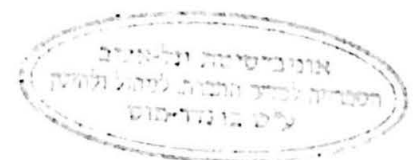# European Union Politics

SEVENTH EDITION

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OXFORD
UNIVERSITY PRESS

12

The European Parliament

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Chapter Contents

Reader's Guide

This chapter focuses upon the European Parliament (EP), an institution that has seen its power dramatically increase in recent times. The EP has been transformed from being a relatively powerless institution into one that is able to have a genuine say in the legislative process and hold the European Union's executive bodies (the Commission and Council, introduced in Chapters 10 and 11) to account in a range of policy areas. However, increases in the Parliament's formal powers have not been matched by an increase in popular legitimacy: turnout in European elections fell in successive elections up to 2014, and whilst turnout increased in 2019, an increasing share of the vote is going to populist Eurosceptic parties. Thus, while the EP's legislative power is comparable to that enjoyed by many national parliaments, it has struggled to connect with the wider European public and now has to find ways to accommodate populist Eurosceptic MEPs. The chapter explores these issues in detail. In the first section, the EP's evolution from talking shop to co-legislator is reviewed; its powers and influence are explained in the next section; the EP's internal structure and organization are then outlined with a focus upon the role and behaviour of the political groups, and finally, the European Parliament's representative function as the EU's only directly elected institution is discussed.

12.1 Introduction

The European Parliament (EP) is the only directly elected European Union institution. Until 1979, it was an unelected, weak, and marginalized body. However, the EP has gradually extended its legislative prerogatives so that under the terms of the **Treaty of Lisbon** it enjoys a range of powers comparable to those enjoyed by national legislatures. The extension of the EP's powers has led to a **parliamentarization** of the EU's political system. The EP has been an agent of deeper integration by pushing for increases in its powers, and a beneficiary of such processes as the EU has extended the range of competences upon which it legislates, and therefore upon which the EP can express its preferences. This chapter examines the development of the EP and its role within the EU's political system. In order to understand the function and operation of the Parliament, it examines three key areas of importance:

- the legislative work of the Parliament—namely, its role in shaping EU policies and laws;

- its internal politics, both in relation to the organization of the chamber and the nature of **cooperation** and competition between the political groups;

- the representative role of the Parliament, as a link between the electorate and EU decision-making processes.

While the EP has developed considerably as an institution, it still faces significant challenges in relation to its representative function, which weaken its claims to be the standard bearer for democracy within the EU's **governance** structures.

12.2 The evolving European Parliament

The European Parliament started life as the Common Assembly of the **European Coal and Steel Community (ECSC)**, and was introduced by the **founding fathers** to lend some democratic legitimacy to a set of institutions dominated by the unelected **High Authority** (later to become the European Commission) and national governments. The Assembly's original 78 members were appointed from national legislatures, thereby providing a link with national parliaments and an avenue for their input to and oversight of the ECSC's activities. The Assembly's powers were limited to dismissing the High Authority. Under the **Treaty**

of **Rome**, the Assembly became common to all three Communities—namely the ECSC, **European Economic Community (EEC)**, and the **European Atomic Energy Community (EAEC)** and was awarded the further right to be consulted on Commission proposals before they were adopted by the Council. Member state representatives were not, however, obliged to take the Assembly's position into account and, as members of the early Assembly were also national parliamentarians, they were effectively part-time. This dual mandate circumscribed the ability of the chamber to fulfil its limited legislative prerogatives. Thus, from its early days, the European Parliament gained the reputation of being little more than an ineffectual talking shop.

The Treaty of Rome included, however, the right for the Assembly to draw up proposals on elections by direct suffrage. This right was subject to **unanimity** in the Council and, because the member states were reluctant to support an elected Parliament, fearing a challenge to their own autonomy, the first direct elections were not held until 1979. Since those first elections, the Parliament has, as anticipated by the Council, used its status as the only directly elected EU institution to push for increases to its powers. The Parliament has exercised this strategy so effectively that today, its members are regarded as equal legislative and budgetary partners with the Council, and can scrutinize and hold the Commission to account (see Box 12.1).

KEY POINTS

- The European Parliament started life as an unelected Common Assembly to the ECSC.

- Its powers were limited to dismissing the High Authority and being consulted on legislative proposals, but the Council could ignore its suggestions.

- Until 1979, MEPs were national parliamentarians, hence the EP was a part-time institution, which, with its limited powers, led to it being dismissed as a powerless talking shop.

- Since 1979 direct elections have been held every five years and the EP has seen its powers increase, so that it is now regarded as an equal co-legislator with the Council.

