

The Core Institutions of the EU: the European Parliament

EU Integration after Lisbon



EP buildings Brussels/Strassburg

Intro

Parliamentarism

History

Competences

Political Powers

Budgetary Powers

Legislation

Effective Influence

MEPs & Elections

(Lack of) European Parties

EP & Democratic Deficit

Summary

Introduction

- ▶ Parliaments: the central institutions for political legitimacy (Katz and Wessels 1999)
- ▶ EP not the “Parliament of the Europeans” or of a “European state”
- ▶ Not a full parliament (budgetary powers, legislative powers, control powers)

What do normal parliaments do?

1. Elect the government and other public officials
2. Make laws
3. Control government/budget
4. Represent the people and their views

EP History I

- ▶ Parliamentary Assembly of delegates from nat. parliaments
- ▶ Founding treaties
 - ▶ Paris: Commission dominant player, assembly as fig leaf
 - ▶ Rome: Council strengthened
- ▶ Late 1960s: proposal for direct elections
- ▶ 1979: elections; 1980: budget rejected for the first time
- ▶ One of the largest (and one of very few supranational) democratic institutions in the world

EP History II

- ▶ SEA: assent + co-operation
- ▶ Maastricht: co-decision (15 issues), not in pillar II+III
- ▶ Amsterdam: co-operation (mostly) abolished, co-decision streamlined and extended to 23 new fields
- ▶ Nice: cap on seats
- ▶ Lisbon: co-decision now the rule (“ordinary legislative procedure”)
- ▶ Lisbon abolishes pillar structure, but CFSP remains special – no EP legislation in this field

The EP's struggle for power

- ▶ Two-pronged strategy:
 - ▶ *Minimalist*: Making greatest use of *existing* powers
 - ▶ *Maximalist*: Pursuing new powers treaty amendments/new treaties
- ▶ EP gained additional powers with every treaty amendment since the 1980s – why?

Political Powers

- ▶ Approves appointment of Commission President
- ▶ Approves appointment of Commissioners after public hearings
- ▶ Questions Council and Commission
- ▶ Can censure and dismiss the whole Commission
- ▶ Appointment of Ombudsman, Court of Auditors

The budget

- ▶ Complex process, agreement between Council/EP required
- ▶ EP could only amend proposed expenditure on “non-compulsory” items – **abolished by Lisbon**
- ▶ Approval required before budget can be accepted and implemented
- ▶ Budgetary Control Committee checks expenditure (with Court of Auditors)
- ▶ Budget power restriction by “financial frameworks” (EP involved)

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- ▶ EP important veto player, but no full control over budget

Legislative procedures

- ▶ Consultation procedure (*no veto power*)
- ▶ Co-operation procedure (*soft veto power*)
- ▶ Co-decision procedure (*veto power*)
- ▶ Assent procedure (*veto power*)

Modes of legislation

- ▶ (Consultation):
 - ▶ EP consulted (and ultimately ignored)
 - ▶ Still applies in some areas
- ▶ (Co-Operation):
 - ▶ Introduced by SEA
 - ▶ EP a weak veto player (right to second reading)
 - ▶ Gradually replaced by co-decision (Amsterdam and Nice), abolished by Lisbon treaty
- ▶ Assent
 - ▶ Veto power: EP can veto decisions, but: no (formal) mechanism for amendments
 - ▶ Accession of new members, association and other fundamental agreements

Co-Decision

- ▶ Introduced by Maastricht
- ▶ Simplified (Amsterdam), its application massively extend by following revisions
- ▶ Under Lisbon rules the “ordinary legislative procedure”
- ▶ Gives full veto power to EP – no legislation if EP not happy

Co-Decision: Procedure (Article 294 TEU)

- ▶ (simplified)
- ▶ First reading
 - ▶ Commission formulates proposal (pre-decision talks) → EP + CoM
 - ▶ EP formulates position (*votes cast*) → CoM, (Commission)
 - ▶ CoM (QMV) agrees: fine / disagrees → second reading
- ▶ Second reading
 - ▶ EP approves of CoM version by *votes cast* or does not react → proposal accepted
 - ▶ EP rejects proposal by *absolute majority* → proposal killed
 - ▶ EP amends with *absolute majority* → amended proposal back to CoM (and Commission)
 - ▶ CoM accepts (QMV): fine / disagrees → Conciliation Committee

Conciliation Committee / Third Reading

- ▶ CoM + equal number of MPs, Commission involved
- ▶ Must find a compromise based on both versions
- ▶ Compromise must be acceptable for majority of MPs (EP), QM (CoM)
- ▶ No agreement on joint text in Conciliation Committee within 6 weeks → proposal killed
- ▶ Agreement → third reading
- ▶ Third Reading: approval by majority of votes (EP), QMV (CoM)

Four finer points

- ▶ Commission
 - ▶ Is always involved and can veto at several stages
 - ▶ CoM can overturn veto only if voting unanimously
- ▶ EP still in a slightly weaker position (simple majority sufficient for approval)
- ▶ Procedure in EP is rather complex and involves a “Rapporteur” plus (at least) one select committee
- ▶ Other rules, regulations and special circumstances may apply

EP – not a full parliament?!?

