes. The main reform saw the creation of a tier of Vice Presidents. Each Vice President was assigned responsibility for delivery of elements of the Commission President's programme and entrusted charge of a policy team, which brought together Commissioners with portfolios.

The overall aim was to create greater coherence in the work of the Commission, move political coordination to the start of the policy process, and enable the College to steer the services.

Vice Presidents occupied a key position in the Juncker Commission. An early symbol of their importance came when Juncker invited Vice Presidents only to a meeting convened to plan the Commission's work programme for 2015. Proposals were not allowed to advance through the Commission machinery unless approved by the relevant Vice President. Vice Presidents were expected to work closely with the President's cabinet.

The First Vice President added an extra layer of control. Introduced by the incoming President as his 'right hand man', Frans Timmermans was assigned a gatekeeping role. He was called upon to decide whether a proposal could be tabled for discussion by the College or included in the annual work programme. Vice Presidents (Ansip, Dombrovskis, Katainen, Šefčovič, Timmermans) without a service of their own were supported by the Secretariat General.

A further expectation was that Vice Presidents would play an ambassadorial role. They would explain EU polices and actions outside Brussels, especially in their home countries. They were also expected to play a lead role in representing the Commission and defending Commission proposals as they navigated their way through the legislative `

The European Commission Where now? Where next?

The Commission Presidency

senior officials performed this role.

An additional motivation for the system of Vice Presidents was the need to accommodate the President's personal style. Juncker liked to spend time reading long documents to decide his position, which is not compatible with continuous meetings or taking the policy lead in multiple areas. Working through a strong cabinet and Secretariat General, and the Vice Presidents was a system that afforded the Commission President space and time. As a consequence, he has been less personally available to Commissioners.

Administrative support for the President was also strengthened by a number of organisational changes:

- DG Communication became a presidential service
- The Spokesperson Service was reformed and centralised inside DG Communications. In line with the ethos of cross-portfolio working, the system of a spokesperson per Commissioner was abolished, and spokespeople were shared between Commissioners
- The Bureau of European Policy Experts (BEPA), the Commission's in-house think tank, was replaced by the European Political Strategy Centre (EPSC)

More broadly, there was a re-allocation of staff between Directorates-General to align resources with the Commission President's priorities. Findings from the online survey and programme of interviews conducted by 'The European Commission: Where now? Where next?' suggest that the Juncker model was positively assessed in the main by staff (see *Research Briefing 5*). Assessments of the Juncker Commission's legislative record also show that the Commission was largely successful in acting its programme.[3]

Future options – the model

An incoming Commission President has three options with regard to the 'political Commission' and the 'new ways of working' (Table 2): that the Juncker model is:

- a 'One-off', which implies a return to an earlier model;
- an 'End point', which implies continuation albeit it with some refinements; or
- a 'Staging post', en route to another destination.

Three sets of questions are important:

1. What are the values associated with each model, and what are the costs? For example, what is the value and what are the costs of collegiality as against the 'perils of presidentialism'? What trade-offs are involved?
2. What does each model require institutionally, organizationally, procedurally? What conditions need to obtain? What are the transaction costs, including for coordination and monitoring? What are the conditions?
3. What are the adjustment costs, including the cost of explaining change.

[3] E. Bassot and W. Hiller (2019) 'The Juncker Commission's ten priorities: An end-of-term assessment', https://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_IDA(2019)637943

The European Commission
Where now? Where next?

The Commission Presidency

Table 2: Where now?

Is the Juncker model …	**… a one-off?**	**… an end point?**	**… a staging post?**
If so, then …	***…revert to which model?***	***… how to improve the model?***	***… should the model be extended to the services?***
Considerations	Which of the existing models to select: • Collegial • Improvised Presidential • Ministerial Presidential • Personal Presidential? Or a new model? • How would the President lead? • What would be the Commission's programme? • What structures, mechanisms and procedures would be put in place to ensure effective leadership and coordination? • How would the College operate? • What would be the relations between cabinets and services?	Take action to : • Ensure VPs are effective coordinators • Delineate responsibilities (or hierarchy) with clarity • Ensure VPs have sufficient support • Ensure meetings are effectively purposed and scheduled • Undertake communication campaign with narrative	Rationale: • remove horizontal constraints on cross-departmental cooperation • enhance capacity to address problems that require cross-departmental approach ('wicked problems') Evidence of support within organisation • growth of 'participatory leadership' Challenge: How to combine functions and projects? • more permeable departmental boundaries? • task force model? • staff pool? • flexible secondments?

