



All of a sudden, everyone cares for Austria!

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What is going on in Austria? One more turn to the right? These have been the implicit questions in most European editorials since 23 May 2016, when the second round results of the Austrian presidential elections were so close that the winner would only be announced the day after.

Eyebrows were raised even higher when only few weeks later the Austrian constitutional court annulled the election results and declared the need for a re-run, which will now take place next Sunday, 4 December. For the third time within the last 8 months, Austrians are asked to the ballot boxes.

So what is it all about? Are Austrians not only leaning dangerously to the right but also incompetent in organizing proper elections? And what does it all show about the state of Austrian politics?

A choice between two extremes

What European observers see in these elections is two extremes fighting against each other: **Norbert Hofer** (Freedom Party) vs. **Alexander van der Bellen** (no formal party affiliation but as former leader of the Greens clearly left of centre). The two candidates do indeed represent two extreme positions in Austrian politics, and already the run-up to the first round visibly showed that they cannot stand each other's political views (and personalities).

Their opposition, however, is also due to the Austrian two-round election system, similar to the French. At the first round on 24 April 2016 six candidates had represented a wide political spectrum, of which Hofer (35%) and van der Bellen (21%) emerged as frontrunners. As a result the second round opposed the two candidates who clearly presented the right and left extreme of available choices (something that can happen in France, too!)

A questionable verdict for a re-run

The second round of the presidential elections on 22 May 2016 did certainly not fall short in drama: due to the narrow margin the results could not – as usual – be announced around 17h00 on Sunday afternoon. Citizens had to wait until the day after for the Interior Minister to announce the official results. With a comparably high turnout of 72.7%, Alexander van der Bellen had been elected with a score of 50.35%, beating his rival by only 30,863 votes. Immediately rumours about irregularities and fraud appeared, especially as on Sunday evening the result had still looked slightly in favour of Hofer, who was leading with 51.92%, before the postal ballots were counted. This alternative had had been used by an all-time high of 16.5% of eligible voters, and their support for Van der Bellen tilted the final result in his favour.

Unfortunately, it appeared that the count of the postal ballots did not fully respect the legal requirements. The electoral commission is meant to count them the day after the election in the presence of all members of the electoral commission of each voting district, where all political parties are represented. After 23 May, however, increasing evidence emerged that in some districts the procedure had not been fully observed: in some places the envelopes were already opened on Sunday, while in other districts the commission was not completely present. The Freedom Party, on behalf of their candidate, therefore submitted an appeal to the Austrian Constitutional Court, who on the 1st July annulled the result of the second round. The court argued that those irregularities had become common practice over time and did not necessarily give proof to tempering with the results, but that due to the lack of procedural correctness the elections needed to be repeated. The verdict was criticised widely by constitutional



lawyers and international observers as too conservative, and even the Austrian electoral authority pleaded to the court in a 14-page letter to not annul the result.

In the meantime the Freedom Party used this “victory” in front of the Constitutional Court to declare their candidate as the moral winner. Forecasts now predict a slight advantage for Hofer in the upcoming re-run, as the Freedom Party seems more apt to mobilise their supporters, while many voters who perceive Van der Bellen as the lesser evil seem less keen to go and cast their ballot again next Sunday.

Why care? The role of the president in Austrian politics

But why should anybody outside Austria even care? Does the president actually matter? After all, Austria is a parliamentary democracy. One might argue, however, that the role of the Austrian president is slightly more powerful than in similar systems (as in Germany, for instance), since it was given a control and safeguard function within the second republic from 1945 onwards and Austrian independence in 1955.

While most day-to-day politics is done by government and parliament, the president fulfils several important tasks in Austrian politics: s/he nominates and dismisses the government; s/he represents the republic externally; s/he can dismiss the parliamentary assembly; s/he confirms the procedural accordance of laws with the Austrian constitution; and s/he is the commander-in-chief of Austrian armed forces.

It is especially the power over government and the possibility to dismiss the parliament, which make the Austrian president’s role a comparatively strong one. He does hardly use it, though. The political scientist Reinhard Heinisch argues, for example, that in the second republic no Austrian president ever had to use the full extent of the constitutional powers assigned to him, as traditionally the president was strongly affiliated with one of the governing parties. This might not be the case anymore after the 2016 elections, and Hofer, for example, time and again pointed out that he would be an active president who might use the powers assigned to him to the fullest extent.

What impact does the election have on Austrian and European politics?

No matter how the results of the re-run will turn out on 4 December, it has been quite visible that the political quarrels of the last months only contribute to the increasing popular distrust in the establishment and traditional Austrian party politics.

The elections of 23 May 2016 also highlighted clear fault lines across the country: the urban population voted Van der Bellen, while Hofer would have support everywhere else; women are more likely to vote for Van der Bellen, men for Hofer; under 30-year-olds would to 56% support Van der Bellen, while 30-49 year olds would to 55% support Hofer. This is also why many political commentators referred to an unprecedented situation in Austrian politics: “a country divided straight to the middle”, as the cover of the *Profil* newsmagazine illustrated.

During the last campaign, many voters have been disgusted by the personal attacks against the two candidates, and the discourse that lacks substance and ideas that would be acceptable for a majority of Austrians. As in many European countries at the moment, an increasing number of Austrian citizens seem to feel no longer represented by the political elite, and especially not by the ongoing quarrels of the weak coalition government of the traditional social-democrats and conservatives. Being now faced with the improbable choice between two extremes – a former Green and professor way over 70 years old, and an outspoken right-wing nationalist – is likely to further turn voters away rather than engage them in important political debates.

For Europe there will be no immediate consequences: Van der Bellen is in favour of a strong Austria in an even stronger Europe anyway, while Hofer quickly withdrew his call for an “Öxit” after the UK referendum...

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