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# The European Parliament: Powerful but Fragmented

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## Summary

The European Parliament (EP) symbolizes many of the struggles that characterize the process of European integration and is at the core of many theoretical and empirical debates about representation, accountability, and legitimacy. This chapter draws on a variety of theoretical approaches to explain the complex role the EP plays in the political system of the European Union (EU). It starts with a brief overview of the history and functions of the assembly, followed by a theoretical explanation of its empowerment over time. Then, it determines the extent to which the EP is capable of influencing policymaking, both in legislative and non-legislative domains, as well as for the appointment of the Commission. It presents the political structure of the assembly and underlines the role of parliamentary groups and committees. It discusses the representativeness of the EP and the democratic quality of its internal functioning. Finally, it addresses current and future challenges for the EP.

## 6.1 Introduction

As the only directly elected institution of the European Union (EU), the EP symbolizes many of the struggles that characterize the process of European integration: it is a supranational organ made up of transnational political groups but still largely anchored in national party systems and domestic concerns; it plays a major role in the EU policymaking but still has to face the centrality of the Commission and the increasing influence of the European Council; it is governed by politics but has to pay great attention to expertise and national interests.

Therefore, the EP is at the core of many theoretical and empirical debates about

representation, accountability, and legitimacy. Is it only a symbol of European unification or the most visible aspect of a European public sphere? Is it a rubber-stamping assembly or a representative institution capable of imposing its views? Is it a place for representing domestic concerns or for political struggles between transnational European parties? Are European elections determining the political momentum of the whole EU or just endlessly leading to the same ‘grand coalition’ between Christian democrats and social democrats?

The EP is a deliberative, majoritarian institution in a political system without a stable governmental majority and dominated by norms of consensus. As a result, the EP often faces a trade-off between efficiency and democracy; while the institutional architecture of the EU demands high levels of bargaining and the ability to find compromises across ideological and geographical cleavages, the lack of clear policy choices that emerge from EU policymaking makes it difficult for voters to understand the impact of their choices. That is why European elections are still seen as less important than national ones and why many citizens ignore the impact that the EP has on their daily lives. The successive crises of the past few decades have only served to accentuate the role of the executives and undermine the deliberative character of the EU’s political system. They have also led to more politicized debates on the future of European integration and the core values of the EU—a phenomenon that affects not only domestic party systems but also the European one. Therefore, the EP, while enjoying more legislative and budgetary powers than ever before, also faces more challenges due to its internal fragmentation and the polarization of ideologies among and within its political groups.

This chapter draws on a variety of theoretical approaches—from integration theories such as neofunctionalism, new intergovernmentalism, and post-functionalism, to a range of new institutionalisms—to explain the complex role the EP plays in the EU’s political system. Section 6.2 starts with a brief overview of the history and functions of the EP, followed, in section 6.3, by an explanation of its empowerment over time. Section 6.4 explores the extent

to which the EP is capable of influencing policymaking, both in legislative and non-legislative domains. Section 6.5 looks at the political structure of the assembly and underlines the role of parliamentary groups and committees. Section 6.6 discusses the representativeness of the EP and the democratic quality of its internal functioning. Section 6.7, addresses current and future challenges for the EP and section 6.8 concludes.

## **6.2 The History and Main Functions of the EP**

The EP started its life as the Assembly of the European Coal and Steel Community (ECSC) in 1952. The introduction of an Assembly in the first European Community was not part of Jean Monnet's plans but rather a compromise between those founding members that wanted to add a form of territorial representation (the Netherlands and Belgium) and those that preferred to imbue the project with more democratic accountability ([Rittberger 2009](#)). In the end, the Common Assembly was granted only limited powers, notably the capacity to force the High Authority to resign with a successful motion of censure of its annual report. These modest origins gave the Assembly the will to fight for more powers and to extend the formal remit set by the treaties. Key to that was the decision of parliamentarians to sit along political lines, with three political groups—Christian democrats, socialists, and liberals—recognized already in the 1953 internal Rules of Procedure. This decision fostered the socialization of the members of the European Parliament (MEPs), who developed a new 'esprit de corps' and ensured the gradual empowerment of the EP ([Guerrieri 2008](#); [Roos 2019, 2020](#)).