12.3 The powers and influence of the European Parliament

The European Parliament's powers fall into three key areas: it enjoys considerable influence in relation to the EU Budget; it has the right to scrutinize, appoint,

↘ BOX 12.1   BACKGROUND: THE EVOLVING EUROPEAN PARLIAMENT

Year	Event	Parliamentary powers
1952	ECSC Common Assembly created	78 nominated members take office. Right to dismiss High Authority.
1958	Becomes EC Common Assembly	142 nominated members take office. Right to be consulted on legislative proposals.
1975	Treaty changes on Budget	Greater budgetary powers for EP. Parliament given considerable influence over non-Common Agricultural Policy (CAP) spending.
1979	First direct elections	410 elected members. EP uses status as elected institution to push for greater powers.
1980	Isoglucose rulings by the Court of Justice of the EU (CJEU) (see Section 12.3.3, 'Legislative powers')	EP's right of **consultation** reinforced.
1987	**Single European Act (SEA)** enters into force	EP given greater scope to delay, amend, and block laws. **Assent** powers granted on some matters.
1993	Treaty of Maastricht enters into force	**Co-decision** procedure introduced for some areas. EP given approval power over nominated Commission.
1999	Treaty of Amsterdam enters into force	Co-decision procedure extended and amended in EP's favour. EP given formal right to veto Commission President.
2003	Treaty of Nice enters into force	Further extension of co-decision.
2009	Treaty of Lisbon enters into force	Co-decision renamed 'ordinary legislative procedure' (OLP) and extended to 85 policy areas. Special legislative procedures to be used for international treaties and accession agreements. EP given equal budgetary status with the Council, and division between compulsory and **non-compulsory** spending removed. EP political group leaders to be consulted on Commission President nominations and EP to elect Commission President. EP allowed to request treaty change.
2011	**Treaty on Stability, Coordination and Governance in Economic and Monetary Union** agreed	Four members of the European Parliament (MEPs) are included in the negotiations leading to the draft Treaty.
2012	**Citizens' initiative** is launched	EU citizens have the right to call for new legislation.
2014	Eighth European Elections	751 MEPs elected.
2016	UK votes to leave the EU	It is agreed that the size of the Parliament will be reduced and some UK seats redistributed to other states.
2019	Ninth European Elections	751 MEPs elected.
2020	Brexit	UK MEPs reallocated to other states and number of MEPs reduced to 705. The EP ratifies the **Withdrawal Agreement**.
2021	Brexit	The European Parliament ratifies the **Trade and Cooperation Agreement** between the UK and the European Union.
2023	EP Presidency	EP President Sassoli to step down to be replaced by a centre-right candidate.

and dismiss the Commission; and, in the context of EU law-making, the EP also has the right to amend and reject Commission proposals for legislation. These powers have expanded enormously in recent years largely as a result of the EP's proactive engagement with the process of treaty reform.

12.3.1 Budgetary powers

The first major increase in the EP's power came with the Budget Treaties of 1970 and 1975, under which the Parliament had limited powers to amend, reject, and sign off the EU budget, and be consulted on appointments to the **European Court of Auditors** (see Corbett et al., 2016). However, these powers were limited: the EP could request modifications to **compulsory spending** (largely agricultural policy), but could only insist on changes to non-compulsory spending, which comprised about 20 per cent of the budget. In order to extend its budgetary prerogative, the Parliament engaged in a series of battles with the Commission and Council in the early 1980s over spending levels and the allocation of funds between compulsory and non-compulsory expenditure. These persistent budgetary conflicts between the Council and EP were resolved in 1988 by a series of inter-institutional agreements that provided for annual Budgets within limits established by a multi-annual **financial perspective** that typically runs over six years.

The Treaty of Lisbon removed the distinction between compulsory and non-compulsory expenditure, thereby extending the EP's scope to amend the Budget across all areas, making it an equal budgetary partner. Today, the EP and Council act as a genuine **bicameral** budgetary authority, sharing a relationship based upon mutual respect and recognition of the need for stability and certainty when determining the EU's overall expenditure. Hence the EP has won a key democratic right to decide Europe's budgets and a long-standing cause of inter-institutional conflict has now been removed. Although agreeing the budget has continued to be challenging (see Box 12.2).

12.3.2 Holding the Commission to account

The EP has always enjoyed the right to dismiss the whole Commission, which it came close to doing in 1999, when the entire Santer Commission resigned (over a corruption scandal) in order to avoid a vote of censure from the Parliament. The EP had no powers of appointment under the original treaties but carved them out over time using its role as an elected institution to pressurize new Commission Presidents to submit themselves to a vote of approval by the Parliament. Formal recognition of the EP's right to appoint the Commission came in the Treaties of Maastricht and Amsterdam, which gave the EP a right to veto the Commission President-designate and the whole team of Commissioners. The Treaty of Lisbon went further by requiring the Council to take into account the outcome of the elections to the European Parliament

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BOX 12.2   CASE STUDY: AGREEING BUDGETS DURING CRISES

The EP's new budgetary powers came into force following the economic crisis at a time when European leaders were looking to cut spending, thus the Parliament had to balance the desire to achieve its broad policy aims against the wider need to behave responsibly in the face of widespread hardship across the EU. The negotiation of the 2014–20 multi-annual financial framework was consequently highly complex. Notably, the Budget was cut in real terms for the first time in the EU's history; however, the Parliament insisted upon the introduction of more flexibility over the allocation of spending, thereby making it easier to move funds to other areas as needed. The 2021–27 financial framework was similarly challenging due to the combined impact of Brexit, COVID-19 (see Chapter 28), and the disputes over the rule of law in

