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THE EUROPEAN PARLIAMENT

CHAPTER OVERVIEW

- The European Parliament is one of the two legislative bodies of the EU, similar to a lower house in parliamentary systems, or the U.S. House of Representatives.
- The EP consists of 751 Members of the European Parliament (MEPs) elected to renewable five-year terms, with seats divided among the member states based on population. It is headed by a president elected by its members and has a number of standing and special committees.
- The EP has won new powers over the years, and while it still lacks some of the defining features of a legislature, changes in the treaties have made it an equal legislative partner to the Council of the EU. Nevertheless, although it is the only directly elected EU institution, it remains relatively unknown or misunderstood by EU citizens.

The European Parliament (EP) is one of the legislative bodies of the EU, sharing responsibility with the Council of the EU for debating, amending, and voting upon proposals for new EU laws. Splitting its time between Strasbourg in France and Brussels, it has 751 members elected from the twenty-eight EU member states on a fixed five-year electoral rotation. Although it has the moral authority that comes from being the only

directly elected EU institution, it lacks three of the typical defining powers of a legislature: it cannot directly introduce proposals for new laws, it cannot decide alone on the content of laws, and it cannot raise revenues. However, the EP can ask the Commission to propose a new law or policy, it shares powers with the Council of the EU on the approval of legislative proposals and the EU budget, it must approve and can remove the Commission, and it can veto membership applications from aspirant EU members.

Most of the EP's handicaps stem from the unwillingness of the governments of the member states to surrender their powers of lawmaking or to give up their grip on decision making in the Council of the EU. The idea that national legislatures—to which most voters have stronger psychological attachments—should be losing their lawmaking powers is a cause for concern among those who worry about growing EU powers. Parliament also has a credibility problem: few Europeans know (or much care) what it does. Also, European party groups still compete in European elections on national platforms and have not yet developed a strong European identity, with the result that many voters in EP elections are making their choices on the basis of domestic rather than European issues. The EP's powers and credibility are further undermined by low voter turnout: few voters are interested in what it does because of its limited powers, but its powers are limited in part because so few voters are interested in what it does.

In fairness, Parliament is a much more substantial body than most Europeans realize. With increasing confidence, it has used arguments about democratic accountability to win more powers and to be taken more seriously. Instead of simply reacting to Commission proposals and Council votes, the EP has launched its own initiatives and forced the other institutions to pay more attention to its opinions. As well as winning more powers to amend legislation and to check the activities of the other institutions, it has been a valuable source of ideas and new policy proposals, and it has acted as the democratic conscience of the EU. The use of direct elections since 1979 has given Parliament an advantage over the other institutions because it is the only one that is directly elected. This has given it a critical role in building bridges across the chasm that still separates EU citizens from EU institutions. Ironically, however, the 2014 EP elections (see chapter 10) brought a record number of anti-EU and EU-skeptical MEPs and political groups to the most democratic of EU institutions.

EVOLUTION

The European Parliament began life in September 1952 as the Common Assembly of the ECSC. The Assembly met in Strasbourg in northeastern France, and although the Treaty of Paris held out the possibility that the Assembly's members could eventually be directly elected, it initially consisted of seventy-eight members appointed by the national legislatures of the six ECSC member states. The Assembly had no power to make law for the ECSC, nor could it even influence the lawmaking process, which rested with the Council of Ministers. Its only significant power was the ability to force the High Authority of the ECSC to resign through a vote of censure, but it never used this power and ended up being little more than an advisory forum for the discussion of High Authority proposals.¹ But its very creation and existence paved the way for what would later become the European Parliament.²

The Treaties of Rome did not create separate assemblies for the EEC and Euratom, but instead transformed the ECSC Common Assembly into the joint European Parliamentary Assembly. Its powers were expanded to give it joint responsibility with the Council of Ministers over the budget, but its suggestions for amendments to EEC law and policy were nonbinding. In 1962 the Assembly was renamed the European Parliament, but despite the symbolism of the change, it still consisted of members appointed by national legislatures from among their own numbers, an arrangement that had two important effects. First, only pro-European legislators volunteered for appointment to the Parliament. Second, since MEPs were also members of national legislatures, they placed national interests above European interests, mainly because their jobs at home depended on the support of voters. As a result, the European Parliament was seen as a junior European institution, and it has since had to work hard to change its image and to win more power and credibility.

Parliament was a keen supporter of the idea of direct elections, provision for which had been made by the Treaty of Rome, but the Council of Ministers remained opposed throughout the 1960s and early 1970s. At stake were concerns about the tendency toward supranationalism and the determination of the Council (and of national leaders such as Charles de Gaulle) to keep a firm grip on decision-making powers. It was only in 1976 that the European Council finally changed its mind, and elections were held for the first time in June 1979. This was a watershed: now that MEPs were directly elected and met in open session, they could argue that as the

elected representatives of the citizens of the EU, they should be allowed to represent the interests of the voters.

