

Of Democracy and Other Fables: The 2012 Greek Parliamentary Elections

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1. The WHY Question: A Radical Approach to Law

In an attempt to write a final pre-PhD publication of mine in a more radical manner, this shall not be a typical 'legal' essay. Rather, my paper strives to study a public law topic with a non-conventional lens. My research guide will be the 'why' question, a sort of *behind-the-facts* investigatory query¹, unusual for a lawyer educated and trained partly in a legal positivist environment. Alas, my ambition to write something original challenging mainstream legal assumptions urges me to ask four different 'why' questions. My case-study will be the 2012 Parliamentary Elections in Greece, a crisis-hit country with a long history of bipartisanship, going to the polls for the first time after its massive bailouts. Triggered by the 'WHY Democracy' session of the 2012 WHY Seminar in Florence, my paper deals with the wider questions of democracy, legitimacy and accountability on national and EU level in times of crisis. Interestingly, I find that these Elections were pure evidence of the *political*-more than *financial*- crisis that both Greece and Europe is currently facing.

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¹ For the importance of the WHY Questions in legal scholarship see Rob van Gestel, Hans-W. Micklitz & Miguel Poiares Maduro, *Methodology in the New Legal World*, EUI Working Paper LAW 2012/13.

2. WHY Elections: Could Greek Politics survive the Crisis?

The Greek General Elections of June 2012 came as the result of political deadlocks. Following a first round in May 2012 and the failure of major parties to form a coalition government, the June Elections were called to put an end to instability. Question was how. With Greeks viewing this General Election as the ultimate opportunity to punish the 'austerity parties', voting would turn into polarization and extremes². In such a political crisis, the outcome could hardly be predicted.

It was also the first time the Greeks went back to the polls since the two bailouts³. This time, though, things had changed. Whereas for the past three decades or so Greek politics have been dominated by two parties alternating in power by promising various benefits to the electorate, currently Greece is under international financial supervision and citizens can no longer expect such treats. Instead, they must learn to live with austerity. As such, it was anticipated the two-party system would not survive the crisis and new political players would soon emerge.

The 2012 Elections turned out a breakthrough. Greece became the first crisis-hit country where bipartisanship collapsed, leading to greater political fragmentation⁴. The June Round finished with a seven-party parliament, a massive defeat of the formerly-governing PASOK and a disproportionate empowerment of opposition parties. Former opposition party New Democracy (conservatives) won almost 30%. Polarization drew many voters to extremists on both sides of the political spectrum. Far-left SYRIZA gained 27% of the vote, while far-right Golden Dawn gained an unprecedented 7% share and made its first entry to the Greek Parliament.

² Nikos Alivizatos, *How do we Vote in Times of Crisis?*, Kathimerini, May 27, 2012 [in Greek]. See also Elias Dinas and Lamprini Rori, *The 2012 Greek Parliamentary Elections: Fear and Loathing in the Polls*, West European Politics, Vol.36:1, April 2013, 270-282, Yannis Mavris, *Greece's Austerity Election*, New Left Review, Vol.76, July-August 2012, and Gerasimos Moschonas, *The May 2012 Elections: The Breakthrough, the Trends and SYRIZA*, Syghrona Themata, Vol.116, pp.6-7 [in Greek].

³ Greece signed two bail-out loan agreements (in May 2010 and October 2011) with the 'Troika' (EU/ECB/IMF) for the loan of €110 billion and €130 billion respectively. Both bail-outs were conditional on the implementation of reforms and harsh austerity measures (the so-called 'austerity packages'). For a thorough account of the 'Greek financial drama' see the commentary of Yannis Drossos, *Greece- The Sovereignty of the Debt, the Sovereigns over the Debts & Some Reflections on Law*, IGLP WP 7/2011.

⁴ The June 17, 2012 General Election Results are declaratory. Former governing party PASOK (socialists) won roughly 12% of total vote (down 31%), while SYRIZA (leftists) won a massive 27%, up 22% since the former General Elections in October 2009. Source: Ministry of the Interior, <http://ekloges.ypes.gr/index.html> [in Greek] (last visited July 18, 2014)

What do these figures tell us? The de-stabilization of the Greek political system following a serious blow to bipartisanship⁵, the rise of political extremism⁶ and even signs of a 1930s 'Weimar Republic-like' revival⁷. The new economic reality has definitely affected politics: as Greece sinks into recession, we are witnessing the erosion of the political establishment⁸. And the transition is not going to be smooth.