Poland and Hungary. The UK was a net contributor to the EU budget and its exit meant that the EU had less money (see Chapter 27 on Brexit). COVID-19 made negotiating in person over the budget more challenging and had a profoundly negative impact upon growth in Europe. The EP agreed to a COVID-19 recovery package of €750 billion as part of the overall budget. However, negotiations over the final deal were protracted thanks to an ongoing row over the rule of law in Hungary and Poland. The Parliament and Commission introduced clauses to prevent states that do not observe the rule of law from accessing the recovery funds. Hungary and Poland at whom these measures were directed withheld their consent to the budget until the wording on the rule of law was changed (see Chapter 29).

and to consult the party leaders within the EP before nominating a candidate who is then elected by an absolute majority of all MEPs. If the MEPs reject that candidate, then the Council must propose a new one. The EP took advantage of this rule to pursue the so-called *spitzenkandidaten* process in 2014, by insisting, despite strong opposition from the UK, that the nominated candidate from the largest political grouping following the 2014 elections, Jean-Claude Juncker of the European People's Party (EPP), become the new Commission President. However, in 2019 the EP's *spitzenkandidat*, Manfred Weber failed to secure the support of the Council and a long-term ally of Angela Merkel, Ursula von der Leyen was eventually appointed as the new Commission President. Von der Leyen's appointment seemed to signal the death of the *spitzenkandidaten* process but in an effort to reassert its power the EP went on to apply considerable pressure on von der Leyen about the priorities for her term of office and the composition of the Commission.

Although the EP's right to approve the wider Commission does not allow for the dismissal of individuals, the Parliament has successfully used its rights of appointment to force individual candidates to step aside or to push for a reorganization of individual portfolios (see Box 12.3). However, an interesting anomaly has emerged under the terms of the Treaty of Lisbon in relation to the EP's rights of appointment. Under Article 17(8) TEU, if the Parliament decides to veto the appointment of the European Commission, the candidate for **High Representative** for Foreign Affairs, who sits as a vice-president in the Commission, can simply resign from the Commission, yet carry on with their duties as High Representative, thereby potentially sowing the seeds for future inter-institutional battles. That being said, it seems unlikely that the Council would insist on keeping a candidate in the post of High Representative who did not enjoy the support of the majority of the EP.

When it comes to scrutinizing the executive, the EP's scope is more limited. It can invite Commissioners, Commission officials, and Council presidency representatives to Committee meetings to explain and justify decisions. The Commission also submits its annual work programme to the EP. However, the main leverage that the Parliament possesses to hold the Commission to account is via its powers of appointment and dismissal, and members of the Council are held to account by their own national parliaments.

12.3.3 Legislative powers and policy-making

A key shift in the EU has been the increased parliamentarization of decision-making, which has primarily manifested itself in the increase in the EP's right to exercise a range of legislative powers. The Parliament has become increasingly involved in areas that are traditionally intergovernmental, especially since the entry into force of the **Lisbon Treaty**, so that it is now involved in nearly all policy areas.

The main vehicle through which the EP expresses its preferences and shapes legislation is the **ordinary legislative procedure (OLP)**. Originally introduced by the Treaty of Maastricht, the OLP only applied to 15 policy areas but following the entry into force of the **Lisbon Treaty** it now applies to 85 areas, including the traditionally intergovernmental arenas of

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BOX 12.3   BACKGROUND: APPOINTING THE COMMISSION

Officially, the EP is limited to endorsing the whole Commission. However, the Parliament has made clear over the years that it is prepared to veto the entire team rather than accept an inappropriate candidate. The EP's committees hold hearings with the relevant Commissioners-designate in order to determine their suitability, and there are usually some casualties. In 2019 three nominees were rejected by the Parliament. Rovana Plum from Romania and László Trócsányi from Hungary were rejected by the Legal Affairs Committee over conflicts of interest. French nominee, Sylvia Goulard, was also rejected because she used her European Parliament assistant to carry out political work, in clear contravention of EP rules. The rejection of Goulard was the first time the EP had rejected a nominee from one of the larger states and reflects an increasing confidence on the part of the Parliament to deploy its powers.

international trade, migration, fisheries, and agriculture. The OLP makes the EP a genuine co-legislator with the Council: the Parliament's agreement is required before a proposal can become law. The OLP consists of three readings of legislation and introduced a formal conciliation process between the EP and Council after the second reading if the two sides cannot agree. Conciliation involves a committee comprised of equal-sized delegations from the Council and EP negotiating a compromise text, which the Commission seeks to facilitate. If the two sides cannot agree the legislation falls, or the EP can veto the proposal, although it rarely exercises this veto power (see Chapter 16).

The right to conciliation was a significant step forward in putting the EP on an equal legislative footing with the Council. However, the numbers involved in meetings make reaching agreement difficult, so since the early days of the OLP in the 1990s a system of informal meetings (**trilogues**) has been used to facilitate negotiation. Decisions are also increasingly taken in even smaller informal meetings at first- or second-reading via a procedure known as early agreements. The evolution of this way of working with small informal meetings between select personnel from the EP and Council has enabled the process to function effectively and reduced the need for the larger conciliation meetings so successfully that there were no formal conciliations between 2014 and 2019 (European Parliament, 2019).