As new countries joined the EEC/EU, membership of the EP grew, from 410 members in 1976 to 785 in 2007 (see Table 7.1). As membership increased, so did Parliament's powers. Changes in the 1970s gave it shared responsibility with the Council of Ministers over the Community budget, meaning that—within certain limits—it could raise or lower Community spending, redistribute spending across different budget sectors, reject the annual budget altogether, and determine how the Commission spent money already approved for the budget.³ Although this was the first instance of Parliament being given real legislative power, it was a 1980 Court of Justice decision that really helped expand the EP's legislative boundaries. In *SA Roquette Frères v. Council* (Case 138/79), a French company challenged a Council regulation limiting production of isoglucose (a starch-based sweetener used in a variety of food products), partly on the basis that it had been adopted without an opinion from Parliament. The Court agreed, thereby recognizing the right of Parliament to be consulted on draft legislation and giving Parliament standing to bring cases to the Court of Justice.⁴

TABLE 7.1 Growth of the European Parliament

<i>Year</i>	<i>Membership</i>	<i>Details</i>
1952	78	Common Assembly of the ECSC
1958	142	Parliamentary Assembly of the European Communities
1973	198	56 seats added for Britain, Denmark, and Ireland
1976	410	Membership increased in anticipation of first direct elections
1981	434	24 seats added for Greece
1986	518	84 seats added for Portugal and Spain
1994	567	Adjustments made to account for German reunification
1995	626	59 seats added for Austria, Finland, and Sweden
2004	732	Seat distribution reconfigured, and 162 seats added for Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia
2007	785	Seats added for Bulgaria and Romania
2009	736	Reconfigured for 2009 elections
2011	754	Reconfigured under terms of Treaty of Lisbon
2013	766	Seats added for Croatia
2014	751	Reconfigured for 2014 elections and Treaty of Lisbon

Parliament took itself more seriously, and it was taken more seriously by other institutions (notably the Commission); it used parliamentary questions to hold these institutions more accountable and published reports that were designed to promote new legislative ideas. The Single European Act (SEA) and the Maastricht treaty also gave Parliament more powers over a greater number of policy areas and greater input into the lawmaking process generally. Under the SEA, for example, the consultation procedure (under which proposals for new laws were subject to a non-binding opinion from Parliament) was joined by a cooperation procedure under which all laws relating to the single market had to be sent to the EP for two readings. With changes made under Maastricht and the Treaty of Amsterdam, a codecision procedure—now renamed the “ordinary legislative procedure” by the Treaty of Lisbon—was introduced and then widened, giving Parliament the effective right to veto new legislation (see later in this chapter).

The European Parliament today is thus considerably closer to being the main legislative body of the European Union. It has more powers over lawmaking, more powers over the budget, and more powers over the other institutions. Its credibility has increased in particular since the institution of direct elections because it can claim to be the only EU institution with a direct mandate from EU citizens. However, until it can introduce new legislation, it will not have the kind of independence of action associated with national legislatures. And it still suffers from the lack of a strong psychological link with voters that would give it the credibility it needs to fully exploit its advantages.

STRUCTURE

The European Parliament is the only elected international assembly in the world, and the only directly elected body in the network of EU institutions. It consists of a single chamber, and its members are elected by universal suffrage for fixed, renewable five-year terms. It divides its time among three cities:

- The parliamentary chamber is situated in Strasbourg, France. This is where the EP holds its plenary sessions (meetings of the whole), but it meets there for just three or four days each month (except in August, when much of Europe goes on vacation). Plenaries achieve relatively little, can become bogged down in procedure, and can last late into the night. Accommodation in Strasbourg is also at a premium, often

obliging MEPs and their staff to stay in distant hotels. As a result, plenaries are not well attended, and the sight of empty seats and the occasional dozing legislator does little to help the credibility of Parliament. But the siting in Strasbourg is less the fault of MEPs than of the French government (see Box 7.1).

- Parliamentary committees meet in Brussels for two weeks every month (except August). This is where most of the real bargaining and revising takes place, and since additional plenaries can be held in Brussels and a third week is set aside for meetings of political groups, committee meetings are relatively well attended, and MEPs spend most of their time in Brussels.
- The administrative secretariat is in Luxembourg. This is where most of Parliament's 3,500 support staff work, more than one-third on translation and interpretation. Few MEPs need to visit or spend time here, so the secretariat is relatively isolated.

Parliament has three main elements: the president, parliamentary committees, and the MEPs themselves.

The President. The European Parliament is overseen by a president, who must be an MEP and is elected by other MEPs for a renewable term of five years. He or she presides over debates during plenary sessions, signs the EU budget and all legislative proposals decided by the ordinary legislative procedure, passes proposals to committees, and represents Parliament in its relations with other institutions. The president also presides over meetings of the Conference of Presidents and the Bureau of the EP (see later in this chapter). To help deal with the many different political groups in Parliament, the president has fourteen vice presidents, who are elected for terms of two and a half years and can substitute for the president at meetings.

If Parliament had a majority political group, then the president would almost inevitably come from that group, but the absence of clear majorities has meant that presidents to date have been appointed as a result of inter-party bargaining and for only half a term each (i.e., two and a half years). In 1989 the two largest political groups—the Socialists and the conservative European People's Party (EPP)—struck a deal whereby they would take turns holding the presidency, a pattern that has continued until today. This ongoing game of musical chairs makes it difficult for presidents—currently, Martin Schulz, a Social Democrat from Germany—to make a mark, and without a strong and well-known personality in the position, it is more difficult to draw public attention to the work of the EP.