3. WHY Reactions: Would Greek Elections stir the World?

So how did the markets and politicians react to the Greek General Elections results? When the polls projected victory for austerity parties, global markets rose again⁹. The German Finance Minister Wolfgang Schäuble, following the May Round results, stated that the June Elections in Greece should be "a referendum on whether the country stays in the Euro"¹⁰. So did German Chancellor Angela Merkel, purportedly suggesting it to the Greek President of the Democracy, though she later refuted¹¹.

In October 2011, former Prime Minister George Papandreou's idea to call a referendum on the Euro was met with outrage in and outside Greece, leading up to his resignation. The interim government of Lucas Papademos, set up shortly afterwards, deferred elections until certain Memoranda-of-Understanding (MoU) measures went through. The idea behind the referendum and the elections was the same: *Give Greeks the power to decide on Greece's fate, whatever that may entail.*

⁵ The decline of dominant party systems and the popularity of anti-establishment parties find provenance in international economic integration. Mark Andreas Kayser, *How Domestic is Domestic Politics? Globalization and Elections*, Annual Review of Political Science, 2007, Vol.10, 341-362 (353-57)

⁶ As shown in the recent 2014 European Parliament Elections in Greece, the far-right Golden Dawn party has become the *third* parliamentary power gaining more than 9% of the total share of votes. See <http://ekloges.ypes.gr/may2014/e/public/index.html?lang=en> (last visited July 18, 2014)

⁷ Mark Mazower, *For Greece and Germany a Democratic Trial Looms*, The Guardian, June 11, 2012. As the prominent historian and expert-on-Greece Mark Mazower remarks, "With Neo-Nazis in Greece's parliament and its two-party system buckling under austerity, are the bad old days returning?"

⁸ Takis S. Pappas, *Why Greece Failed*, Journal of Democracy, April 2013, Vol.24:2, 31-45, 43 (pointing out that 'the current financial crisis led to the demolition of the two mechanisms that, for decades, had supported Greece's populist democracy', namely political patronage and triumphant polarization)

⁹ *Stocks and Euro Gain on Optimism About Greek Elections*, The New York Times, May 28, 2012; See also the post-election endorsement, *Markets in Asia Get Greek Spark*, Wall Street Journal, June 17, 2012

¹⁰ *Greek Vote Escalates Crisis as Schäuble Raises Euro-Exit*, Bloomberg, May 15, 2012

¹¹ *Merkel 'Suggests Greek Referendum on Euro Membership'*, BBC News, May 18, 2012

Not so simple. If Greece weren't a Eurozone country and had not already agreed the biggest bailout in western history, Greeks could indeed go carelessly ahead with referendums and elections. As things turned out, and due to poor planning, Greeks went to the polls late and aggressively. The political destabilization of a Eurozone country in such enormous debt was *a real threat* for markets and politicians alike. At any rate, Greece would pay the price for breaching the bailout agreements¹².

Thus we view the transplantation of the Latin proverb *Pacta Sunt Servanda*¹³ into Greek politics. Whereas 'Pacta', according to civil law tradition, used to legally bind only contracting parties, the bailout agreements¹⁴, if breached, would have radiating effects upon current and future Greek generations. Greek citizens may have voted for or against the bailouts, but their vote has sent signs internationally. The legitimization or rejection of the bailouts, which came a posteriori, certainly looked bizarre, but it has been externally judged¹⁵ by our creditors with far reaching consequences. Greek voters may have had their say on a national scale, but their expulsion from the Eurozone and a possible default would be decided on the basis of an agreement. Greece has thus undertaken long-term obligations to resolve its sovereign debt crisis and it cannot easily breach them while still remaining in the Eurozone. Here is where moral considerations come up: But could the Eurozone stability determine -de jure or de facto- national elections? Can democracy be contingent on how markets will react? And why should Greece matter at all?

¹² In Schäuble's words, "*If Greece (...) wants to stay in the Euro, then they have to accept the conditions.. No responsible candidate can hide that from the electorate...*". See *Greek Vote Escalates Crisis*, as above.

¹³ [Latin] Agreements are to be kept; treaties should be observed. *A Dictionary of Law*. By Jonathan Law and Elizabeth A. Martin. Oxford University Press 2009 *Oxford Reference Online*.