This shift to informal decision-making has enhanced the inter-institutional relationship between the Council and Parliament as they have become genuine co-legislators. However, while this informality facilitates agreement and the building of inter-institutional trust, it has also come at a price as it involves a trade-off between efficiency and transparency. Increasing concerns have been raised about small groups meeting behind closed doors with limited opportunity for input from the relevant EP committee or the wider plenary, which undermines the EP's claim to be the standard bearer for democracy in the EU. In response to these concerns the Parliament has amended its own rules of procedure to ensure that the EP's negotiating team is acting on a mandate from the parent committee or the plenary as a whole. Nevertheless, the **European Ombudsman** launched an own-initiative enquiry into the transparency of trilogues, which made a series of

recommendations as to how transparency could be improved. These included making the dates, personnel, and paperwork associated with the meetings publicly available, which the ombudsman suggested should also be held in a joint database. Many of these issues, as well as the operation of relationships between the institutions, are covered in a new inter-institutional agreement on Better Law-making. This document brings together a range of pre-existing inter-institutional agreements into one document and has updated them in the light of new institutional challenges and processes. It spells out clearly the prerogatives of each institution and the way in which they should cooperate with each other to produce clear and transparent legislation (European Parliament, European Council, and European Commission, 2016a). Overall, the introduction of OLP has ushered in a more cooperative set of working arrangements between the Council and EP. However, its extension to new, traditionally intergovernmental policy areas has seen a series of disputes emerge between the two co-legislators over fisheries and the Council has also struggled to accommodate the Parliament's greater inclusion in agricultural policy.

The other key procedures of decision-making the EP has at its disposal are termed special legislative procedures under which the EP can consent to, or is consulted on, legislation (see Table 12.1 for detail). The most significant aspect of these is the EP's right to consent to (or veto) international agreements and trade agreements, as well as a country's Withdrawal Agreement from the EU. The Parliament has used these veto powers sparingly to ensure it is not ignored during the process. This restraint reflects a long-standing strategy employed by the Parliament to balance its right to use its veto powers against its desire to be seen as a responsible legislative partner.

12.3.4 An advocate for constitutional change

The Parliament has been proactive in seeking to enhance its power through advocating constitutional reform under which the EP and the wider European citizenry would be given an enhanced role in determining the shape and function of the EU (Corbett, 1998; see Chapter 9). In the 1980s the EP's Institutional Affairs Committee prepared a draft Treaty of European Union, which was part of a wider set of

Table 12.1 Special legislative procedures

Special legislative procedures	
Consent procedure	Consultation procedure
EP can accept or reject proposal but CANNOT amend	EP can accept, amend, or reject proposal. Following CJEU *Isoglucose judgment* of 1979 Council cannot act without EP opinion.
Legislative Consent Covers new legislation on: • combatting discrimination • the establishment of a Public Prosecutor's Office • the adoption of a system of own resources and of the multi-annual financial framework • any legislation adopted under the 'subsidiary' legal basis (Article 352 TFEU), otherwise known as the catch-all article of the Treaty, which allows the institutions to act in areas not explicitly covered by the Treaties	**Legislative Consultation** Covers: • internal market exemptions • competition law
Non-Legislative Consent Covers: • international agreements to which the OLP applies • cases of a serious breach of fundamental rights (Article 7 of the Treaty on European Union) • accession of new EU members • withdrawal from the EU	**Non-Legislative Consultation** Covers: • international agreements adopted under common foreign and security policy

factors promoting the adoption of the Single European Act. In subsequent treaty negotiations, the Committee again prepared detailed reports, and advanced the case for further reform with lobbyists, non-governmental organizations (NGOs), and national governments. As a consequence of this activity, MEPs were formally included in the **intergovernmental conference (IGC) reflection groups** preparing the Amsterdam and Nice Summits, and under the Treaty of Lisbon the EP has gained the formal right to request treaty changes (see Chapter 3). In recognition of this new role, the EP was asked to assent to changes to the Treaty of Lisbon allowing for the creation of the **European Stability Mechanism (ESM)** in 2011. Later that same year, the President of the **European Council** requested that a delegation from the Parliament be involved in the negotiations and drafting of the new Fiscal Treaty for the **euro area**. Thus, the EP has a growing role in drafting treaty changes and can therefore bring more democratic accountability to the process. Moreover, the empowerment of the EP in this area allows for greater involvement of **supranational** actors in what were traditionally intergovernmental arenas, despite claims that the EU has become more intergovernmental since the eurozone crisis (see Chapters 5 and 25).

KEY POINTS

• The European Parliament gained significant budgetary powers in the 1970s and acts as one half of the EU's bicameral budgetary authority.

• The EP can appoint and dismiss the Commission President and College of Commissioners.