Box 7.1 Parliament's Multisite Dilemma

The image problems suffered by the European Parliament are made worse by its rather absurd division among three sites, which not only forces a tiring and time-consuming travel schedule on MEPs but also encourages many to skip the Strasbourg plenary sessions because they are the least important. The division, moreover, inflates the parliamentary budget; an estimated \$200 million (more than 10 percent of the EP budget) is spent each year moving MEPs, staff, and records back and forth, and it costs more than \$25 million annually just to lease the EP building in Strasbourg for roughly sixty days of annual business. The absurdity of this “traveling circus” (as one MEP described it) reflects poorly on Parliament and is galling to the many MEPs who favor holding plenaries in Brussels.⁵

It would make sense to move Parliament to Brussels (not least because that is where most meetings of parliamentary committees are held), but Luxembourg has refused to surrender the secretariat, and France has refused to give up the parliamentary chamber. The European Council decided in December 1992 that the EP secretariat would remain in Luxembourg permanently and that the seat of the EP would remain in Strasbourg, but that additional plenaries could meet in Brussels. The EP responded by arguing that the decision was contrary to its right to determine its own working methods and to carry out its tasks in the most effective manner and signed a lease on a new \$1.2 billion Brussels building complex. Not to be outdone, the French built a new and larger \$520 million home for the EP in Strasbourg, described by one British journalist as feeling “like a huge new airport, built by a third world government in the middle of a jungle, and totally pointless.”⁶ Finally, a protocol was added to the Amsterdam treaty confirming that the seat of Parliament would remain in Strasbourg.

Most MEPs are in favor of Parliament being given the right to decide the location of its seat and its meetings, but the governments of the member states have refused. Meanwhile, the extent to which governments can engage in petty territorial squabbles, and spend considerable money to defend those squabbles, is symbolized by the large and architecturally impressive—but usually almost empty—EP building in Strasbourg.⁷

There are parallels between the offices of the president of the European Parliament and the Speaker of the U.S. House of Representatives, but the comparisons go only so far. The lack of majorities in the EP means that the president is less political than the Speaker, who comes from the majority party and works to ensure that the party's political goals are met in the House. The Speaker also has a strong political role emanating from his or her relationship with the president of the United States; Speakers either oversee presidential legislative programs (if the two people are from the same party) or act as the focus of opposition to the president (if they are from opposing parties). EP presidents have been known to be partisan, and even nationalistic, but they are limited by the need to build support across many different party groups. If and when majority parties or coalitions begin to emerge in the EP, the presidency could well be transformed: with the backing of a majority, the president could serve longer terms in office and could become a new force in the EP's dealings with other EU institutions, particularly the Council of Ministers.

Organizational matters in the EP are addressed by three groups:

- *Conference of Presidents.* Meeting bimonthly, the president and the heads of all of the political groups in Parliament decide the timetable and agenda for plenary sessions and manage the system of committees, establishing their sizes and their agendas.
- *Bureau of the EP.* Made up of the president of the EP and the vice presidents, this functions much like a governing council and is responsible for administrative, organizational, and staff issues and for the EP budget.
- *Conference of Committee Chairs.* This group meets monthly and brings together the chairs of parliamentary committees to discuss organizational issues and help draft plenary agendas. It keeps a close eye on the progress of proposals and brokers deals between the political groups regarding the parliamentary agenda.⁸

Parliamentary Committees. As with the U.S. Congress, most of the detailed work of the EP is done in a series of committees in which MEPs gather to discuss and amend legislative proposals. The number of standing (permanent) committees has grown in concert with the work and the size of the EP and today totals twenty. The committees usually meet in Brussels, where they consider all new legislation relevant to their areas. The titles of the committees are a clue to the priorities of European integration: they include Foreign Affairs; International Trade; Economic

TABLE 7.2 Standing Committees of the European Parliament

Agriculture and Rural Development	Foreign Affairs
Budgetary Control	Human Rights
Budgets	Industry, Research, and Energy
Civil Liberties, Justice, and Home Affairs	Internal Market and Consumer Protection
Constitutional Affairs	International Trade
Culture and Education	Legal Affairs
Development	Petitions
Economic and Monetary Affairs	Regional Development
Employment and Social Affairs	Security and Defense
Environment, Public Health, and Food Safety	Transport and Tourism
Fisheries	Women's Rights and Gender Equality

and Monetary Affairs; the Environment, Public Health, and Food Safety; Regional Development; Agriculture and Rural Development; and Women's Rights and Gender Equality (see Table 7.2). They range in size from twenty-eight to eighty-six members.

Just as in the U.S. Congress, there is strong competition among MEPs to win appointment to a committee, since some committees have a higher political status than others. Seats are divided on the basis of a balance of party affiliations, the seniority of MEPs, and national interests. (For example, member states such as Poland and Ireland have a particular interest in agriculture and less interest in foreign and defense issues.) Once appointed, committee members select their own bureaus (a chair and three vice chairs), who hold office for half a parliamentary term. In the U.S. Congress, committee leadership does not change much, committee chairs are appointed out of the majority party, and there is an unspoken rule that senior members will be considered first in appointments. In the EP the opposite is true: because there is no majority party, the chair positions are divided among political groups roughly in proportion to the size of their representation in Parliament, and there is more turnover.