¹⁴ The nature of the agreements signed between Greece and the troika (EU/IMF/ECB) has been disputed. According to a recent ruling of the Hellenic Supreme Administrative Court, they do *not* constitute 'international agreements'. As such, they did not require ratification by the Greek Parliament with qualified majorities of 3/5 (180 out 300 MPs) under article 28.2 of the Greek Constitution. Rather, such agreements merely constitute "political" (soft law) agreements that are not legally binding per se. Nevertheless, it was on the basis of those agreements that Greece committed. See ΣτΕ 668/2012 (plenary session).

¹⁵ See the controversial interview of IMF Director *Christine Lagarde: Can the Head of the IMF Save the Euro?*, The Guardian, May 25, 2012. When asked if voters in Greece and France were wrong to elect anti-austerity politicians, Lagarde diplomatically responded "You are never wrong when you have voted because you've acted in accordance with your conscience and your beliefs, and you've exercised your democratic right, which is, you know, perfectly legitimate in our democracies". Nevertheless, Lagarde admits that in countries like Greece and Italy, politicians who were 'unwilling to play by the IMF's rules' were ultimately 'replaced' by technocrats like Mario Monti and Lucas Papademos. This was of course "gifting Euro-sceptics evidence for their charge that the EU is fundamentally anti-democratic".

Due to its historical fate, Greece, through its parliament, *had* to be once again ‘in the forefront of Europe’s evolution’¹⁶. The Greek Elections stirred politicians and markets alike because a possible ‘negative’ outcome would have created large waves of protest around the continent, sending signals of disobedience to foreign parliaments and creditors. But what were the signals sent eventually?

4. WHY Democracy: Can Greeks-and others-Take the New EU Order?

Thus we get to the heart of the matter. What did these Elections signify?

Greece, like Europe, is ultimately facing an existential crisis. Its institutions, primarily its parliament, seem incapable to provide any feasible exodus from the austerity measures decided externally. Ruling parties primarily sign and ratify foreign agreements, lacking the power or even the willingness to negotiate them. Such agreements may even encroach on a nation’s constitutional provisions or impose constitutional amendments in the course of their national implementation. Fiscal policy, for instance, a core area of self-government and formerly a state prerogative¹⁷, will be decided on the basis of an international agreement¹⁸. Sadly then, national sovereignty is gradually becoming *the exception* to the power rule¹⁹.

¹⁶ Mark Mazower, *Democracy’s Cradle, Rocking the World*, New York Times, June 29, 2011 (‘[T]oday, after the euphoria of the ‘90s has faded and a new modesty sets in among the Europeans, it falls again to Greece to challenge the mandarins of the European Union and to ask what lies ahead for the continent.’)

¹⁷ See especially Kaarlo Tuori, *The European Financial Crisis: Constitutional Aspects and Implications*, EUI Working Paper LAW 2012/28, 45 (arguing about the erosion of national fiscal sovereignty)

¹⁸ Bypassing traditional communitarian methods and altering the so-called ‘Maastricht architecture’ of the European Economic Constitution. *Another Legal Monster? An EUI Debate on the Fiscal Compact Treaty*, EUI WP LAW 2012/09 (Anna Kocharov, ed.), with very interesting contributions- see, among others, Bruno de Witte (discussing the nature of this fiscal regulation), Hans Micklitz (raising the input / output legitimacy issue) and Miguel Maduro (discussing the existential/political crisis of Europe)

¹⁹ See, however, the rulings of the German Federal Constitutional Court of September 7, 2011 on the constitutionality of the Greek bail-out and the euro rescue package and of September 12, 2012 on the constitutionality of the German acts ratifying the European Stability Mechanism (ESM) and the Fiscal Compact Treaty, 2 BvR 987/10 and 2 BvR 1390/12 respectively, according to which there was no essential violation of national budget autonomy as safeguarded by the German Parliament. See the comments of Bruce Ackerman and Miguel Maduro, *Broken Bond*, Foreign Policy, September 17, 2012 (arguing that the Court’s preliminary findings on further economic-but not political-integration will jeopardize the Eurozone on the long run, if unchanged). Also, Kaarlo Tuori, *The European Financial Crisis...*, 41.