• The EP's powers have extended furthest in the legislative realm. It acts as a co-legislator with the EU Council in 85 policy areas. However, the use of informal meetings raises questions about the wider transparency of EU decision-making.

• The EP has long pressed for constitutional change to bring Europe closer to its citizens; many of its goals were realized in the Treaty of Lisbon. The EP itself is now more closely involved in the process of treaty change.

12.4 The internal politics of the European Parliament

The European Parliament has been characterized as an institution composed of strong committees and weak parties. The committees allow the EP to exercise its legislative prerogatives and hold the EU executive to account. However, as the Parliament's powers have expanded, the political groups rather than the national political parties, have emerged as important actors, for they hold the power of patronage within the Parliament, and act as a conduit between Brussels and national political parties. The EP's political groups are cross-national: they are composed of members from different countries who share the same broad ideological convictions. To form a political group requires 23 MEPs representing a quarter of the member states. There are currently seven political groupings and a cohort of MEPs who have chosen not to affiliate themselves (see Table 12.2). The two largest groups are the European People's Party (EPP), a centre-right political group, and the Progressive Alliance of Socialists and Democrats (S&D), a centre-left political group.

The groups play a central role within the EP because they control appointments to positions of responsibility and set the EP's calendar and agenda. It therefore makes sense for MEPs to affiliate themselves with large groups but forming them can be challenging. For example, in the 2014 elections, the far-right did well in several states, including France, where the *Front National* (FN) (now *Rassemblement National*) came first overall, securing 24 seats, which in theory should have placed its leader, Marine Le Pen, in a powerful position to form a political group within the Parliament. However, it was a year before Le Pen was able to persuade enough MEPs from seven states to form a group, the Europe of Nations and Freedom (ENF). This delay was due to other right-wing parties, most notably the **UK Independence Party** (UKIP) one of the largest of the **Eurosceptic** national delegations, being reluctant to partner with Le Pen, as association with the FN was seen by many as politically toxic.

The Group to which UKIP was affiliated in the 2014–19 Parliament, the Europe of Freedom and Direct Democracy (EFDD), ceased to exist following Brexit, which saw a reallocation of the UK's seats to other countries and a reduction in the number of MEPs from 751 to 705 (see Chapter 27). A new far-right grouping, Identity and Democracy, was created following the 2019 elections and is composed of MEPs from ten countries, with the two largest delegations drawn from the Italian **Lega** party and the French *Rassemblement National*.

As the allocation of posts within the EP is determined by group size and, within the groups, by the size of each national delegation, there are strong

Table 12.2 Composition of the European Parliament post-Brexit (2020)

Political group	Political orientation	Number of MEPs
European People's Party (EPP)	Centre-right Christian Democrat and Conservatives	187
Progressive Alliance of Socialists and Democrats (S&D)	Centre-left	145
Renew	Liberal	98
Identity and Democracy (ID)	Far-right	75
Greens and European Free Alliance (Greens/EFA)	Environmentalist and regionalist	73
European Conservative and Reformists	Right-wing and Eurosceptic	62
European United Left/Nordic Green Left (EUL/NGL)	Left-wing	39
Non-affiliated Members (NA)	Various	26
Total		705

incentives to keep the groups together. But allotting posts requires intensive intra- and inter-group negotiation and coordination. The most important positions within the Parliament are:

- the President, who acts as the EP's figurehead, chairing the Plenary and representing the Parliament in external negotiations and meetings;
- the Vice-Presidents who support the President and help to run the Parliament;
- the committee chairs, who organize and run committee meetings.

The negotiations between the parties over these posts are typically conducted by party elites behind closed doors, a process that has attracted opprobrium for its lack of transparency. In 2019 the EP presidency nomination was made after protracted negotiations behind closed doors in the Council over who would get the top EU jobs. Eventually, the EP Presidency went to Italian centre-left MEP, David-Maria Sassoli, with an agreement that he would step down after two and half years to make way for a representative from the centre-right European People's Party. This kind of horse-trading for posts within the Parliament undermines the EP's claim to be the standard bearer for transparency within the EU's institutional structures.

A key position within the EP is the role of committee chair, who is responsible for organizing the calendar and agenda of meetings, chairing meetings, and participating in inter-institutional negotiations under the OLP. Chairs are important as committees are the locus for the majority of parliamentary work, and they play a key role in enabling the Parliament to exercise legislative power and hold the EU's executive to account. In the 2019–24 Parliament, there are 20 standing committees divided functionally into different policy areas. The membership of each committee roughly mirrors the ideological balance of the wider Parliament. The committees are the repositories of policy expertise and are responsible for appointing teams of negotiators who can engage in intra- and inter-institutional negotiations.

The EP also appoints two further types of temporary committees. Special committees, which usually have a twelve-month mandate, report on topical or urgent issues. Recent examples include those on Beating Cancer; on Foreign Interference in Democratic Processes of the EU; and on Artificial Intelligence in a Digital Age. Committees of inquiry investigate breaches or maladministration of EU law. Recent inquiries have covered the Protection of Animals during Transport, and Emission Measurements in the Automotive Sector (see Chapter 24).