In addition to the standing committees, Parliament also has a changing roster of temporary committees and committees of enquiry. Those formed in recent years have looked at issues such as the foot and mouth disease crisis (2002), allegations of illegal CIA activities in Europe (2006–2007), climate change (2007–2008), the global economic crisis (2009), and organized crime, corruption, and money laundering (set up in 2012). Finally, there is the Conciliation Committee, in which representatives of the EP and the Council of Ministers meet to try to reach agreement whenever

TABLE 7.3 Distribution of Seats in the European Parliament, 2015

Germany	96	Portugal	21	Lithuania	11
France	74	Czech Republic	21	Croatia	11
United Kingdom	73	Hungary	21	Latvia	8
Italy	73	Sweden	20	Slovenia	8
Spain	54	Austria	18	Estonia	6
Poland	51	Bulgaria	17	Cyprus	6
Romania	32	Slovakia	13	Luxembourg	6
Netherlands	26	Denmark	13	Malta	6
Greece	21	Finland	13		
Belgium	21	Ireland	11	Total	751

the two sides have disagreed on the wording of a legislative proposal. There are twenty-eight members from each side, and representatives of the Commission also attend.

Members of the European Parliament (MEPs). The European Parliament in 2015 had 751 elected members (see Table 7.3). Seats are distributed among the member states roughly on the basis of population, with the bigger states being underrepresented and the smaller states being overrepresented. Taking an average for the EU as a whole, there should be one MEP per 669,000 Europeans. But German, French, and British residents are all underrepresented (about 840,000 people per MEP), while the Maltese are greatly overrepresented (with 70,000 people per MEP). A similar mathematical imbalance can be found in the United States, where the population per district in the U.S. House of Representatives averages 700,000 people, but there is a high of 1:989,000 in Montana and a low of 1:526,000 in Rhode Island. The imbalances are even greater in the U.S. Senate, where California's two senators share some 37 million constituents, while those from Wyoming share just over 584,000.

In the past, MEPs were elected members of national parliaments who were also appointed to the EP, holding a so-called dual mandate. But as the workload of Parliament grew, the dual mandate became increasingly impractical; several member states (including Belgium and Spain) made it illegal, and it has been effectively eliminated. The result has been a weakening of the links between national legislatures and the EP, and greater independence and credibility for MEPs. Candidates for elections are chosen by their national parties, but once in office they have an independent mandate and cannot always be bound by those parties.⁹ Turnover is fairly high—typically about half of the MEPs who win election to the EP are



Photo 7.1 Jean-Claude Juncker addresses the European Parliament in his “State of the Union” speech, 2015. *Source:* © European Union, 2015. AFP-Services, EC-Audiovisual Service/*Photo:* Leguerre Johanna.

newcomers.¹⁰ This stands in contrast to the case in the United States, where the advantages of incumbency are well known and more than 90 percent of members of Congress typically win reelection. MEPs are paid by their home governments and are paid the same salaries as members of their respective national parliaments. But salary levels vary significantly by member state, with the new Eastern European MEPs behind their Western European counterparts. In 2005 an agreement was reached that—beginning with the 2009 parliamentary term—all MEPs will be paid the same.

By socioeconomic makeup, the EP is similar to most national legislatures in the member states; it is dominated by white, middle-aged, middle-class professional men from urban backgrounds. Nonetheless, women are increasingly better represented; the percentage has grown steadily, from 16 percent in 1979 to 19 percent in 1989, to 36 percent today. This is below the average of the national legislatures of Scandinavian countries (39–45 percent), but is well above that of Britain (29 percent), significantly more than that of the United States (20 percent), and almost triple that of Russia (13 percent).¹¹

Many MEPs already have political experience at the national level, but where Parliament was once seen as a haven for also-rans, the quality of candidates has improved, and the EP is no longer an easy option for

people who have failed to win office in national elections or who have been temporarily sidelined in (or have retired from) national politics. The EP has counted among its members senior national leaders, including former German chancellor Willy Brandt, former French president Valéry Giscard d'Estaing, former Italian prime ministers Emilio Colombo and Silvio Berlusconi, and former Belgian prime minister Leo Tindemans. Emphasizing the increasing role of Parliament as a stepping-stone to office elsewhere, several MEPs have gone on to be appointed to the European Commission, including presidents Jacques Delors and Jacques Santer and commissioners Ray MacSharry, Viviane Reding, Carlo Ripa de Meana, Karel van Miert, and Antonio Vitorino. Several MEPs have also gone on to high national office, including French prime minister Jean-Pierre Raffarin, British defense minister Geoff Hoon, and Spanish foreign minister Ana Palacio.

POLITICAL GROUPS IN THE EUROPEAN PARLIAMENT

Members of the European Parliament (MEPs) do not sit in national blocs but sit together with MEPs from other member states with whom they share similar goals and values. Although these clusters are formally known as political groups, they have roles and structures that are similar to national parties: they have common ideologies and policy preferences, they come together under a shared label in order to maximize their power and influence, and they tend to vote together on issues before the EP. The number and makeup of groups have changed through time, partly in response to enlargement and the arrival of MEPs from new member states and partly in response to changed political circumstances and opportunities. Some groups are marriages of convenience, bringing together MEPs with different policies, but generally the groups have built more focus, and they cover a wide array of ideologies and policies, from left to right, from pro-European to anti-European.¹²

Even though there is a distinctive political group system in the European Parliament, these groups are much less well known to national voters than their constituent parties. They have not yet developed a habit of campaigning on a cross-European platform, which means that voters are still presented on election day with a choice among national parties rather than among European party groups (which is part of the reason why European elections are run more on national than on European issues). At the same time, though, the political groups have become more cohesive in spite of the sheer number of their constituent parties, and the distinctions across the ideological spectrum are clear.¹³

There are several rules relating to the formation of political groups, the most basic being that a group must have at least twenty-five members, who must be elected from at least one-quarter of member states. No party group has ever had enough seats to form a majority, so multipartisanship has been the order of business: groups must work together in order to achieve a majority. The balance of power is also affected by frequent changes in the number and makeup of party groups. Through all those changes, three groups have developed a particular consistency: the socialists (on the left), the liberals (on the center right), and the European People's Party (on the right).