The 1960s were characterized by the intergovernmental turn—partly due to the introduction of the consultation procedure in the Treaty of Rome (1957) and the use of unanimity following the Luxembourg compromise (1966). This procedure remained the most important until 2009 and it gave member states the power to decide legislation alone, since the EP could only provide a non-binding opinion. Although the EP learnt to use the

consultation procedure so that it could exert some influence over policy outputs (e.g. by delaying decisions or lobbying the Commission), its legislative functions did not truly develop until the cooperation procedure (an early form of bicameral decision-making) was introduced in the Single European Act in 1986 (Kardasheva 2009; Varela 2009). In comparison, the 1970s proved a more beneficial decade for the EP. The Treaty of Luxembourg (1970, entry into force 1975) gave the EP some limited budgetary powers over non-compulsory expenses, while the launch of regular summits of heads of state and government (what would become the European Council) in 1974 provided the necessary impetus for direct elections in 1979.

The EP elections reinforced the parliamentary character of the Communities and strengthened the claims for a stronger role of the Parliament in legislative decision-making (Costa 2016). This argument became even more convincing when the Treaty of Maastricht moved the newly coined European Union into a political project with competences in core areas of sovereignty (Rittberger 2005). Although intergovernmentalism remained in some key areas—notably the area of freedom, security and justice (AFSJ), and foreign policy—the 1990s and early 2000s supposed a revolution for the EP, which gained a right to co-decide on equal terms with the Council and forged a closer political link between the EP elections and the composition of the Commission. This rapid empowerment culminated in the Treaty of Lisbon (2009 entry into force), which institutionalized many of the informal changes instituted during the previous two decades and extended co-decision and qualified majority voting in the Council—now known as the ordinary legislative procedure (OLP)—to most policy areas, notably agriculture and the remaining intergovernmental areas of the AFSJ, the ratification of most international agreements, and budgetary power over all types of expenses. Since 2009, the EP has had six main competences, which are similar to those of a national parliament and by far exceed those of the parliamentary assemblies of international organizations. First, the EP has a power of deliberation; that is, the right to adopt non-

legislative resolutions. Originally, it was the symbol of the lack of power of the institution, but it is a useful tool that has allowed the EP to express opinions on all sorts of issues and to develop a political discourse at a supranational level (Kreppel and Webb 2019). Second, the EP has significant powers of control. Beyond the right of censure, which has never been activated, the EP has significant means to control the Commission and, to some extent, the Council. To this effect, MEPs can use various types of questions, temporary committees of inquiry, and procedures of budgetary control, and can enjoy information from various sources, including EU organs (European Ombudsman, Court of Auditors). Third, as mentioned, the EP is the EU co-legislator—with the Council—for the adoption of the vast majority of European laws. Fourth, regarding budgetary matters, the EP has a power similar to that of the Council for all expenses—but is still not involved in the vote on resources. Fifth, the EP has powers of appointment, mainly regarding the Commission and its president, as well as the Ombudsman. As for the more intergovernmental matters (notably the common foreign and defence policy), the EP is only consulted, but it can express its views in a very open way.

In order to fulfil these various tasks, the EP has organized itself in a hierarchical structure that allows it to specialize and gain expertise. Although all decisions have to be ultimately decided by the plenary, most work is done in the twenty standing committees, which focus on specific policies or issues. Committees usually reflect the composition of plenary and are a place where specialized MEPs discuss legislative and non-legislative proposals (Yordanova 2013). Generally, committees appoint one rapporteur to write the report that is supposed to reflect the position of the EP as a whole and is ultimately voted in plenary. In legislative reports, rapporteurs, together with ‘shadow’ rapporteurs from the other political groups and the chair of the committee, form the EP’s negotiating team in charge of inter-institutional negotiations with the Commission and the Council (trilogues). Therefore, the vote in plenary is often only a formal step—which means that its function is principally symbolic (Ripoll Servent 2018). In addition to these working structures, the EP is politically led by the