Within the committees, MEPs are selected as *rapporteurs* to draft reports and their work is aided by 'shadow' *rapporteurs*, who are drawn from another political group and can feed in alternative political perspectives to the *rapporteur* and committee, as well as keeping their own party and the wider EP informed about the positions being developed. The *rapporteurs* and shadow *rapporteurs* are central members of the team responsible for negotiating with the Council under the OLP. They also play an important role in shaping the position adopted by their political groups as a result of their policy expertise.

Once committees have crafted their reports, they are subject to amendment and adoption by the EP's Plenary (the meeting of all MEPs), which, normally meets in Strasbourg and Brussels (see Box 12.4). During the Plenary, MEPs vote on the various reports and motions for resolution, and adopt amendments to legislation. The MEPs must secure the support of a majority, and because the largest political group, currently the EPP, cannot on its own command a majority, the adoption of amendments and resolutions requires cooperation between the political groups. Thus, securing the support of a majority both in the committees and in Plenary requires inter-group negotiation.

BOX 12.4   CASE STUDY: THE SEATS OF THE EUROPEAN PARLIAMENT

The EP was originally located in Strasbourg on the Franco-German border as a symbol of the new European unity. The EP also has offices in Luxembourg, which were originally established there to allow it to work alongside the ECSC High Authority (see Chapter 2). However, the Parliament does most of its work in Brussels, where the other EU institutions are located. Some administrative staff are still based in Luxembourg and, once a month, MEPs, their staff, and representatives from the Commission and EU Council decamp to Strasbourg for the EP's Plenary session. Although the majority of MEPs would far rather conduct all of their business in Brussels, French opposition to losing the Strasbourg EP seat led to a commitment in the Treaty of Lisbon to maintaining it. Thus, outside of pandemic times the monthly adjournment to Strasbourg will continue despite the cost and inconvenience to MEPs and the European taxpayer.

Cooperation between the two largest groups to secure majorities has long been the norm in the Parliament, although as smaller parties have done well that coalition has increasingly had to draw upon other groups to secure majorities. In the 2014–19 Parliament the EPP and S&D had to work with the liberal group to secure stable majorities. A similar type of grand coalition will be required in the 2019–24 Parliament, as for the first time in the EP's history the two largest groups cannot command an absolute majority between them. Moreover, MEPs from populist right-wing Eurosceptic parties have been able to form the fourth largest political group with implications for the functioning of the Parliament as some MEPs from these groups are committed to disrupting EU policy-making (See Box 12.5).

It might be expected that MEPs would vote according to national preferences, forming national blocs regardless of ideological differences. While there are occasional instances of such national defections, studies of the Parliament's voting behaviour show that, as a general rule, the MEPs behave ideologically (Hix et al., 2007): they vote with their political groups, not with their fellow nationals. Even when the EU enlarged to take in 12 new states, MEPs from the accession states quickly acclimatized to these EP norms to vote according to ideological preferences (Scully et al., 2012). Hence while the EP is unique as a parliamentary chamber, given its multinational and multilingual composition (it has 24 official languages compared with the UN's six), in practice it behaves like an ordinary parliament, organizing and voting along classic left–right ideological lines (Ripoll Servent and Roederer-Rynning, 2018).

A significant challenge that emerged early on in the ninth Parliament was responding to the COVID-19 pandemic and setting up systems to allow scrutiny, debates, and voting to continue under lockdown conditions (see Chapter 28). The European Parliament has largely been regarded as an example of best practice globally in its rapid response to the COVID-19 pandemic. The EP moved quickly to introduce social distancing, ban visitors, introduce face masks, and to encourage MEPs to work from home where possible to reduce travel-related transmission. The Bureau of the Parliament agreed to temporary change to the EP's rules of procedure to allow MEPs to participate and vote remotely. An electronic system was introduced to allow for online multilingual meetings of up to 1,000 participants (bear in mind the EP has 24 official languages). The EP also supported local communities in the cities in which the Parliament buildings are based. For example, in Brussels the EP kitchens were used to prepare meals for those in need during lockdown and a building was turned into a refuge for women who needed help and support. In Strasbourg an EP building was turned into a screening centre for COVID-19.

BOX 12.5   KEY DEBATES: ACCOMMODATING EUROSCEPTIC MEPS

In both the eighth (2014–19) and ninth (2019–24) Parliamentary elections, Eurosceptic parties performed well, raising the prospect that MEPs from these groups would seek to undermine parliamentary business. The larger mainstream political groups sought to prevent this eventuality by putting in place a **cordon sanitaire**, which has limited the access of Eurosceptic parties to positions of responsibility in the Parliament. For example, the radical right group, Identity and Democracy (ID) should have received two vice-presidencies of the EP and two committee chair positions following the 2019 elections. However, the other political groups ignored the informal rules to allow the election of ID members to positions of responsibility (Brack, 2020). Whilst this move reduced the opportunity for Eurosceptic groups to disrupt parliamentary processes it also exemplified behaviour that Eurosceptic parties were challenging and disenfranchised MEPs who were democratically elected to pursue Eurosceptic policies. The rise of Eurosceptic parties underlines the challenge raised for the EP about how it should accommodate MEPs who have been democratically elected but whose main purpose is to undermine the effective operation of EU policy processes.