Moving from left to right on the ideological spectrum, the party groups in 2015 were as follows:

European United Left–Nordic Green Left (GUE-NGL). The GUE-NGL is the main product of the game of musical chairs played on the left of Parliament since the mid-1980s. A Communist Group was formed in 1973, but the collapse of the Soviet Union in 1989 encouraged Italian and Spanish communists to form their own European United Left (EUL), while hard-line communists from France, Greece, and Portugal formed Left Unity. By 1994 only the EUL remained, made up mainly of Spanish, French, and Italian communists. In 1995 the label Nordic Green Left was added to account for the arrival of new MEPs from Finland and Sweden. After 2014 the group had members from fourteen EU states, the biggest national blocs coming from Germany, France, and Spain. Far left as well as far right parties did well in the 2014 elections, and the GUE-NGL now represents the fifth-biggest group in the EP.

Progressive Alliance of Socialists and Democrats (S&D). The S&D is the main left-wing group and was for many years the largest in Parliament, adding to the concerns of conservative Euroskeptics about the interventionist tendencies of the EU. The 1999 elections saw a rightward shift within the European electorate, however, and a reaction in Britain against the Labour Party. The result was that the group found itself losing more than forty seats and being pushed into second place in the EP, where it has remained since. The S&D has shades of opinion ranging from former communists on the left to more moderate social democrats toward the center, but generally has more ideological consistency than its key competitor, the European People's Party (EPP) (see below). The S&D has members from almost every EU member state, with those from Germany, the UK, and Italy forming the biggest national blocs.

TABLE 7.4 Party Representation in the European Parliament, 2015

	<i>EPP</i>	<i>S&D</i>	<i>ALDE</i>	<i>Greens</i>	<i>ECR</i>	<i>GUE-NGL</i>	<i>EFDD</i>	<i>ENF</i>	<i>NI</i>	<i>Total</i>
Germany	34	27	4	13	7	8	-	1	2	96
France	20	13	7	6	-	4	1	20	3	74
Italy	15	31	-	-	2	3	17	5	-	73
UK	-	20	1	6	21	1	22	1	1	73
Spain	17	14	8	4	-	10	-	-	-	53
Poland	23	5	-	-	19	-	1	2	1	51
Romania	12	15	3	-	1	-	-	1	-	32
Netherlands	5	3	7	2	2	3	-	4	-	26
Belgium	4	4	6	2	4	-	-	1	-	21
Czech Republic	7	4	4	-	2	3	1	-	-	21
Greece	5	4	-	-	1	6	-	-	5	21
Hungary	12	4	-	2	-	-	-	-	3	21
Portugal	7	8	2	-	-	4	-	-	-	21
Sweden	4	6	3	4	-	1	2	-	-	20
Austria	5	5	1	3	-	-	-	4	-	18
Bulgaria	7	4	4	-	2	-	-	-	-	17
Denmark	1	3	3	1	4	1	-	-	-	13
Finland	3	2	4	1	2	1	-	-	-	13
Slovakia	6	4	-	-	3	-	-	-	-	13
Croatia	5	2	2	1	1	-	-	-	-	11
Ireland	4	1	1	-	1	4	-	-	-	11
Lithuania	2	2	4	1	1	-	1	-	-	11
Latvia	4	1	1	1	1	-	-	-	-	8
Slovenia	5	1	1	1	-	-	-	-	-	8
Cyprus	2	2	-	-	-	2	-	-	-	6
Estonia	1	1	3	1	-	-	-	-	-	6
Luxembourg	3	1	1	1	-	-	-	-	-	6
Malta	3	3	-	-	-	-	-	-	-	6
EU-28	216	190	70	50	75	51	45	39	14	750

Note: Standing as of November 2015.

Greens–European Free Alliance (Greens–EFA). Usually associated with environmental issues, the Greens in fact pursue a wider variety of interests related to social justice and refuse to be placed on the traditional ideological spectrum. Once part of the Rainbow Group, the Greens formed their own group after doing well in the 1989 elections. In 1999 their numbers grew from twenty-seven to thirty-eight, which—when added to the seven members of the European Free Alliance, a small cluster of regional parties—made the Greens-EFA the fourth biggest group in the EP. Their biggest national blocs after 2014 have come from France and Germany.

Alliance of Liberals and Democrats for Europe (ALDE). Containing members from all but nine EU member states, before the EP election in 2014 the ALDE had consistently been the third largest group in the EP. The group is difficult to pinpoint in ideological terms, as most of its MEPs fall in or around the center and the group has suffered over the years from defections to the EPP. Its biggest delegations before 2014 came from Germany and the UK, but both of these national delegations were heavily punished in EP elections that year, and ALDE lost about 25 percent of its seats. The largest delegation now comes from France.