Table 3. The 'promises' and'perils of presidentialism

'Promises'	'Perils'
• effective leadership	• adverse impact on morale of Commissioners and senior officials
• ability to speak with a single voice	• normative implications for collegiality
• attune proposals to prevailing political climate	• temptation of excessive political caution
• maximise effectiveness of resources	
• avoid disrepute	
• strengthen coordination	

The European Commission
Where now? Where next?

The Commission Presidency

The future of the presidential office

It is difficult to see how, given the level and range of pressures on the institution -- inter-institutional, internal, external, and political -- the Commission could return to the pre-presidential era of Commission leadership, even if presidentialism carries 'perils' as well as 'promises' (see Table 3).

First, the presidential services are significant, but it is not clear that they work as closely together as a might be hoped. There is scope for better, more seamless, and more strategic routine cooperation between in particular the Secretariat General, the Spokesperson Service, the European Political Strategy Centre, and DG Communication, in areas such as planning and organisation Commission activities, as well as its presence on the ground, and more generally in terms of communicating and explaining policy messages and action. The challenge is to find how this can be achieved efficiently.

Second, there are certain institutional capacities that the presidential office lacks. The European Political Strategy Centre has proved an extraordinarily useful source of ideas and thinking on issues ranging from the immediate and practical to wider horizon-scanning. However, this is no guarantee that its ideas filter through the organisation.

Moreover, the Secretariat General has extended its policy expertise and acquired important functions, including a strategic role, to support the work of the President. However, the presidential office does not yet possess the institutional capacity to monitor the unrolling and implementation of the policy programme, and ensure delivery of the President's priorities, and to carry out reviews and provide policy advice in accordance with the President's priorities.

Despite a considerable strengthening of the office under Presidents Barroso and Juncker, additional improvements could be made.

Conclusion

The Commission Presidency has evolved very significantly since the 1980s when it was weakly defined and poorly resourced. Treaty reform has been at the root of its strengthening. The Treaty of Nice marked the transition to a presidentialised system.

However, the style and organisation of presidential leadership depends to a considerable degree on the individual officeholder – his or her conception of the office, on the one hand, and the circumstances of his or her appointment, and the associated resources, on the other, which vary over time

Hussein Kassim and Pierre Bocquillon
27 June 2019
Revised 28 November 2019

The European Commission
Where now? Where next?

The Commission Presidency

About the project

'The European Commission: Where now? Where next?' is a multinational academic research project, undertaken by a multidisciplinary team. It investigates the internal structure and operation of the Commission, with a particular focus on of the 'political Commission' and the 'new ways of working'. It looks also at the background, beliefs and experience of the people who work for the Commission. The project is informed by data drawn from three sources: responses to an online survey from around 6500 respondents from across and at all levels of the Commission; a programme of more than 200 interviews, including with Commissioners, cabinet members and senior managers; and five focus groups with staff in non-managerial positions. For further information, see our project website

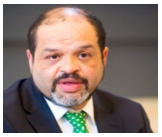
The project is the third to be undertaken by a team led by Professor Hussein Kassim, following 'The European Commission in Question' in 2008-09 and 'The European Commission: Facing the Future' in 2018. The surveys in 2014 and 2018 were circulated to all staff and the 2008 survey was sent to administrators in policy DGs and members of cabinet. Where we make comparisons across surveys, we attempt to present like-for-like results for all staff in 2014/2018 and for administrators and members of cabinet in 2008/2014/2018.

Funding for the project comes from the European University Institute, the German University of Administrative Sciences Speyer, and the University of East Anglia. Although the European Commission allowed us to undertake the project and offered practical help, they provided no financial support or funding.

To contact us or to subscribe to further research briefings, please email us.

'The European Commission: Where now? Where next?' Research Briefings are edited and produced by Sara Connolly and Hussein Kassim.

The research team


Hussein Kassim, Professor of Politics, UEA, Project Leader


Sara Connolly, Professor of Personnel Economics, UEA, Joint PI


Michael W. Bauer, Professor of Comparative Public Administration and Policy Analysis, German University of Administrative Sciences, Speyer


Dr Pierre Bocquillon, Lecturer in Politics, UEA


Renaud Dehousse, Professor and President, European University Institute


Brigid Laffan, Professor and Director of the Robert Schuman Centre, European University Institute


Andrew Thompson, Professor of Public Policy and Citizenship, University of Edinburgh

Research assistants
Mr Pierre Alayrac, École normale supérieure
Ms Louisa Bayerlein, European University Institute
Dr Vanessa Buth, UEA
Ms. Josefine Lynggaard, University of Edinburgh
Ms Kristina Ophey, University of Cologne
Dr Thomas Warren, UEA
Mr. Martin Weinrich, European University Institute
Dr Nick Wright, University College London

Administrative assistant
Dr. Philippa Lacey, UEA