

ORIGINAL PAPER

An Electoral Outlier or Second Order Business as Usual? A Decade of European Elections in Romania (2009-2019)

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Abstract:

Where the European Union (EU) Member States (MS) are concerned, European elections tend to attract less interest than general elections, despite the fact that, at least until the mid-1990s, the turnout has been over 50% even in the case of these elections. From the 1999 European elections to the ones in 2019, the turnout fell below 50% even though 13 new states have joined the EU after 2004. This is intriguing because in general, in the new MSs, the level of enthusiasm and trust in the EU and its institutions is higher than in the others MSs, especially in the first years after accession.

Romania participated in four European elections from 2007 to 2019 and only in one of them the turnout reached 50%. To put things in perspective, for the first two, the turnout was below 30%, in the third one, it slightly exceeded this percentage, while in the fourth one it reached 51%. The European elections have already been theorized as Second Order Elections (SOE), and, at a first glance, the case of Romania does not seem to be an exception from this point of view. This paper aims to analyze the European elections held in Romania following the SOE model, in order to identify those particularities that individualize the Romanian case and are consistent with or reject the SOE model features. The analysis is particularly concerned with the main factors that influenced the turnout and the role that certain political issues of national interest played in increasing the participation during the last elections as well as how they shaped the results registered by several political parties.

Keywords: Romania; European elections; second order elections; turnout; national politics; absenteeism.

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Introduction. Theoretical background

Since the first time its members were elected by universal suffrage, in 1979 and until the mid '90s, the turnout for the European Parliament (EP) elections remained above 50%, even if slight decreases can be observed with each electoral moment: 61.99% in 1979, 58.98% in 1984, 58.41% in 1989, 56.67% in 1994 (European Parliament, 2019a). The two decades between 1999 and 2019 brought a more obvious decrease in the turnout average, with only one electoral moment - 2019 - which registered an upward swing: 49.51% in 1999, 45.47% in 2004, 42.97% in 2009, 42.61% in 2014 and 50.66% in 2019 (European Parliament, 2019a). This descending trend can be observed from one election to the next, even if every electoral moment added new Member States (MS) that participated in the election. This could seem as a paradox if we consider the fact that, in general, in the new MSs the level of enthusiasm and trust in the European Union (EU) and its institutions is higher than in the other MSs. As Simon Hix and Sara Hagemann observe, "European Parliament elections have failed in any meaningful sense to create an 'electoral connection' between European citizens and politics in the European Parliament, in particular, and in the European Union (EU), more generally" (Hix and Hagemann, 2009: 38).

A suitable fix that Hix and Hagemann propose in order to ensure that a stronger connection is built between the European citizens and the members of the European Parliament (MEP), would be an electoral reform, which should allow for the MEPs to be selected individually rather than from closed lists decided by the political parties (Hix and Hagemann, 2009: 38). The two authors argue that the "best practice" of those countries that use such variants of proportional representation (PR) and where the turnout and the citizens' knowledge about the elections are higher, "should become the general model in all MSs" (Hix and Hagemann, 2009: 38). Hence, the best electoral system for electing the MEPs would be "either open-list PR or STV" [Single Transferable Vote] in "relatively small multi-member districts" whose size would allow the election of between 4 and 10 MEPs in each constituency (Hix and Hagemann, 2009: 50-51). This said, there have been many studies that theorized that the low turnout is due to the European elections being Second Order Elections (SOE): Reif and Schmitt, 1980; Reif, 1984; Hix and Marsh, 2007; Hajner, 2001; Hobolt and Wittrock, 2011.

Compared to the first-order elections, SOE are characterized by: (I) lower turnout; (II) a better electoral result for new or smaller parties; (III) more invalidated ballots; and (IV) a loss of votes for the national government parties (Hajner, 2001:1; Reif and Schmitt, 1980: 9).

Reif and Schmitt argue that "there is less at stake" in these elections (Reif and Schmitt, 1980: 9).