Conference of Presidents—where the EP president and the leaders of the political groups make the core political decisions on the organization and directions of the institution—and the Bureau, which gathers the president, vice-presidents, and quaestors and is in charge of the administration and relations with other institutions. Finally, one should not forget the supportive role of the EP’s General Secretariat, as well as the MEPs’ assistants and political groups’ staff. This is a total of 6,500 agents, who provide the necessary backstage support for parliamentarians to fulfil their representative roles frontstage (Ripoll Servent 2018).

### 6.3 Why Has the EP Been Empowered Over Time?

Explaining seventy years of EP competences developments is not an easy task. There are two main theoretical explanations for the EP’s rise of powers. A first approach focuses on the efforts and initiatives deployed by MEPs in order to claim more power (Corbett 1998; Roos 2020; Westlake 1994). They have taken unilateral initiatives (the policy of ‘small steps’) and have pressurized member states’ leaders in order to obtain substantial changes in each treaty reform. MEPs have also taken care to maximize the impact of those formal changes, often by proposing audacious interpretations of treaties. This has been theorized as a strategy of ‘interstitial change’; that is, the constant efforts of the EP to interpret treaties and rules so as to maximize their impact (Farrell and Héritier 2007a). The inter-institutional agreements that have multiplied since the beginning of the 1990s have also helped to institutionalize these changes and involve MEPs better in EU decision-making (Wiesner 2018).

A second approach underlines the core role that member states have played in formalizing and expanding the powers of the EP in each treaty reform since 1979. Even if the empowerment of the EP sounds detrimental to the member states, since it harms the predominance of the Council in law-making, the functional needs of European integration—especially in terms of legitimation—and the attachment of some member states’ leaders to the

principle of parliamentary sovereignty help to explain why member states agreed to these treaty changes (Moravcsik 1993). However, these two explanations are not necessarily competitive; constructivists insist on the role of ‘ideas’ and underline the way MEPs have formalized a set of narratives regarding the so-called democratic deficit that presents the empowerment of the EP as the most obvious solution (Costa 2004; Rittberger 2005). MEPs have also played with ‘isomorphism’; that is, imposed the idea that the EP should be a central institution in the EU because parliaments are also core to member states’ political systems (Radaelli 2000).

However, these past few decades have seen new debates emerging around the role of the EP in the EU’s political system. Post-functionalism understands the EP as an arena that reflects the increasing connection between national politics and EU politics. It sees in the rising representation of Eurosceptics in the EP a reflection of the growing concerns of citizens with regard to European integration (Hooghe and Marks 2009; Schmitter 2009). Neofederalism shares this view and considers that the EP plays a central role in the emergence of a European public sphere and a European political game, especially through the *Spitzenkandidaten* procedure (Christiansen 2016; Coman et al. 2014). New intergovernmentalism, however, challenges those views on the EP (Bickerton et al. 2015a) and insists on the fact that the expansion of EU competences has mainly benefited the European Council and modes of regulation that are highly decentralized in the member states’ capitals (see also section 6.7). Since legislative proposals are still single-authored by the Commission, and since its agenda is today greatly influenced by the European Council, the power of the EP is considered as an optical illusion.

## 6.4 To What Extent Is the EP Influential in EU

### Policymaking?



These debates show that it is important to understand how changes in treaty provisions have affected the formal and informal powers of the EP, both in legislative and non-legislative matters.