- ▶ No full control over budget (ongoing conflict)
- ▶ (Increasingly) involved in important legislation
 - ▶ But no (formal) right to initiate legislation
 - ▶ Mostly excluded from CFSP
- ▶ Not a fully sovereign parliament, but an important veto player
- ▶ Plus: formal powers \neq effective influence

Quality and independence of MEPs

- ▶ EP used to be an exit option from national politics
- ▶ Now: more attractive for ambitious politicians
- ▶ But:
 - ▶ No European parties
 - ▶ No European-level career structure
 - ▶ Selection by national parties/party leaders
 - ▶ Reinforced by PR at national level
- ▶ MEP legitimacy/independence weak

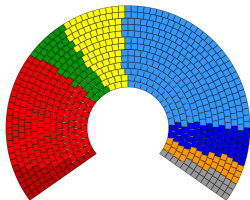
Allocation

- ▶ Currently 736 members, raised to 751 under Lisbon
- ▶ Larger states get more, but no proportional allocation
 - ▶ Germany: 96, France: 74, UK/Italy: 73
 - ▶ Cyprus, Estonia, Luxembourg, Malta: 6
- ▶ Exact number allocated to each country in the treaties → political decisions
- ▶ Extreme differences in representation
 - ▶ Germany $82,000,000/96 = 854,166$
 - ▶ Malta $400,000/6 = 66,667$

Party groups

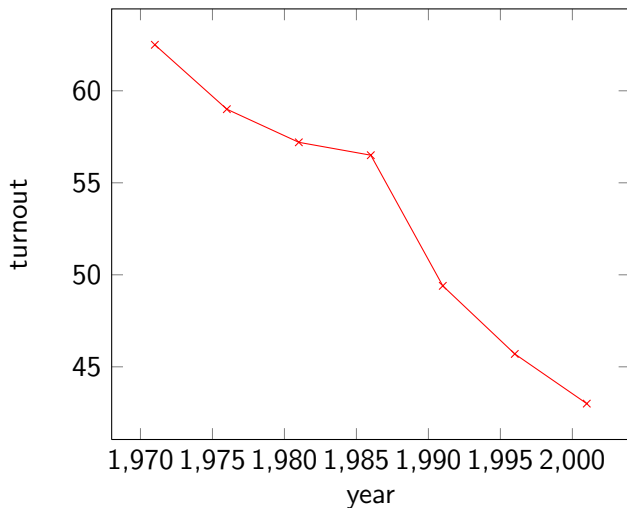
- ▶ MEPs sit in transnational party groups
- ▶ Minimal conditions
 - ▶ 25 MEPs
 - ▶ from seven countries
 - ▶ Ideologically coherent
- ▶ Loose alliances of national parties
 - ▶ Divergent behaviour within groups
 - ▶ Weak mechanisms for enforcing cohesion
- ▶ Group system further undermines effectiveness/independence of MEPs

Groups (June 2009)



- ▶ GUE-NGL (35): Socialist, Communist, Nordic Left
- ▶ S& D (184): Socialists & Democrats
- ▶ Greens-EFA (55)
- ▶ ALDE (84): Liberals
- ▶ EPP (265): Christian Democrats and Conservatives
- ▶ ECR (54): Eurosceptics (including Tories)
- ▶ EFD (30): hardline Eurosceptics (UKIP, Extreme Right)
- ▶ Non-Inscrits (27): Extreme Right, nutters

Turnout



No European Campaigns



Weak parliament – lack of policy co-ordination

- ▶ No EP party government – no coalition
 - ▶ EP “parties” heterogeneous
 - ▶ Different national styles
- ▶ Deficits
 - ▶ Agenda management
 - ▶ Policy linkage/management
- ▶ Accountability

Solutions to the democratic deficit

1. Increase EP powers
 - ▶ Low turnout
 - ▶ No European parties, public, media
2. Source of legitimacy remains with national parliaments
 - ▶ Undermines supranationalism/EU legitimacy
 - ▶ Encourages intergovernmentalism
3. Greater co-operation between EP and national parliaments
 - ▶ Constitution/Lisbon
 - ▶ How?

Summary

- ▶ EP an (almost) unique institution
- ▶ More a veto player than a full parliament
- ▶ Supposed to provide legitimacy for EU project
- ▶ But is it able to do so?

Class questions

- ▶ How radically have the cooperation and co-decision procedures redefined the powers of the European Parliament?
- ▶ How could the democratic deficit be reduced?