More recently, Hobolt and Wittrock added another important feature to the SOE model, emphasizing the fact that voters tend to apply the preferences specific to national (first-order) elections to the European (second-order) elections as well: "[...] vote choices are based on preferences specific to the first-order (national) arena rather than the second-order (European) arena" (Hobolt and Wittrock, 2011: 30). Also, there have been studies that tested the four standard SOE hypotheses against others that focus on party ideologies aside from the electoral system effects or the influence of the party system on the SOE model. Ehin and Talving, for example, found that "ideologically extreme parties and protest parties gain votes in EP elections compared with the preceding national election" (Ehin and Talving, 2021: 4). This brings into the discussion

the fact that the more fragmented the party system is, the less pronounced are the effects of the party size and the electoral system on the electoral performance in the EP elections (Ehin and Talving, 2021: 4-5).

This paper examines the European elections results from Romania in the four European electoral episodes that this country experienced so far (2007, 2009, 2014, and 2019) by applying the features of the SOE model in order to assess whether the results are consistent with those hypotheses or whether, on the contrary, they eschew them. We will use aggregate data at the national and European level, retrieved from the official websites of the European Parliament, the Romanian Permanent Electoral Authority, and the Romanian Central Election Bureau.

Electoral procedures

According to the European legislative rules, the main principle that governs the election of the European Parliament is the principle of proportional representation. Even though each MS has some specific national legislation regarding European elections, the common rule set by the 1976 Electoral Act and, subsequently, by the Maastricht Treaty (Electoral Act, 1976; Maastricht Treaty, 1993: art. 8) and a few other Council's decisions is that all MSs should use either the list system or the STV to select their MEPs. Also, the MSs can decide on a threshold of maximum 5% of the valid votes cast at national level (Council Decision, 2018/994: art. 3). In addition to that, the Council stated that, in the constituencies with more than 35 seats, there must be a mandatory minimum threshold between 2% and 5%. Currently, 15 of the 27 MSs apply thresholds; most of them apply the 5% threshold (France, Belgium, Czech Republic, Croatia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia) and a few others use lower thresholds, of 4% (Austria, Italy, and Sweden), 3% (Greece), and 1.8% (Cyprus). The remaining MSs apply no threshold (European Parliament, 2019b). Also, the great majority of MSs have a single national constituency for the European elections; only in 4 MSs (Belgium, Ireland, Italy, and Poland), there are also smaller regional constituencies.

Another factor that plays a significant role is the type of electoral system used. Although all the countries use variants of PR, not all of them allow voters to cast preferential votes (to change the order of the candidates on the list). There are six MSs – Romania is one of them – where closed lists are used, meaning that they do not allow preferential vote (the others are Germany, Hungary, France, Portugal, and Spain). Only two MSs use the STV, which is regarded as the most accurate proportional representation system (Malta and Ireland). STV allows the voters to make their own candidate list in order of preference, by being able to choose candidates from different lists. This type of electoral system is the one that would allow for a better connection between voters and MEPs and, in time, would help increase the interest in the EU elections and, by extension, the turnout. Hix and Hagemann argue that changing the electoral rules will lead to changing "the incentives for candidates" who will be more interested in creating "politically visible personal profiles" which would change the way voters relate to them and to the European electoral process (Hix and Hagemann, 2009: 41).

Romania currently uses a closed-list PR system for the EP elections, the same type of electoral system used for electing the national Parliament. This system has been in use for the general national elections since 1990, with just one exception between

2008 and 2012, when a so-called single member majority system was adopted. Since the general elections in 2016, the closed list PR has been restored.

I. Low turnout?

Based on Hix and Hagemann's argumentation, this type of electoral system contributes to maintaining a relatively weak connection between the voters and the candidates and that could be a plausible explanation for the lower turnout. From this point of view, the Romanian case "checks" the first feature of the SOE model: low turnout. All the four European election episodes have shown that Romania is one of the countries with the lowest turnout: 29.47% in 2007 (the year the country entered EU), 27.67% in 2009, 32.44% in 2014 and 51.20% in 2019. By comparison, of the ten states that became members of the EU in 2004, only five registered a lower turnout during that year's European elections (Czech Republic – 28.30%, Estonia – 26.83%, Poland – 20.87%, Slovenia – 28.35% and Slovakia – 16.97%) (European Parliament, 2019a).