### **6.4.1 Has Co-Decision Given More Powers to the EP?**

The empowerment of the EP has been most visible in the legislative arena. From a mere non-elected assembly with mostly consultative powers, the EP has become one of the two arms in a de facto bicameral system. This means that the Council cannot decide alone and has to find an agreement with the EP for a legislative proposal to become law. The shift in the Parliament's legislative powers has raised considerable attention, especially among those interested in the inter-institutional balance of power. Since power is linked to a logic of consequences, in which actors try to maximize their interests, rational-choice institutionalists have dominated decision-making studies. The early ones used formal models to assess who won and who lost with the introduction of co-decision in the Treaty of Maastricht (e.g. [Tsebelis and Garrett 2000](#)). These early models focused on the formal rules (i.e. as stated in the treaties) and often failed to capture informal channels of influence, such as the ability to play with the impatience of the other actors or to threaten with actions in front of the Court of Justice ([Farrell and Héritier 2007b](#)). These led some rational-choice institutionalist authors to propose bargaining models as an alternative to measure the relative power of Council, Parliament, and Commission under co-decision ([Thomson et al. 2006](#)). Although these models proved more adequate at capturing the formal and informal influence of each institutional actor, their methodology tended to overestimate the power of the Council and underestimate that of the Commission and the EP ([Slapin 2014](#)). Nowadays, most authors have turned to bicameralism to explain EU inter-institutional relations and, more specifically, the power-sharing dynamics between the two legislators (EP and Council). Rational-choice models have shown how, despite having formally equal powers to veto outcomes under co-

decision, the Council still enjoys a dominant position. This is principally given by the structure of the procedure: in the second-reading stage, it is easier for the EP to accept the Council's common position, for which it only needs a simple majority, than to amend or reject it, in which case it needs to gather an absolute majority of its members—often a difficult task (Hagemann and Høyland 2010).

However, the predominance of the Council can also be explained with the help of historical and constructivist institutionalist approaches. For one, the shift to co-decision changed the way EP actors perceived their role as legislators and led them to adopt a more 'responsible' behaviour. The Council had often claimed that, under consultation, the EP was not 'mature' and 'realist' enough, which made it very difficult for member states to see it as a serious and engaged partner (Ripoll Servent 2015). Hence, EP actors, especially among the centrist political groups, became more active in an effort to build compromises that would hold not only inside the EP but also in negotiations with the Council. This trend has led to a preponderance of grand coalitions, with the liberal group holding a central position and acting often as king-maker (Costello 2011; Hix and Høyland 2013). In addition, there is a systemic bias linked to the positionality of the Council in the EU's political system: until the late 1980s (and in some cases until 2009), many EU policies were decided by the Council alone. Therefore, even nowadays, if the EP and the Council cannot find an agreement, member states are usually closer to the status quo (and hence have less to lose) than the EP (Costello and Thomson 2013; Trauner and Ripoll Servent 2016). This makes it more difficult for the EP to push for (major) legislative changes, which can often only be achieved when the EP is very united and can use its legitimacy as the only directly elected institution representing the interests of EU citizens (Kreppel 2018).

## 6.4.2 Trilogues and the Rise of Informal Politics

The EP's capacity to stand behind a united position has become even more important with the rise of trilogues. Trilogues are informal, albeit highly institutionalized, meetings where the Council, EP, and Commission meet to find agreements under the co-decision procedure. It is supposed to be a secluded forum where negotiators can discuss difficult points in a smaller setting; nevertheless, trilogues have become a ritualized event gathering often up to 100 people (Roederer-Rynning and Greenwood 2014). This setting can be equally advantageous and disadvantageous for the EP: on the one hand, the EP often comes with more people into the room and can use the presence of representatives of all political groups to convince the Council; on the other hand, if the EP goes into trilogues with a weak majority, any divergence from the mandate might preclude winning the vote in plenary, which makes it easier for the Council to play divide-and-conquer (Brandsma et al. 2021; Delreux and Laloux 2018).

