

Summary of the PhD thesis

The European Parliament and its functions in the European Construction Process

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Abstract:

This paper approaches the role and functions of the European Parliament as an actor in the European Union community construction process. After having reviewed the literature on the European Union and on the theories developed in reference to the evolution of this institution, the paper focuses on a case study on an intergovernmental policy, the Common Foreign and Security Policy, in an attempt to prove that even in an almost entirely exclusive intergovernmental area, the EP uses its legislative or normative competences to exercise its parliamentary control. The case study stresses the functions of the European Parliament after the Lisbon Treaty and the perspectives of extending them after certain competences have been granted to national parliaments by the same document. On a conceptual level, the relation between the EP and the national parliaments is exercisable through the notion of Multilevel Parliamentary Field.

Keywords:

European Parliament, EU Community Construction Process, Common Foreign and Security Policy, Multilevel Parliamentary Field, parliamentarization

Table of Contents:

INTRODUCTION

Objective of the research

Problem formulation

Research questions

Research hypothesis

Structure and design research

CHAPTER I. THE EUROPEAN PARLIAMENT BETWEEN DEMOCRATIC DEFICIT AND DEMOCRATIC CONTROL. A MULTIDISCIPLINARY PERSPECTIVE

Part I. Sociological approaches of the democratic deficit

European identity – a concept without an object?
Conceptualising and understanding identity
European identity – cultural or political?
European identity and identity of the European Union
Benchmarks of the European identity in the context of EU's institutional architecture
The European identity – where does it take place
Sources of the European identity
The battle for European identity
Policies and strategies for European identity improvement
Challenges for the European identity project
Democratic deficit and European identity
European Parliament, democratic deficit and European identity
Allegiance as a key point in the democratic deficit – European identity relation

Part II Political science approaches towards the democratic deficit

Implications of the EU multilevel structure for its democratic legitimacy
Theoretical aspects
The participative and the deliberative turn
Multilevel governance in current constitutional architecture
The paradox of democratization at the EU level
Representation at EU level. Democratic input channels
The paradox of representation at the EU level

Part III Democratic control over the foreign policy. A direction of conceptualisation of the European Parliament in security studies

Theoretical aspects
Multilevel parliamentary field

CHAPTER III DEMOCRATIZATION, PARLIAMENTARIZATION AND GOVERNANCE OF FOREIGN RELATIONS IN THE EU

Part I. Democratization and parliamentarization in the EU

The political system of the European Union and challenges for defining democracy

Democracy and the EU

Discerning between ideal and real democracy. A theoretical issue

Delegation of power and authority to a small number of citizens

Democratization and parliamentarization

Democratization of the constitutional discourse

Why classic theories do not explain the parliamentarization process?

Part II Democratization and deliberative governance

Deliberative governance. Defining the concept

Autonomy as a prerequisite for democracy

Autonomy: from political philosophy to empirical operationalization

Legitimate decisions in complex political fields

Decisional process in deliberative governance arrangements

Part III Democratization and external relations

The EU as a civil power

New approaches to security
CFSP as an external security domain in the EU

Chapter III The historical evolution of the European Parliament and the constitutional basis of the parliamentarization thesis . The European Parliament in external relations until the Lisbon Treaty

Single European Act
The Maastricht Treaty – opening the budgetary gate
Amsterdam and Nice
The interinstitutional agreement on CFSP in 1997

Parliamentarization

Parliamentarization and procedural rules
The interinstitutional agreements, parliamentarization and the constitutionalization process in the EU
Interinstitutional agreements
The interinstitutional agreements as seeds for further treaty amendments
The budgetary competences of the European Parliament from Maastricht to Lisbon
The budgetary competences of the EP
Disagreements in CFSP funding after Maastricht
The political field of CFSP after Amsterdam
The constitutional treaty
Tratatul constituțional
Conclusion: parliamentarization from Maastricht to Lisbon?

[Chapter IV](#)

Bibliography

- A. Primary sources**
- B. Secondary sources***
- C. Web sources***

Research Topic

This thesis explores the role of the European Parliament within foreign affairs of the European Union. Having set such a goal, this paper aims to fill a void in the current literature, which lacks a substantial research body on this topic since the democratic control of the European Parliament is extremely important for the European Union's legitimacy as a political construct.¹ At the same time, this thesis sets out to explore from a double perspective the role of the European Parliament in the institutional architecture of the European Union.

On one hand, the paper analyzes the evolution of the European Parliament from an advisory institution, as established by the founding treaties of the EU, to an institution which gained (after the Lisbon Treaty) legislative jurisdiction in some of the most sensitive areas for the Member States in terms of EU activity – as security, defense or justice and home affairs. This happened after the removal in the Lisbon Treaty of the distinction between discretionary and non-discretionary expenditures.

This thesis also stresses that even in the frame of several political areas where the European Parliament does not have direct jurisdiction, it uses its existent authority to exercise parliamentary control.