This is an interesting situation, since more than half of the newest 13 MSs (8 to be precise) registered the lowest turnout in their first European elections. Indeed, this could be explained by the novelty of the political situation in which they found themselves since the European elections were held just a few months after their accession (the same in 2004, 2007 and 2013). In other words, a case can be made that the population had too little time at its disposal to understand the political importance of those elections. However, this explanation no longer applies when we look at the next European elections from 2009. The turnout in Romania was 27.67%, though, however low, it was not a singular case and even lower turnouts were registered in Slovakia (19.64%), Poland (24.53%), and Lithuania (20.98%). For the third European electoral exercise, Romania exceeded the 30% threshold, with 32.44% of the voters participating in the elections. Only 7 other MS – Croatia (25.24%), Slovakia (13.05%), Slovenia (24.55%), Poland (23.83%), Hungary (28.97%), Latvia (30.24%) and Czech Republic (18.20%) – registered lover turnouts (European Parliament, 2019a).

The 2019 elections could seem like a great surprise if we look at the fact that Romania registered its highest turnout yet (51.20%) which exceeded even the European average (50.66%). This situation should be, however, analyzed in correlation with the fact that, during the election day, the Romanian citizens were also called to a double national referendum, on a theme of maximum interest, which had been covered persistently in most of the political debates of the previous months. There is no doubt that this national political context represented the main incentive for the Romanian voters, and as a result, we cannot attribute the increase in the electoral turnout to the voters' sudden increased interest in the EP election.

The thesis of the SOE model is, therefore, validated if we compare those turnouts with the ones registered for the national elections that preceded the European ones.

Table 1 - Electoral turnout for the parliamentary and presidential elections held in Romania between 1990 and 2020

Year	Turnout in parliamentary elections (Chamber of Deputies)	Turnout in presidential elections (first round)	Turnout in presidential elections (second round)
1990	86.18%	86.18%	-
1992	76.29%	76.29%	73.23%

1996	76.01%	76.01%	75.90%
2000	65.31%	65.31%	57.50%
2004	58.51%	58.51%	55.21%
2008	39.20%	-	-
2009	-	54.37%	58.02%
2012	41.76%	-	-
2014	-	53.18%	64.11%
2016	39.49%	-	-
2019	-	47.66%	49.87%
2020	31.94%	-	-

Data sources: Romanian Permanent Electoral Authority (2020a; 2020b)

Table 2 - Electoral turnout for the parliamentary and European elections held in Romania between 2004 and 2019

Year	Turnout in parliamentary elections (Chamber of Deputies)	Turnout in European elections
2004	58.51%	-
2007	-	29.47%
2008	39.20%	-
2009	-	27.67%
2012	41.76%	-
2014	-	32.44%
2016	39.49%	-
2019	-	51.20%

Data sources: Romanian Permanent Electoral Authority (2020a); European Parliament (2019a)

In this regard, it is worth mentioning that the turnout was not very high in the national elections either, with only the presidential elections registering turnouts above 50% after 2004. This decline in turnout at the national parliamentary elections can also be explained by the fact that 2004 was the last year when the parliamentary and the presidential elections were held at the same time. After the revision of the Romanian Constitution in 2003, the presidential mandate was changed from 4 to 5 years, meaning that the parliamentary and the presidential elections would be held at the same time only once in 20 years. This led to a decrease in turnout in the following parliamentary elections (2008, 2012, 2016 and 2020), since it is known that the presidential elections have always been the ones that generate the most interest for the Romanian voters (Ivănescu, 2018: 148-149). Nevertheless, the lower turnout in the European election can be easily remarked, when compared to the national ones, thus validating the first "rule" of the SOE model.

II. A better electoral result for the new or small(er) parties?

The electoral results show that the Romanian case does not seem to follow the second "rule" of the SOE model. In 2004, the Romanian political scene was dominated by two political alliances that gained the large majority of the votes in the parliamentary elections: the National Union PSD + PUR (Social Democratic Party and the Romanian

Humanist Party), with 36.61% of the votes and the Justice and Truth Alliance comprising of PNL and PD (National Liberal Party and Democratic Party), with 31.32% of the votes. Apart from the two, another two political parties entered the Parliament: Greater Romania Party (PRM), with 12.92% of the votes and the Democratic Union of the Hungarians in Romania (UDMR), with 6.16% of the votes (Ivănescu, 2015: 166).