The basic notion of representation seems to have changed in the new EU order. The principal-agent theory²⁰, prominent in representative democracy, looks not to be properly applicable anymore. The Greek parliament, in our case, cannot function as an agent of its voters since several powers originally conferred to it have been continuously transferred to the EU level. Thus, the Greek parliament serves more as a ratifier/executor of foreign decisions, to avoid collapse and international isolation. This is the modern trend. We witness the decline in the role of national parliaments who are becoming less agile as decision makers²¹. At the same time, we view a growing demand for transfer of decision powers from the national to the EU level, with a parallel diminution of the state. National democracy is being eroded.

The paradox of the story is the issue of accountability. Greek politicians, especially members of the former government, have been held accountable by the Electorate for promoting harsh austerity policies. However, most-if not all- of the present reforms being pushed for are the products of external decisions²². Nevertheless, the actual decision makers, be it the IMF, the ECB or the EU bureaucrats, have not -and could not- be held accountable in National Elections. Accountability mechanisms have and will be restricted within Greek borders²³.

Thus the popularity of the 'anti-memorandum discourse'²⁴ in our politics. Unsurprisingly, a great amount of voters supported the anti-memorandum front propagating even the renouncement of the bailout agreements and a Euro exodus.

²⁰ For an introduction to this political science doctrine see Carina Sprung, *Even More or Even Better Scrutiny? Analyzing the Conditions of Effective National Parliamentary Involvement in EU affairs*, European Integration Online Papers (EIoP), 2010, 14:02, 5-10, <http://eiop.or.at/eiop/texte/2010-002a.htm>

²¹ This could be viewed as a 'post-democratic' symptom, in the sense that existing democratic institutions may not always correspond to the political reality. See Colin Crouch, *Post-Democracy*, Polity Press, 2004. Such symptoms raise moral questions, if e.g. the EU should be treated as 'a higher good' that could override the interests of national politics and their representatives in democratic parliaments. See the arguments of Patricia Springborg, *Sovereignty, Organized Hypocrisy, the Paradox of Post-9/11 International Relations*, Paper presented at the 4th Annual Conference, 'Democracy and Law in Europe', CoE in Foundations of European Law and Polity Research, Helsinki, Finland, September 27-28 2012.

²² As Yannis Drossos puts it, '*The decisions asked... must pass through our constitutional institutions, mainly the Parliament and the Government, so that Greece will bear the ultimate political and legal responsibility for them. Thus, we offer our creditors warranties of constitutional eminence; they don't need to come and occupy the country*'. Yannis Drossos, *The Sovereignty of the Debt...*, as above, 41-42.

²³ This paradox is prevalent in other crises-hit countries, where domestic politicians are held accountable for downturns in regional or international economies affecting their own – a domestic effect of globalization on political process. Kayser, *How Domestic is Domestic Politics?...*, as above, 346-9

²⁴ Elias Dinas and Lamprini Rori, *The 2012 Greek Parliamentary Elections...*, as above, 278

In a sense, many Greek voters might have been willing to send signs externally²⁵. Ultimately, the Elections could be seen, as suggested, as a de facto referendum on the Euro and its deficiencies. By voting massively against austerity, Greeks' economic despair and euro-skepticism transformed into protest against the EU as a whole, signaling detachment²⁶ from its institutions, the rise of nationalist sentiments and a strong quest for legitimacy²⁷. In deep recession, Greeks, like other Europeans, are turning cynical about the value of a common currency and even their commitment to the European project. Question is whether the Eurozone crisis could turn us backwards towards the re-engagement of the national polity as the 'preferred sovereign'²⁸. The recurring dilemma "euro or drachma" widely spelled before the Elections sadly symbolized the tragic dilemma "Greece or Europe"²⁹. Really hard to swallow, three decades after the country's European accession!

The 2013 General Italian Elections is yet another example of this rising trend. With the evolving popularity of politicians like Beppe Grillo and Silvio Berlusconi³⁰, the Italian political arena resembled a true comedy or even a *Théâtre de l'Absurde*.

²⁵ See, for instance, *Supporters of Bailout Claim Victory in Greek Election*, The New York Times, June 17, 2012, where a Greek voter declared that the election was "...a message to Europe that you are not the boss – Mrs. Merkel, or anybody (...) We want somebody from our country to oversee our economic system". See also Alexis Tsipras, *The Greek Message for Angela Merkel*, The Guardian, October 8, 2012

²⁶ See Peter Lindseth, "*Of the People*": *Democracy, the Eurozone and Lincoln's Threshold Criterion*, article based on author's Daimler Lecture at the American Academy in Berlin, February 8, 2012 available online at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2056760 (last visited May 31, 2013) (pointing out the "democratic disconnect" of Europeans from the EU institutions as the biggest issue in the EU)

²⁷ The same happening in other Eurozone-creditor and debtor-countries, like Finland, Germany, the Netherlands, France, Spain and most recently, Italy. See *The Euro Crisis: An Ever-deeper Democratic Deficit*, The Economist, May 26, 2012 (*'With no other way to influence Brussels except through governments that seem not to be listening, the cynical politics of impotence easily takes hold'*).