In such areas governed not by laws, but by directives, positions and actions, the European Parliament does not exercise direct jurisdiction. Generally speaking, political areas related to foreign affairs subscribe to this category. They make the object of this research, along with the role of the European Parliament to their making, since they are sensitive areas for the Member States and their sovereignty. Why is such an evaluation necessary?

Considering the existent literature, we believe such an approach is very important. The European Parliamentary is a hardly present institution in the disciplinary framework of security studies, mainly because there has not yet been established a connection between its legislative authority, as the budgetary jurisdiction, and its perspective to become an actor of the Common Foreign and Security Policy.

Approaching the issue

¹ Dirk Peters, Wolfgang Wagner and Nicole Deitelhoff *Parliaments and European Security Policy: Mapping the Parliamentary Field*, (European Integration online Papers (EIoP), 2010), p. 3.
<http://eiop.or.at/eiop/texte/2010-012a.htm>. doi:10.1695/2010012

The approach developed in this study is mainly theoretical. The literature on the European Parliament is characterized by an extraordinary thematic diversity and more importantly by a diverse disciplinary community to explore it. As seen in the second chapter of the thesis, there can be identified three types of approaches:

1. Sociological approaches on the EP
2. Political science approaches on the EP
3. Security studies approaches on the EP

We observed the sociological and the political science approaches are more focused on the concept of democratic deficit, as they argue the necessity of a more profound democratic legitimacy of the European Union with reasons claiming there is no European demos (sociological approaches) or a sufficient representational mandate of the EU (political science approaches). As further explained in the second chapter, the representational mandate of the European Parliament, strengthened by the Lisbon Treaty as this institution no longer represents “peoples”, but “citizens”, is diminished by the participatory governance agenda enforced by the Commission in the early 1990s. The Commission thereby assumes the relationship with the civil society in an attempt to replace the national political demos with a European one and hence undermines the civil society representation at a parliamentary level.

What could yet be identified throughout the literature is that in several political areas, especially in the ones where national sovereignty is a sensitive issue (such as the CFSP), the participatory governance agenda cannot function. Thus the democratization of the decision making process does not involve all (or most) of the actors affected by the legislative results and it narrows down to the exercise of parliamentary control by the EP.

As seen in the chapter dedicated to the theoretical framework, the EP’s exercise of parliamentary control is an important issue in the literature, being the stake of the main debate in the European studies – the one between intergovernmentalism and supranationalism. On one hand, the intergovernmental paradigm claims the treaties are the main source of knowledge in terms of jurisdiction of each institution and political practice in the EU. Regarded from this perspective, the intergovernmental paradigm gives little attention to the agreements regulating the daily political practice of the European Union’s institutional body, the Interinstitutional Agreements. The chapter describing the institutional evolution of the European Parliament and of its jurisdiction in foreign affairs proves that the budgetary authority of the EP within the Common Foreign and Security Policy is poorly enforced by the treaties, but strengthened by Interinstitutional Agreements.

On the other hand, the advocates of supranationalism argue their position by looking at the Commission as a European “executive”. The Parliament is discussed only from the perspective of the transnational political groups’ establishment within the EP, groups whose vote is ideological and not at all influenced by national interests imposed by the Council. This gives the EP a transnational institution dimension² and, to some extent, a supranational institution dimension, of a political organism able to act autonomously in making its own statements and agenda.

We also stressed in this paper that we could identify another side of the European Parliament’s dimension as a supranational institution. We believe this side has two dimensions: a legislative one and a normative one.

The legislative dimension builds in its ability to ensure democratic control in areas intergovernmental par excellence by exercising and maximizing the already achieved legislative authority (as its jurisdiction in the budgetary procedure).

The normative dimension is connected to its ability to maximize its informational assets by exercising other competences, such as the one to accept or block the Commission – significant for the area of foreign affairs.

The supranational dimension of the European Parliament is hence exercisable, outlining the very core of this paper – a pleading for presenting the EP as a security studies actor.

Research Questions

The research question addressed by this study is referred to the analytic possibilities of looking at the European Parliament as an actor, from a security studies’ point of view.

This question determined us to focus our case study on a much debated policy in security studies, the Common Foreign and Security Policy, which also sets the general guidelines in the discussions referring to the Union’s role as a global actor.

Research hypotheses

This paper proposes two research hypotheses.

The first refers to the **strengthening of the European Parliament’s role within the Common Foreign and Security Policy of the European Union after the Lisbon Treaty, through two of its provisions:**

² Abdul G. Noury Simon Hix, Gerard Roland, *Democratic politics in the European Parliament* (Cambridge University Press, 2008).