PRM 12.92%

2004 NATIONAL ELECTIONS

VS
2007 EP ELECTIONS

UDMR 6.16%

PDL 7.79%

PDL 7.79%

PDL 13.45%

Figure 1 – Electoral results of the main Romanian political parties at the 2004 general elections and 2007 European elections

Data sources: Ivănescu (2015), Romanian Permanent Electoral Authority (2007)

At the EP elections from 2007, the national electoral threshold was exceeded by five political parties. That does not mean, however, that some new political parties managed to gain momentum in the EU elections. In December 2006, the Liberal Democratic Party (PLD) was formed, when a faction of PNL split following some internal frictions. This generated a slightly lower electoral result for PNL in the EU elections in 2007. Shortly after those elections, in December 2007, PD and PLD merged,

forming the Democratic Liberal Party (PDL), which was an important political actor in the Romanian politics during the following years.

PRM failed to meet the 5% threshold at the EU elections in 2007 and the governing coalition obtained an even better result than what it secured three years earlier, thus invalidating the SOE model. In the EP elections, PRM managed to gain 3 seats, after failing to enter the national Parliament a year earlier.

PDL 36.39% PNL 20.56% UDMR 6.96% VS 2009 EP ELECTIONS PRM 8.65% UDMR 8.65% PNL 14.52% PSD + PC 31.07%

Figure 2 – Electoral results of the main Romanian political parties at the 2008 general elections and 2009 European elections

Data sources: Romanian Permanent Electoral Authority (2008, 2009)

The People's Movement Party (PMP) was launched by the People's Movement Foundation, at the initiative of former President Traian Băsescu, after he and some of his supporters left PDL in 2003. That year, during PDL's National Convention, Băsescu accused the party leadership of falsifying the results of the elections for the party president position. Having supported his former councilor Elena Udrea for this position, Băsescu directed his accusations at Vasile Blaga (who ended up winning the presidency of the party) and his team.

The 2014 electoral cycle also confirms our initial assessment, since although PMP was new and relatively small, it did not break the mould: a vehicle to serve the former president's political ambitions, PMP was dependent on the support that its figurehead could garner from its loyal base.

ARD (PNL+ PNICD+FC)
16.51%

PP-DD
13.99%

UDMR
5.14%

VS
2014 EP ELECTIONS

PMP
6.21%
PDL
12.23%

PDL
12.23%

PSD + PC + UNPR
37.60%

Figure 3 – Electoral results of the main Romanian political parties at the 2012 general elections and 2014 European elections

Data sources: Romanian Permanent Electoral Authority (2012, 2014)

In 2019, we witness that a new party gains traction in the EP elections: USR-PLUS. The result of a fusion between the Save Romania Union (USR) and Freedom, Unity and Solidarity Party (PLUS), USR-PLUS has become the third largest political party in Romania. Critical of the establishment parties and their stale way of doing politics, the party is centered on a good governance and anti-corruption platform and proposes a managerial approach to politics. This being said, its gains in the 2019 EP elections cannot be attributed strictly to its policy agenda, since as we have mentioned before, the 2019 results are influenced by the referendum turnout. In other words, we could say that these elections were more FOE (first order elections) than SOE. Moreover, there is a certain irony if we stop to think that the president of PLUS, Dacian Cioloş was a European technocrat *par excellence*, having been the Agriculture Commissioner in the Barroso Commission (2010-2014) while as of 2019, he is the leader of the Renew Europe political group in the EP.

PNL 20.04%

USR 8.87%

UDMR 6.12%

ALDE 5.62%

PMP 5.34%

2019 EP ELECTIONS

UDMR 5.76%

PNP 5.76%

PNP 5.76%

PNP 5.76%

PNL 27%

Figure 4 – Electoral results of the main Romanian political parties at the 2016 general elections and 2019 European elections

Data sources: Romanian Permanent Electoral Authority (2016, 2019), European Parliament (2019c)

The national and European elections results presented in this section lead us to conclude that the second feature of the SOE model (better electoral results for new and small parties) is only partially fulfilled in the Romanian case. It is true that PDL in 2007 (7.79%), PRM in 2009 (8.92%), PMP in 2014 (6.21%), USR-PLUS and Pro Romania in 2019 (22.36%, respectively 6.44%) had been either new or relatively small(er) parties on the Romanian political scene. Yet, their results are either just a few percentage points above the 5% threshold, which cannot be considered, in our opinion, a "good" electoral result, even if they are slightly higher than the one obtained in the previous national elections (as shown in the figures above) or a direct consequence of the developments on the national political scene. In other words, they were not the result of a more pro-European campaign.