²⁸ See Miguel Maduro, *Europe and the Constitution: What if this is As Good as it gets?* In *European Constitutionalism Beyond the State* (J.H.H Weiler/ M. Wind, eds.), 2003, CUP (navigating the possibilities for a new concept of constitutionalism that will allow transition from the 'sovereignty of the state' to the 'sovereignty of the constitution'), and the counter-arguments of Giandomenico Majone, *Europe's 'Democratic Deficit': The Question of Standards*, European Law Journal, 4:1, 5-28 (questioning the standards applied to EU institutions to assess EU legitimacy) and Andrew Moravcsik, *The Myth of Europe's Democratic Deficit*, InterEconomics, Nov/Dec. 2008, 331 (deconstructing the deficit myth)

²⁹ Other EU countries may be facing this dilemma soon as well! See Francis Fukuyama, *The Two Europes*, The American Interest, May 8, 2012. The author brings back the 'popular' division of Europe between the 'hard-working, Protestant disciplined Northern Europe' against 'a lazy, profligate Catholic-Orthodox South' by further adding that 'the real division is not a cultural one; it is between a clientelistic and non-clientelistic Europe'. Nevertheless, even countries of the North like Ireland have suffered from the crisis. Clientelism may indeed be one factor of the debt crisis but cannot be the only or the deciding one.

³⁰ *Send in the Clowns: How Beppe Grillo and Silvio Berlusconi Threaten the Future of Italy and the Euro*, The Economist, May 2, 2013: 'Italy's political convulsions underline the need for Mrs Merkel to adapt her prescription- So far it has been a lot of austerity and some reform; it should be the other way around'

Though situated on the exact opposite sides of the political spectrum, Grillo and Berlusconi shared, besides populism, a common and dominant belief: their rejection of foreign-driven austerity and the rebirth of national pride³¹. Voters who had lost faith in Monti's technocratic government or the 'elite political castes'³² elevated former comedian Grillo's Five Star Movement to third political force in Italy. It took two months, President Napolitano's reappointment and Enrico Letta's formation of the first right-left coalition since World War II for Italy to finally have a government- however short-term it proved to be, due to Matteo Renzi's rise to power a year later. More than the Greek ones, the 2013 Italian Elections signified a popular backlash to the way Europe now works- absent legitimacy, it won't make it on the long run.

The way things finally turned out in Greece only shows the Greek idiosyncrasy. Greek voters, at the end of the day, elected *the lesser evil*, avoiding dangerous outcomes. Despite the fierce opposition to bailouts, a large share of the electorate went for the party supporting them³³. The fear of being expelled from the Eurozone drew all risk-averse voters to the conservatives the very last minute. As such, they resembled their fellow Irish voters on their Fiscal Compact Treaty referendum³⁴. Under the fear of being barred from emergency EU funding in the near future³⁵, the recent Irish 'yes' only signifies the fatality of direct democracy in Europe today.

5. WHY a Tragedy: Greece as a Victim of Whose Vices?

The different narratives of the crisis are endless. Whom can we put the blame on? The irresponsible bankrupt states, the greedy markets or the ill system as a whole?

³¹ Nikos Xydakis, *Italy Shakes Unstable Europe*, Kathimerini, February 26, 2013 [in Greek]

³² Rocco Polin, *Reform or Perish: Assessing the Results of Italy's Latest General Elections*, ELIAMEP Crisis Observatory Working Paper No4, April 2013 (also pointing out the institutional issues- like the inefficient bicameralism and the electoral system- that contributed to the political deadlock in Italy)

³³ The conservative party New Democracy won roughly 30% on Second Round and formed a tripartite coalition government with PASOK (12%) and the Democratic Left (DIMAR) (6%). Only a year later, in June 2013, a dispute over the abrupt closure of the national state broadcaster ERT, led DIMAR to leave the ruling coalition. See *Greek Party Quits Coalition Over State TV Debacle*, Reuters, June 21, 2013