1. The Lisbon Treaty removes the distinction between discretionary and non-discretionary expenditures in the EU budget, which extends the budgetary competences (legislative) of the Parliament to the operational spending in the CFSP budget.
2. The Lisbon Treaty resumes the Constitutional Treaty provision referred to naming an EU Foreign Affairs Minister, by changing this office's name into "High Representative of the Union for Foreign Affairs". Due to the fact that this person also holds the mandate of vice-president of the Commission, and the Commission may be blocked by the Parliament³, the EP increases its negotiation statute within the CFSP.

The second hypothesis is that the **European Parliament exercises two types of functions within the European Union**, which allow it to exercise its *democratic control*:

1. Legislative functions, through its budgetary authority. These functions are extended by the Lisbon Treaty, which, as said above, removes the distinction between discretionary and non-discretionary spending within the EU budget. This implicitly means the extension of the Parliament's budgetary competences to what used to be considered, before Lisbon, an operational spending without a military or defense character, supported by the Member States both before and after Lisbon (the Athens mechanism).
2. Normative functions, by informing and consulting the Parliament within the CFSP. This function is also exercised through biannual debates on foreign affairs, when the Council presents a report in reference to the evolutions in CFSP. In the same normative function we also integrate the opportunity the EP has through the Lisbon provision stating the High Representative of the Union for CFSP is also the vice-president of the Commission. The European Parliament may accept or block the Commission and managed to impose a political practice of organizing individual hearings with all the Commission members. This makes it obvious that the High Representative is forced, by its implicit relation with the Parliament, to remain in good terms with it and maximize the informing of this institution in matters of foreign affairs. It also gives the Parliament a better negotiation stand in front of the Council.

Paper Structure and Research Design

This thesis comprises four chapters. After an introduction presenting the broad spectrum of literature on the European Parliament and identifying the main analytical difficulties reached in the scientific debate, the first chapter – dedicated to revising the literature – aims to explore assumptions

³ *Ibid.*

referred to the European Parliament in three disciplinary areas: sociology, political science and security studies. In this respect, the chapter stresses the main concepts that overcome the disciplinary mismatches: *parliamentary control* and *Multilevel Parliamentary Field*.⁴

Crum and Fossum resumed the concept of *field* developed by the French sociologist Pierre Bourdieu in the early '80s in order to describe the relations between the European Parliament and the national parliaments and international organizations. Such an example is the Eastern Partnership, where a parliamentary assembly was established to connect the third countries national parliaments with the European Parliament. According to Crum and Fossum, developing a conceptual conflict between the European Parliament and the national parliaments is an old conceptual demarche. They suggest analyzing these institutions and the relations between them instead, by using the notion of *field*, which allows for a particular analysis of the interinstitutional relations. This issue is further explored within the case study, where we also discussed the implications of the new competences granted to national parliaments through the Lisbon Treaty to the possibilities of democratic control of the parliamentary institutions at the CFSP level.

The second chapter is dedicated to the theoretical framework and develops a discussion on the notion of normative power in an attempt to analyze to what extent the European Parliament can use its right to be informed and consulted in matters related to the CFSP in strengthening its democratic control in this political area. In this chapter we comprised the broader theoretical debate between intergovernmentalism and supranationalism, arguing that the theory of democratic deficit of the EP (claimed in reference to the CFSP through a lack of direct competences enforced by the treaty) could be combated by focusing the research on the interinstitutional agreements, since their content gives a better perspective on the current interinstitutional political practice. A further argument is constituted by the EU parliamentarization theory, which stresses that even though the Parliament does not hold direct competences within the CFSP, its agenda in this political area is implemented by what its advocates called a normative pressure, the Parliament's possibility to use normative arguments such as democratic legitimacy in order to exercise its parliamentary control.

The third chapter is dedicated to the history of the European Parliament as it evolved in the treaties and to its competences in the CFSP area. It further explores the parliamentarization theory and contextualizes it in the framework of interinstitutional agreements which marked the years passing since the Maastricht Treaty to the Constitutional Treaty, stressing the budgetary mechanisms which outlined the parliamentary control in this period.

⁴ Ben Crum and John E. Fossum, "The Multilevel Parliamentary Field: a framework for theorizing representative democracy in the EU," *European Political Science Review* 1, no. 02 (2009), <http://dx.doi.org/10.1017/S1755773909000186>.

The fourth chapter is a case study that focuses on the parliamentary control opportunities enforced by the Lisbon Treaty. Thereby, as it follows a discussion on the procedures stated in the Lisbon Treaty in reference to the CFSP, the chapter analyzes the concept of Multilevel Parliamentary Field in the context of the new competences granted to national parliaments. The chapter suggests a debate on the Lisbon Treaty and the research hypotheses. Thus there are discussed the new budgetary competences of the European Parliament, as well as the opportunity of receiving better information and being granted more advisory attributes through the control it exercises over the High Representative.

The thesis ends with a concluding chapter, which analyzes the results of the paper and this research's limitations, forwarding at the same time an agenda for future research on the European Parliament as a security policy actor.