KEY POINTS

- Members of the European Parliament sit and vote in cross-national political groups, which control appointment to important posts.

- Detailed policy work in the EP is carried out by its committees. Committee rapporteurs play a key role in shaping group opinions and in representing the Parliament in inter-institutional negotiations under the OLP.

- The Parliament votes along ideological, rather than national, lines and the voting behaviour of MEPs is increasingly cohesive.

- The EP moved rapidly to address the challenge of the COVID-19 pandemic by adapting its working practices.

12.5 Elections, the people, and the European Parliament

Elections to the European Parliament are held every five years. The rules governing European elections are different from those that typically apply to national elections, because EU citizens resident in another EU state (for example, Bulgarians living in Germany) are entitled to vote in local and European elections, but not in national elections. Citizens resident in an EU state can also stand for election even if they are a non-national, thus Danny Cohn-Bendit, a German citizen, was elected as an MEP in both Germany (1994–9, 2004–09) and France (1999–2004, 2009–14). Since 1999, European elections have been conducted on the basis of **proportional representation (PR)** across the whole EU, although there are differences between the member states in the systems that they use. For example, in France, European elections are decided by a regionally based **list system**, but in Germany a national list is used. An inevitable consequence of this disparity is that the number of constituents whom each MEP represents can vary enormously. Where MEPs represent a large constituency, it is challenging to build a relationship between the elected politician and the citizen, which may provide a partial explanation for the EP's ongoing struggle to connect with EU citizens, as

indicated by the fall in turnout at successive European elections up to 2014 (see Figure 12.1).

How can we explain the trends in turnout, which fell in successive European elections and then stabilized in 2014 and increased in 2019? One potential explanation is that European elections are second-order, so they are viewed as less important than national elections, so voters do not turn out to vote. A side-effect of the second-order nature of EP elections is that as voters think that their preferences do not count they can use the election to express dissatisfaction with the governing party of their member state (Reif and Schmitt, 1980), which may explain why smaller parties such as the greens and populist parties have done well, especially in 2014 and 2019. An alternative explanation for the increasingly successful performance of smaller parties is that voters do care about EU issues and a party's position as being pro- or anti-European shapes how citizens vote (Hobolt and Spoon, 2012). The 2014 and 2019 elections were both contested with the assumption that the Commission President selection would be linked to the outcome of the election, which could explain why turnout did not fall in these two elections and indeed increased in 2019. Another credible explanation for voting behaviour is the fact that EU election campaigns are organized and financed by domestic political parties rather than by the European political

Figure 12.1 Turnout in European Parliament elections 1979–2019
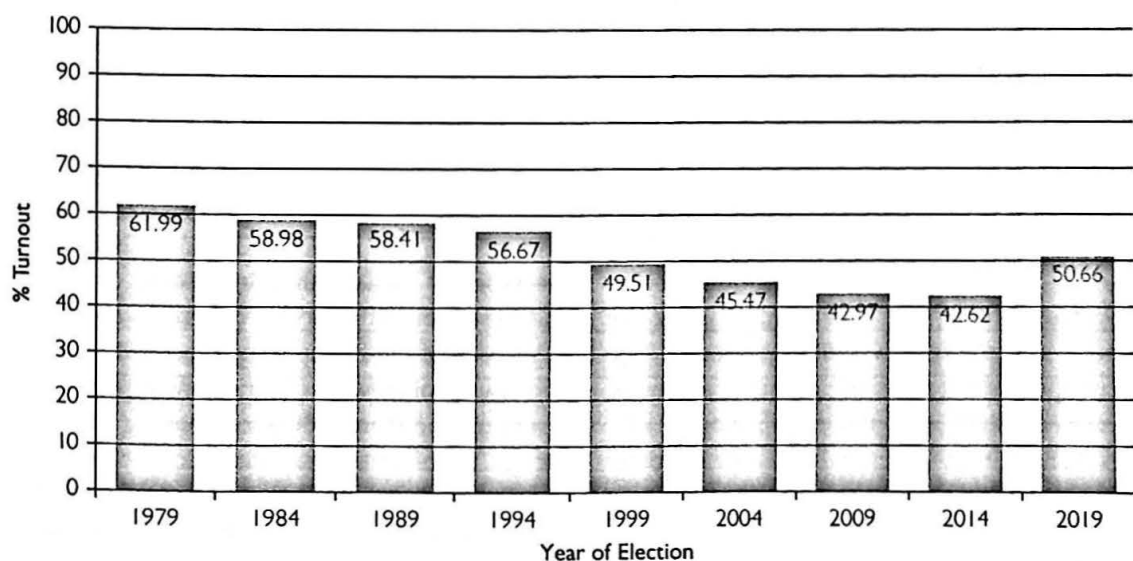
Source: European Parliament, available online at http://www.europarl.europa.eu.

groups. Thus, candidates do not seek re-election as a member of the S&D or EPP, but as a French Socialist or a German Christian Democrat. Moreover, the parties often campaign on national, rather than genuinely European, platforms. So both turnout and voting choices maybe shaped by domestic rather than European political factors, which helps to explain the variation in voting behaviour across the EU.