³⁴ *EU Leaders Welcome Poll Result*, Irish Times, June 1, 2012 (quoting the President of the European Council Herman van Rompuy, "With this vote, the Irish people have given their endorsement and commitment to European integration. This result is an important step towards recovery and stability")

³⁵ Compare President Rompuy's pompous endorsement of the referendum results above with Bridget Connolly's – an Irish who Voted 'Yes'- astonishing declaration: "The treaty will solve nothing, but... we're going to need European money next year, plain and simple.. We can't afford to be thumbing our noses at Europe right now." See *Ireland Votes in Favor of EU Fiscal Pact*, BBC News, June 1, 2012

Paul Krugman, in a well-versed op-ed written on the day of the June Elections³⁶, talks about 'Greece as a Victim'. His argument is clear: it is not Athens and Greeks to blame for this situation, rather Brussels, Frankfurt and Berlin. The Eurozone crisis is primarily a systemic crisis caused by early foundational errors- mainly, the absence of centralized structures to support the common currency. Due to such incomplete EU federalization the origin of this crisis cannot be national but rather European³⁷. Political integration hasn't been sufficient indeed to promote our common plans.

The European Union is not, however, like the United States of America- yet³⁸. Without an American-style federal government³⁹ and still utilizing hybrid models⁴⁰ of decision-making, the Monetary but mostly the European Union seems doomed⁴¹. Nevertheless, the rhetoric of "more Europe" misses a big point: popular support. The difficult conciliation between the economic and the political view of the EU is grounded on its peculiar constitutionalization process, its primarily economic orientation and thus, its unique nature⁴². The EU remains a union of asymmetrical-culturally or materially- independent states. In post-national Europe, federalism could be one but not the only suitable option⁴³. The complexity of the present crisis requires more flexible solutions, taking into account the national divergences, interests and politics still prevalent today, especially among the economic leaders.

³⁶ Paul Krugman, *Greece as a Victim*, The New York Times, June 17, 2012

³⁷ Jacques Attali, *The Crisis is in Brussels, Not Athens*, The New York Times, June 19, 2011

³⁸ Although, as well stated, it is an 'international organization with elements of an embryonic federation'. Bruno de Witte, *The European Union as an International Legal Experiment* in JHH Weiler/ G. de Búrca, *The Worlds of European Constitutionalism*, 2012, Cambridge University Press (exploring the legal nature of the European Union as reflected on numerous historical judicial and doctrinal interpretations)

³⁹ And it does make sense to look at the EU through the US federal example. See the persuasive arguments of Sergio Fabbrini, *Revisiting Altiero Spinelli: Why to Look at the EU through the American Experience* in: *EU Federalism and Constitutionalism: The Legacy of Altiero Spinelli* (A.Glencross/ A.Trechsel, eds.), 2010, Lexington Books (viewing both the US and the EU as 'compound democracies'-as Unions of States).

⁴⁰ Guiliano Amato, *A New Inter-institutional Interplay after the Treaty of Lisbon?*, *Brown Journal of World Affairs*, Vol.17:2, Spring/Summer 2011 (discussing the possible de-'hybridization' of the EU decision-making model- a mix of intergovernmental and supranational methods - after the Lisbon Treaty)

⁴¹ Charles Grant, *Is Europe Doomed to Fail as a Power?*, Center for European Reform Essays, July 2009. Contra the overoptimistic views of the likes of Jeremy Rifkin, *The European Dream*, 2004, Polity, 197-233

⁴² Sergio Fabbrini, as above, 57, 37-42. According to Fabbrini, the EU lacks a founding political document and thus a *political justification*. It is a 'compound democracy *by necessity*', not a democracy '*by design*'.

⁴³ Giandomenico Majone, *Patterns of Post-National Europe: The Future of Integration after the Crisis of Monetary Union*, Paper presented at the 4th Annual Conference, 'Democracy and Law in Europe', CoE in Foundations of European Law and Polity Research, Helsinki, Finland, September 27-28 2012 (arguing that the traditional 'one-size-fits-all' philosophy of European governance led to the pathologies of the EMU)

In a union of growing asymmetries, the financial crisis is only making things worse. The recent Cyprus bailout, the fifth in the Eurozone in only three years, was yet another expression of the deeper political-more than financial-*chasm*⁴⁴ developing between the North and the South of Europe. The latter losing competitiveness and the former gaining it, the division between creditors and debtors, and the disturbing absence of trust among Eurozone members coupled with poor decision-making mechanisms have created an explosive mix actually threatening the Union per se. The Eurozone crisis is only ringing bells and exposing the growing fragmentation that may end up dividing the European Union into Central and the Periphery⁴⁵.