European People's Party (EPP). The EPP is the major party group on the political right and currently the biggest group in the EP, with members from every EU state except the UK, whose Tories defected in 2009 to a new party group, the ECR (see below). The EPP began life as a grouping of Christian Democratic parties from the six founding member states and long stood for the mainstream Christian Democratic principles of social justice, liberal democracy, a mixed economy, and European federalism. The group's policies changed, however, as it incorporated center-right parties from other member states that subscribed neither to Christian Democracy nor to European federalism,¹⁴ and in 1976 it changed its name to the European People's Party. Euroskeptic British and Danish conservatives remained sidelined as the European Democrats until 1992, when they joined forces with the EPP. However, even though the EPP remains the biggest party in the EP, it too lost heavily in the 2014 European elections. Its biggest national blocs after 2014 have come from Germany, Italy, France, Poland, and Spain.

European Conservatives and Reformists Group (ECR). The ECR was created before the 2009 EP elections by the UK's David Cameron and Mirek Topolánek, the leader of the Czech Civic Democratic Party, and was later joined by the Polish Law and Justice Party. Euroskeptic but not outright hostile to the EU, the ECR wants to "steer the EU away from the ideological march towards a European federal super state and towards a more flexible organisation that listens to and respects people in all of its member countries."¹⁵ The ECR too suffered losses in the 2014 EP elections.

Europe of Freedom and Direct Democracy (EFDD). The latest incarnation of a series of EU-hostile political groups going back to the Europe of Nations party grouping of 1994, the EFD was formed in 2009 with thirty-two members from nine member states. At the heart of the new group were thirteen MEPs from the United Kingdom Independence Party

(UKIP), which supports Britain's withdrawal from the EU. EFD "rejects the bureaucratization of Europe and the creation of a single centralized European superstate."¹⁶ EFD has members from seven states, with those from Britain and Italy (from the Five-Star Movement) making up the vast majority of the group. It saw a gain of seven seats in 2014.

Europe of Nations and Freedom (ENF). The real political earthquake in the 2014 EP elections (see more in chapter 10) was the huge gains made by antiestablishment and anti-EU parties across Europe; some immediately joined the EFD but others were initially classified as nonattached. The ENF was launched in the summer of 2015, aiming squarely at these nonattached members after initial failures to create a unified group of right and far-right MEPs. Led by Marine Le Pen of the French National Front (FN) and Geert Wilders of the Dutch Party for Freedom (PVV), the ENF comprises the FN, PVV, the Austrian FPÖ, Vlams Belang (Belgium), the Italian Lega Nord, and the Polish KNP. It also includes one member of the United Kingdom Independence Party who broke from UKIP after the 2014 election and another independent member from Romania. The ENF currently holds thirty-nine seats in the EP.

Nonattached Members (NI). The EP has always had a number of MEPs who, for reasons of independence or failure to reach agreement with any established political group, operate outside the group structure of the EP. They have rarely numbered more than two to three dozen, with the number now standing at fourteen.

HOW PARLIAMENT WORKS

Conventional democratic legislatures have a virtual monopoly on the introduction, amendment, and adoption of new laws (although final adoption is normally subject to signature by the executive or the head of state). This is not the case with the European Parliament, which—thanks to efforts by member states to preserve their powers in the Council of Ministers—has been left with a mix of formal and informal powers, ranging from the modest to the significant. These powers fall broadly into three main groups: those over legislation, those over the budget, and those over the other EU institutions.

Powers over Legislation. Although the Commission has a monopoly on the development of proposals for new laws, the EP has informal channels

of influence open to it at this stage. For example, it can send representatives to the early development meetings held by the Commission, at which point it can encourage the Commission to address issues it thinks are important. It can also publish “own initiative” reports in which it draws attention to a problem, almost daring the Commission and the Council of Ministers to respond. The EP has been, for example, a legislative entrepreneur on a variety of environmental issues, sparking EU bans on imports of seal products from Canada, kangaroo products from Australia, old-growth lumber from Canada, and the fur of animals caught in leghold traps in Russia and North America.¹⁷ Generally, though, Parliament must wait until it receives a proposal from the Commission before it can really get down to work. At that point, it enters a process of give-and-take with the Council of Ministers, which has taken on complex proportions.

Initially, Parliament was limited mainly to the consultation procedure, under which it can either accept or reject a proposal from the Council of Ministers or ask for amendments. If amendments are needed, they are made by the Commission, and the new proposal is sent back to the Council of Ministers, which then decides whether to accept or reject the proposal, to which it can make additional changes if it wishes. No limit is placed on how long Parliament can take to give its opinion, and so it has the power of delay—a traditional practice of opposition parties in many national legislatures. This power was given new significance with the 1980 isoglucose case; Parliament was subsequently able to drag its feet as a means of getting the Council to take its opinion seriously.¹⁸ The consultation procedure is now rarely used.

The SEA increased the powers of Parliament, introducing a cooperation procedure under which Parliament was given the right to a second reading for certain laws adopted by the Council of Ministers, notably those relating to regional policy, the environment, and the European Social Fund. This meant that Parliament was now involved more directly in the legislative process and no longer had a purely consultative role.¹⁹ Maastricht extended the procedure to cover a variety of new policy areas, but then it was all but eliminated by the Amsterdam treaty.

Maastricht further strengthened the powers of Parliament by introducing the codecision procedure, renamed the “ordinary legislative procedure” by Lisbon (see Box 7.2), which is now the usual approach to lawmaking. Initially, codecision meant that Parliament was given the right to a third reading on certain kinds of legislation, the list of which was then expanded to include laws relating to the single market, research and development, consumer protection, the environment, education, and culture.