If the result of PRM in 2009 could sustain the SOE thesis (as the party obtained almost 9% of the votes after not being able to enter the national parliament a year before), the cases of Pro Romania and USR-PLUS (in 2019) should be seen in connection to the national political context more than in relation to the European electoral one. While it is true that Pro Romania was at its first European electoral exercise in 2019, it was a parliamentary party which, even if did not participate in the

2016 general elections, managed to form a political group in the Romanian Parliament in 2019, after picking up 20 deputies, 16 of whom had been elected on the PSD lists in 2016. It can be argued, therefore, that Pro Romania was not a "new" party, since the most prominent members were well known politicians (two of them having served as Prime Ministers of Romania – Mihai Tudose and Victor Ponta, the party president).

If we compare 2016 national elections to 2019 European ones, the biggest electoral leap can be observed in the case of USR. This result must be, however, understood in light of the national context. As mentioned above, the 2019 European elections in Romania registered the highest turnout so far and a win for PNL against PSD, which had gained over 45% of the votes in the previous national elections. One of the main explanations for this result lies in the fact that, at the same time with the EP elections from May 26, 2019, Romania held a national referendum regarding two of the most discussed political themes of the recent years: the amnesty and pardon for corruption offenses and the government excessive use of emergency ordinances in the field of justice (and in other fields, for that matter).

After numerous protests in Bucharest and other big Romanian cities, which started in January 2017 (as a reaction to the PSD government's intentions to modify the amnesty law and some other provisions of the Penal Code) and continued to garner traction in 2018 and 2019 as well, the national referendum over the justice reforms called by President Iohannis pushed a significant majority of the electorate to participate and, as a result, to also vote in the EP elections. Practically, the momentum gained by USR, with their initiative "No convicted people in public office", together with their support for the President's decision to call a national referendum, made possible for them to obtain an increased vote share in the EP elections as well. This meant that USR managed to gain almost as many votes as PSD in the EP elections, while 3 years earlier, in the national elections, PSD gained 45.47% of the votes and USR, only 8.87%.

In the national referendum regarding the justice reform, Romanian voters were presented with two questions on the ballot paper:

- Do you agree with the ban on amnesty and pardon for corruption offenses?
- Do you agree with the ban on the Government's adoption of emergency ordinances in the field of crime, punishment and the organization of the judiciary and with extending the right to appeal the ordinances directly to the Constitutional Court?

Both proposals were approved with comfortable majorities: the answers in support had been in proportion of 85.42% for the first question and 85.7% for the second one. (Romanian Central Election Bureau, 2019a, 2019b).

If we were to exclude the discussion about the role that the national political events played in the electoral results that those parties obtained at the European elections, it could be argued that this outcome supports the second thesis of the SOE model. The contextualization is, however, necessary and it leads us to conclude that, as Hobolt and Wittrock argued, voter choice in the European elections is based more on the national specific preferences (Hobolt and Wittrock, 2011: 30). With this in mind, we can draw the conclusion that the second "rule" of the SOE model is only partially validated in the Romanian case. We would posit that it is a borderline validation.

III. What about the invalid ballots?

Table 3 – Invalid ballots in national and European elections, 2004-2019

Year / Type of	Total number	Valid	%	Invalid ballots	%
election	of persons who	ballots			
	voted				
2004,	10 794 653	10 188 106	94.38%	599 641	5.55%
parliamentary					
2007,	5 370 171	5 122 226	95.38%	246 555	4.59%
European					
2008,	7 238 871	6 886 794	95.14%	Null: 210 994	4.84%
parliamentary				White: 139 139	
2009,	5 035 299	4 840 033	96.12%	194 626	3.86%
European					
2012,	7 694 180	7 409 626	96.30%	Null: 212 289	3.69%
parliamentary				White: 71 364	
2014,	5 911 794	5 566 616	94.16%	345 011	5.83%
European					
2016,	7 323 368	7 047 384	96.23%	213 916	2.92%
parliamentary					
2019,	9 352 472	9 069 822	96.97%	274 415	2.93%
European					