Greece, on the other hand, cannot claim itself a saint. With decades of accumulated sins, and despite its considerable achievements, it remains a country with very big issues. Huge tax evasion, persistent lack of reforms, an enormous counter-productive public sector, to name only a few. And, worst of all, impunity⁴⁶. Such internal issues however cannot be handled more efficiently but nationally. Here is the tricky part. Greek negative externalities will be imposed on fellow Eurozone citizens who, until the spread of the financial crisis, benefitted from the Euro at no cost. German or Finnish taxpayers, far remote from Greece's issues, are nevertheless asked to assume its costs. As Krugman remarks, in a non-federation, financial issues of one state cannot be resolved by other states without a single government. The common currency cannot work without mutualization of debt.

Thus the tragedy. Greece may be a victim of its own vices but mostly of European failures. Greek citizens, young and old, facing an unpredictable chaos, voted for bailouts, avoided uncertainty and gave the green lights to a short-term coalition government. Plunging in debt, the alternatives for the majority of Greek voters were nowhere to be seen. *A democracy with no alternatives is a fatal democracy altogether*. The Greek Elections were only a product of this tragedy.

⁴⁴ *Lessons from Cyprus: Euro Crisis Poses Graves Dangers to EU Unity*, Spiegel, March 25, 2013.

⁴⁵ Giandomenico Majone, *Monetary Union and the Politicization of Europe*, Keynote Speech at the EuroAcademica International Conference "The EU and the Politicization of Europe", Vienna, Dec. 2011, who argues that, instead of uniting Europe, the Euro will sadly end up dividing it into four different camps ('the members of the Eurozone; the *de jure* opt outs; the *de facto* opt outs; and the drop-outs').

⁴⁶ As Takis Pappas well puts it, '*For decades, Greeks were allowed to act illegally against the state's interests with no punishment- through rampant tax evasion, unauthorized construction, pension fraud and legislative immunity*'. See the insider's analysis of Takis Pappas, *Why Greece Failed*, as above, 39.

7. The Aftermath: WHY asking *the WHY Question*

Finally, WHY asking these WHY Questions to resolve this national political puzzle? What was the added value of those queries for our research in the midst of a crisis? The WHY questions, in our case, have aided us see the four different angles- some obvious, some not- of our subject, thus helping us investigate it more thoroughly. Our issue of the 2012 Greek Parliamentary Elections had four different dimensions. First, an *internal political* dimension – it was the outcome of political destabilization and rising extremism in crisis-hit Greece. Second, an *external political* dimension – it would send varying signals to other parliaments and the country's creditors. Third, a *fundamental systemic* dimension – it showed national reactions to the legitimacy crisis of the European democracy. And most importantly, it had an *ethical* dimension – it exposed the fatality of direct democracy in sovereign-debt-ridden countries. The four dimensions are interconnected. European systemic problems influence, as shown, national political choices; political destabilization may go hand-in-hand with foreign-driven austerity; and the European legitimacy crisis only strengthens national sentiments⁴⁷ previously neglected at the cost of pro-European ones. But national political distrust predated the EU political distrust. That we had known. It has to do with the modern crisis of representative democracy at all levels, from local to global. In an era where decisions are increasingly taken externally, beyond the state, the notion of democracy itself is challenged every day. As such, a wider politicization of Europe⁴⁸, though required, may not necessarily do the trick. The act of voting, at the end of the day, is an act of citizenship- the most essential. How we vote denotes our choices in a specific historical moment. The outcome and significance of an election varies on the reality in which it takes place. That is why it made sense to ask the WHY questions: they made us more alert of *that reality*.

⁴⁷ And calls for the emergence of new forms of governance of the Eurozone. See, eg, Stefan Collignon, *The Governance of European Public Goods*, June 2011, online at <http://www.stefanollignon.de>

⁴⁸ See, eg, Miguel Maduro, *A New Governance for the EU and the Euro: Democracy and Justice*, RSCAS Policy Paper 2012/11 (proposing a new political and social justification of the EU project through the emergence-and empowerment- of a European political space to complement the national ones)