Box 7.2 The Ordinary Legislative Procedure

The tension between intergovernmental and supranational pressures in the EU has resulted in constant change in the decision-making procedure of the EP, leading to the current preferred arrangement, known as the “ordinary legislative procedure.” The process by which the EP and the Council of Ministers interact on the debate over the adoption of new laws in most areas involves the following steps:

1. The Commission sends a proposal for a new law to Parliament and the Council of Ministers.
2. The relevant parliamentary standing committee looks it over and draws up a report (which may be seen and commented upon by other committees with an interest in the issue, by individual MEPs, and by political groups). Parliament then votes on the report in a plenary session. This is the *first reading*.
3. If no changes are suggested, or if the Council agrees with the EP’s suggested changes, then the proposal is adopted. But if the Council disagrees with the suggested changes, it modifies them in a common position.
4. The common position is then sent to Parliament, which has three months to respond. If it approves the common position or fails to act by the deadline, the amended proposal is adopted. But the relevant parliamentary committee may reject the common position or propose amendments. Its recommendation is then discussed by Parliament in a *second reading*.
5. The changes are forwarded to the Commission, which gives its opinion. The proposal then goes to the Council, which can accept the changes—in which case the proposal is adopted—or reject them. In the latter case, the proposal is sent to a conciliation committee, which works to reconcile the differences.
6. If the committee cannot agree within six weeks, the proposal lapses. But in most cases, the committee reaches agreement and issues a joint text, which then goes to Parliament for approval. This is the *third reading*. If Parliament agrees with the joint text, the proposal is adopted, but if it rejects the joint text, the proposal lapses.

The list was further expanded by Lisbon to include agriculture, fisheries, the structural funds, and transport. This expansion has effectively given the EP equal powers with the Council of Ministers on decision making, making the two institutions co-legislatures. At one time the Council of Ministers could still overrule a rejection by Parliament of a new proposal after a third reading, but this was ended by the Treaty of Amsterdam; as a result, an EP-Council conciliation committee must now meet after the second reading to see if it can work out an agreeable joint text, which in most cases it does. The new text then goes to the EP and the Council for a third reading and a vote.

Finally, under the consent procedure, Parliament has veto powers over the Council on the following: allowing new member states to join the EU and giving other countries associate status; concluding international agreements; imposing penalties on a member state for serious and persistent violations of fundamental rights; attempting to introduce a uniform electoral system for European elections; and altering the powers and tasks of the European Central Bank. Maastricht also extended Parliament's powers over foreign policy issues by obliging the presidency of the European Council to consult with the EP on the development of the Common Foreign and Security Policy. During the 1990s the EP used the consent (then known as assent) procedure several times to delay agreements between the EU and third parties. For example, it held up agreements with Russia in protest of Russian policy in Chechnya, with Kazakhstan in protest of that country's poor democratic record, and with Turkey in protest of human rights violations.²⁰

The cumulative effect of all these changes has been to give the Council of the EU and Parliament equal powers over the adoption of most new laws. In other words, the EU now has a bicameral legislature in all but name. The changes have also encouraged party groups in Parliament to work more closely together and have made the EP a new target for lobbyists trying to influence the shape of new legislation (see chapter 10).

Powers over the Budget. Parliament has joint powers with the Council of the EU for confirming the EU budget, so that between them the two institutions are the budgetary authority of the EU. Parliament meets with the Council biannually to consider a draft developed by the Commission and to discuss possible amendments. It can ask for changes to the budget, it can ask for new appropriations for areas not covered (but it cannot make decisions on how to raise money), and ultimately—with a two-thirds majority—it can completely reject the budget, which it has done only three

times so far (in 1979, 1982, and 1984). A draft budget is normally introduced by the Commission in April each year and—following meetings between the Council and the Commission—is adopted in July, then sent to the EP for two readings. Only when Parliament has adopted the budget (usually in December) and it has been signed by the president of the EP does it come into force.

Powers over Other EU Institutions. Parliament has several direct powers over other EU institutions, including the right to debate the annual legislative program of the Commission, a practice that was introduced by Jacques Delors during the mid-1980s and has since been used by the Commission to emphasize its accountability to Parliament.²¹ It can also take the Commission or the Council of the EU to the Court of Justice over alleged infringements on the treaties and has had the power since 1994 to approve the appointment of the Commission president and all of the commissioners. Although it cannot vote on individual commissioners, concerns raised by the EP about individuals can lead to their appointment being blocked—this happened in 2004, for example, over Italian nominee Rocco Buttiglione (see chapter 5). The extension of the term of the College of Commissioners from four years to five (to coincide with the term of the EP) significantly altered the relationship between the two institutions.

The makeup of the College is not tied to the balance of party power in the EP (in the way that the membership of governments in parliamentary systems is a reflection of party numbers in the legislature), but the right of the EP to vote on the proposed membership of the College is a step closer to the day when there will be ideological and policy alignment between the two and membership of the College will be directly affected by the balance of party power in the EP.

The most potentially disruptive of Parliament's powers over the Commission is its ability—under certain conditions and with an absolute majority of MEPs and a two-thirds majority of votes cast—to force the resignation of the entire College of Commissioners through a motion of censure. Much like a nuclear weapon, though, this power is mainly a deterrent; censure motions have been proposed, but they have all been defeated or withdrawn. As noted in chapter 5, the closest the EP has come to removing the College was during a vote in January 1999 over charges of fraud and corruption; 232 MEPs voted in favor of removing the College, far less than the required two-thirds majority of 416. Nonetheless, the size of the negative vote shocked the Commission and led to the creation of a committee of inquiry, whose report ultimately brought down the College. The event

has gone down as a watershed in the relationship between the EP and the Commission.