The EP faces a key challenge: it has predicated its calls for empowerment upon its status as a democratically elected body that can bring the voice of Europe's citizens to the heart of the EU's decision-making processes, but its legitimacy is undermined by the relatively poor turnout for European elections and the increasing popularity of Eurosceptic parties. Moreover, the EP is still largely white and male. In 2019, 41 per cent of the MEPs elected were female (European Parliament, 2020) and 5 five per cent came from ethnic minority groups, comparing poorly with an EU minority population of at least ten per cent (European Network Against Racism, 2019). Whilst the Parliament can take some comfort from the fact that it is not suffering alone as many parliaments struggle to secure appropriately balanced representation and turnout is low in many elections across the EU, nevertheless elections legitimate political systems and executives. The EP has argued that it can act as a corrective to the EU's **democratic deficit** by holding the executive to account and participating in policy-making. Yet if only just over half of EU citizens vote, and in doing so elect a chamber that does not represent the diversity of EU communities, not only is the legitimacy of the EP undermined, but so too is that of the wider system

of EU governance (see Chapter 9). The Lisbon Treaty sought to address concerns over democratic accountability by further extending the EP's powers and by including a greater role for national parliaments in decision-making. Thus, under the **'yellow card system'** (Protocols 1 and 2 of the Treaty of Lisbon), if a third (or a quarter in relation to freedom, security, and justice) of national parliaments feel that draft legislation could be better achieved by domestic legislation, the Commission must review the act. Between 2012 and 2016, three yellow cards were issued by national parliaments on the establishment of common EU rules on the right to strike, the creation of a European Public Prosecutors' Office, and the posting of workers (European Commission, 2013, 2014, 2016), demonstrating that national parliaments are now more able to exercise their prerogatives under the principle of **subsidiarity**.

KEY POINTS

- The European Parliament is directly elected every five years. The number of constituents represented by each MEP varies widely.

- European elections are typically regarded as being less important than national elections, both by the electorate and by national political parties, which fail to campaign on European issues; this has contributed to low turnout.

- The EP is still largely white and male and therefore fails to reflect the more diverse nature of the EU's population.

- National parliaments are now able to block proposed EU legislation.

12.6 Conclusion

The European Parliament has been the major beneficiary of treaty change in the European Union, being transformed from a marginalized institution into a key policy actor within the system of EU governance. The EP has developed a set of transnational political groups, which behave cohesively and vote along ideological left–right lines. Whist the EP's power has increased, there has not been a matching increase in its legitimacy: turnout for European elections has stabilized, but it appears to have been buoyed by the rise of Eurosceptic parties that are committed to undermining the EU's system of governance from within. The response of mainstream groups in the parliament to exclude Eurosceptic MEPs

from positions of power and responsibility exemplifies the types of behaviour criticized by populist parties and raises some important questions about the wider legitimacy of the European project. MEPs now enjoy a wide range of powers covering most policy areas, and, in order to enhance decision-making efficiency, they engage in informal practices that further undermine the transparency and legitimacy of EU policy-making processes. Thus, the EP now faces three interlinked challenges: how to increase its appeal to the wider European electorate; managing the presence of Eurosceptic MEPs within its midst; and contributing to efficient *and* open governance in the EU.

QUESTIONS

1. Why was the European Parliament created?

2. How and why have the EP's power increased?

3. Do MEPs vote according to nationality or ideology? To what extent are MEPs free from national control?

4. What impact has the empowerment of the European Parliament had upon inter- and intra-institutional relations?

5. How is it possible to account for the turnout in European elections?

6. What impact does the emergence of a larger bloc of Eurosceptic parties have upon the operation of the Parliament? What, if any, impact has Brexit had in this regard?

7. What are the principal challenges facing the EP and how should it address them?

8. What function does the European Parliament serve in the EU system of governance?

GUIDE TO FURTHER READING

Corbett, R., Jacobs, F., and Neville, D. (2016) *The European Parliament*, 9th edn (London: John Harper). An excellent and comprehensive guide to the history and day-to-day operation of the European Parliament, written by practitioners.

Hix, S., Noury, A. G., and Roland, G. (2007) *Democratic Politics in the European Parliament* (Cambridge: Cambridge University Press). A study of the internal politics of the European Parliament that draws upon an extensive dataset of voting behaviour in the Plenary.

Ripoll Servent, A. (2018) *The European Parliament* (Basingstoke: Palgrave Macmillan). An advanced textbook outlining the organization and powers of the Parliament.

Ripoll Servent, A. and Roederer-Rynning, C. (2018) 'The European Parliament: A Normal Parliament in a Polity of a Different Kind' in *Oxford Research Encyclopaedias, Politics* (New York: Oxford University Press USA). An advanced essay that reviews the debates over whether the EP can be considered a normal parliament.

Access the online resources to take your learning and understanding further, including extra multiple-choice questions with instant feedback, web links, answer guidance to end-of-chapter questions, and updates on new developments in EU politics.

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