Data sources: Romanian Permanent Electoral Authority (2004, 2007, 2008, 2009, 2012, 2014, 2016, 2019)

The data from the table above shows that only in the 2014 EP elections, the percentage rate of invalid ballots was higher than in the parliamentary elections from two years before. Thus, the SOE model is not validated from this point of view. The percentage of spoilt votes is not indicative of a protest trend among the voters who would deliberately waste their ballots. Rather, absenteeism would be a better variable to check for given how depressed the turnout tends to be even during first order elections. This is due to the fact that public confidence in political parties tends to constantly decrease, mainly because of "the excessive fragmentation of the main ideological poles in a great number of small parties that [occupy] similar ideological spots on the Romanian political scene" (Ivănescu, 2018: 149).

IV. A loss of votes for the national government party

The SOE model final feature can be observed only in the last EP elections, from 2019. However, as discussed above, the result should be interpreted by taking into consideration the unstable political context at that time, the failed co-habitation between the PSD Prime Minister and the President, and the fact that the European elections were held together with the national referendum on the justice reform. While the result supports the SOE model thesis, it is clear that it was not organically driven by the specific nature of the European elections, but it was, instead, influenced by the volatility accompanying the national political issues.

Conclusions

The aggregate data analyzed in this article show that the SOE model is clearly validated only where turnout is concerned. While we have seen that the model is

partially validated for the other theoretical traits, this is more a result tributary to the influence that the national political context exerts in the outcome of the European elections. It is not a direct consequence resulted from the specificities of those elections.

In other words, the "national preference" is the one that determines the result of the European elections, and this was visible in all four rounds of European elections in which Romania participated so far. Also, in the three electoral moments in which the EP elections were not linked to any national electoral process, the turnout was substantially low, confirming the classic SOE outcome that Hix and Marsh (2007: 496) revisit: "the timing of a European election in a national election cycle will determine the size of the [SOE] effects". We conclude that the EP elections are, indeed, second-order elections for the Romanian voters, but not particularly because of the electoral system that is used, nor because of the weak connection between voters and politicians; rather it is due to the poor civil and political culture, the insufficient political information, and an extremely dangerous amount of social conformism. All those features generally characterize the Romanian electorate, who, although participates in the elections, does not always possess elementary knowledge about what the public offices that they vote for entail, about the structure of the administrative and political institutions, much less about the European political realities, the role of the EP at the core of these realities or their rights as European citizens.

This is concerning since an uninformed electorate is vulnerable to actors of disinformation that seek to weaponize this weakness in order to advance their (populist) agenda. While "we are far from talking about a pan-anti-European popular trend clamoring for the rejection of the European Union" (Filimon 2015: 215), the ascendency of radical right parties, the creeping radicalization of the mainstream (Ivănescu and Filimon 2020), Brexit, or the immigration backlash speak to how critical it is for the voters to be in possession of civic knowledge. For this vulnerability to be overcome, national and European actors need to be more actively involved in communicating this information and to create effective tools for the citizens to become effective voters. Anything less weakens this core democratic institution that is represented by the electoral exercise, turning it into cheap spectacle and pablum. This is a pity since citizens are clamoring to put their trust in the institutions which would uphold their rights and improve their wellbeing (Ivănescu and Filimon 2014).

In conclusion, beyond the rules of the SOE model, the analysis of the Romanian case reveals a series of systemic problems that the country is facing, one of the most sensitive of which being the collapse of citizens' trust in politicians and political institutions. This, in turn, exerts a major influence on the European electoral process as well. Finally, it can be argued that it is not necessarily the SOE model which shows its limits in the Romanian case, but it is rather the loss of the Romanian electorate's trust in the political class that becomes the main limitation and prevents us from drawing more generalizing conclusions about the validity of the SOE framework of analysis. Only by watching the development and results of future electoral exercises will this issue be better clarified, or maybe, on the contrary, the SOE model will, instead, be unequivocally invalidated in the Romanian case.

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