The EP also has a critical relationship with the Council of the EU. Apart from having equal powers with the Council over the adoption of most new laws, Parliament also closely monitors the work of the Council, regularly submitting oral and written questions on matters of policy. The two institutions work particularly closely together on policy issues such as the Common Foreign and Security Policy, judicial cooperation, asylum and immigration issues, and international crime. The president of the EP gives an address at the opening of every meeting of the European Council, expressing the views of Parliament on the Council agenda.

Parliament has also taken the initiative through the years to win new powers for itself over the work of EU institutions. For example, it introduced its own question time in 1973 and so can demand oral or written replies to questions from commissioners, helping to make them more accountable. It initiated the 1992 reconfiguration of the number of seats in Parliament, and it led the campaign for the creation of the Court of Auditors in 1993. It can generate public debate on EU policies and can set up committees of inquiry, as it did during 1996 to look into the crisis set off by mad cow disease in Britain.

Questions to Consider

1. In terms of its power, how has the European Parliament evolved over the years, and what difference have such changes made to its relationships with other EU institutions?
2. In what ways is the EP similar to and different from other legislatures, such as the U.S. Congress? Should the EP be given the same powers as the U.S. Congress?
3. Why has the European Parliament failed to capture the imagination of EU voters (who have been turning out in declining numbers at EP elections)? What more could be done to strengthen its psychological link with EU citizens?

Further Reading

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A study of the evolution of career behaviors of MEPs.

Judge, David, David Earnshaw, Neil Nugent, and William E. Paterson. *The European Parliament*. 2nd ed. Basingstoke, UK: Palgrave Macmillan, 2008.

A survey of the EP, including chapters on its history, its powers and organization, the party groups, and its role in EU decision making.

Shackleton, Michael, and Richard Francis Jacobs. *The European Parliament*. 8th ed. London: John Harper, 2011.

The standard reference work on the EP, written by an MEP and two staff members and describing in some detail the powers and workings of Parliament.

Notes

1. John Gillingham, *Coal, Steel, and the Rebirth of Europe, 1945–55* (New York: Cambridge University Press, 1991), 282.

2. See discussion in Berthold Rittberger, *Building Europe's Parliament: Democratic Representation Beyond the Nation-State* (Oxford, UK: Oxford University Press, 2005), chapter 3.

3. Richard Corbett, Francis Jacobs, and Michael Shackleton, *The European Parliament*, 6th ed. (London: John Harper, 2005), 240.

4. Renaud Dehousse, *The European Court of Justice* (New York: St. Martin's Press, 1998), 98.

5. Roy Perry, MEP, quoted in David Judge and David Earnshaw, *The European Parliament* (Basingstoke, UK: Palgrave Macmillan, 2003), 163.

6. Andrew Gimson, *Boris: The Rise of Boris Johnson* (London: Simon and Schuster, 2006), 108.

7. For more discussion on the multisite issue, see Judge and Earnshaw, *The European Parliament*, 158–63.

8. Corbett, Jacobs, and Shackleton, *The European Parliament*, 119.

9. Simon Hix and Christopher Lord, *Political Parties in the European Union* (New York: St. Martin's Press, 1997), 85–90.

10. Corbett, Jacobs, and Shackleton, *The European Parliament*, 48; "Parliament Figured Out: The Facts on New MEPs," *European Parliament News*, www.europarl.europa.eu/news/en/news-room/20140708STO51844/Parliament-figured-out-the-facts-on-new-MEPs.

11. "Women in National Parliaments," *Inter-Parliamentary Union*, 2012, www.ipu.org/wmn-e/world.htm. Figures are for 2012, for lower or single chambers of national legislatures.

12. For a history of EU party groups, see Luciano Bardi, "Transnational Trends: The Evolution of the European Party System," in Bernard Steunenberg and Jacques Thomassen, eds., *The European Parliament: Moving Toward*

Democracy in the EU (Lanham, MD: Rowman and Littlefield, 2002). For an overview of the groups, see Corbett, Jacobs, and Shackleton, *The European Parliament*, chapter 5.

13. Simon Hix, Abdul G. Noury, and Gérard Roland, *Democratic Politics in the European Parliament* (New York: Cambridge University Press, 2007).

14. Judge and Earnshaw, *The European Parliament*, 133.

15. European Conservatives and Reformists Group, 2015, <http://ecrgroup.eu/about-us/the-ecr-in-the-european-parliament/>.

16. Europe of Freedom and Democracy in the European Parliament, 2012, www.efddgroup.eu/.

17. Christopher Pianning, "The EP Since 1994: Making Its Mark on the World Stage," in Juliet Lodge, ed., *The 1999 Elections to the European Parliament* (Basingstoke, UK: Palgrave Macmillan, 2001).

18. Corbett, Jacobs, and Shackleton, *The European Parliament*, 200.

19. John Fitzmaurice, "An Analysis of the European Community's Cooperation Procedure," *Journal of Common Market Studies* 26, no. 4 (June 1988): 389–400.

20. Pianning, "The EP Since 1994."

21. Clive Archer and Fiona Butler, *The European Community: Structure and Process*, 2nd ed. (London: Pinter, 1996), 47.