The necessity to enter trilogues with a strong mandate has led the EP to gradually formalize the process, leading to Parliament's position. This is not surprising, especially since trilogues emerged in a functional manner, driven by the need to make co-decision more efficient (Reh et al. 2013; Roederer-Rynning and Greenwood 2017; Shackleton 2000). Trilogues became so successful that in the 2014–19 legislative term 99 per cent of legislation was agreed in an early agreement—that is, on first or early-second reading (European Parliament 2019: 3). Trilogues have also brought significant changes to the internal functioning of the EP. On the one hand, they have reinforced the power of committees and, particularly, those actors who are part of inter-institutional negotiations. Although, originally, trilogues gave a lot of power to rapporteurs, who often negotiated bilaterally with the Council and the Commission, their independence has been gradually curtailed with the institutionalization of a negotiating team formed of rapporteur, shadow rapporteurs from each political group, and the committee chair. The inclusion of a broader set of actors serves the double purpose of controlling the rapporteur, while making it easier for the EP to adapt its position when something unexpected comes up in trilogues (Brandsma and Hoppe 2020;

Roederer-Rynning and Greenwood 2017). On the other hand, the increased fragmentation among political groups has shifted power from committees to ‘shadows meetings’—informal settings in which rapporteur and shadow rapporteurs, as well as coordinators (in charge of liaising between the committee and their political group) discuss amendments with the aim of agreeing on a (broadly supported) EP mandate for trilogues. This setting is also used to discuss ongoing developments in trilogues that might require changes to the EP’s mandate (Ripoll Servent and Panning 2019).

Hence, the use of trilogues brings to light an ongoing tension between efficiency and democracy (Brack and Costa 2018). While they have produced a new culture of compromise and mutual respect among Commission, Council, and EP, they still raise concerns about the lack of transparency and the difficulty to hold negotiators to account (Dionigi and Koop 2017; Reh 2014). Certainly, transparency has been improved within the EP—especially through changes in the Rules of Procedure, which have introduced ex-ante and ex-post accountability mechanisms. However, some of these instruments are not capitalized on; for instance, rapporteurs are now asked to explain the main events of trilogue negotiations to other committee members, but Brandsma (2019) found that generally these reports are highly superficial and do not go into substance. Therefore, the debate around trilogues—as well as what some see as a misuse of early agreements—is still present in the EP and involves now judicial bodies like the European Ombudsman and the Court of Justice of the European Union (CJEU) (Hillebrandt and Leino-Sandberg 2021).

### **6.4.3 Influence beyond Co-Decision**

It is important to remember that the EP has other powers beyond co-decision. First, it has to give its consent to ratify most international agreements. This has increased its influence when it comes to highly politicized agreements on data transfer for security purposes (Society for Worldwide Interbank Financial Telecommunications (SWIFT)), copyright and piracy (Anti-

Counterfeiting Trade Agreement (ACTA)), and trade (Comprehensive Economic and Trade Agreement (CETA) and Transatlantic Trade and Investment Partnership (TTIP)). The EP also played a key role in the ratification of the EU–UK Brexit agreement (Closa 2020). The consent power has been labelled a ‘nuclear power’, since it only gives the EP a chance to say ‘yes’ or ‘no’ at the end of the process. However, the EP has often used it assertively to gain informal influence over the Commission’s mandate and its right to be informed during the process (Bressanelli et al. 2019; Meissner 2016; Ripoll Servent 2014). In comparison, while it has also tried to use similar strategies to gain influence over negotiations on the Multi-annual Financial Framework (MFF), the EP has struggled to undo or change the agreements reached by the European Council (Vitrey de Gardebosc and Mesdag 2019). This casts a long shadow over its budgetary powers, since the MFF determines the ceilings and spending priorities, which limits the room for manoeuvre when it comes to negotiations on the annual budget—for which the EP is now a co-decider (Benedetto 2019).

Finally, as we have seen, although the EP does not have a right of legislative initiative, it can still set the agenda through its power to appoint and scrutinize the Commission, as well as other softer instruments such as debates, oral and written questions, and own-initiative reports (Jensen et al. 2013; Kreppel and Webb 2019). These tools are also used to control other actors, such as the European Central Bank and European agencies (Font and Pérez Durán 2016), but the EP is constantly searching for new forms of expanding its say in the area of agenda-setting and implementation—for instance, by drafting its own impact assessments or using ‘rolling checklists’ to oversee the commitments made by the European Council and the transposition of EU legislation (cf. Anglmayer and Scherrer 2020).

#### **6.4.4 The EP and the Appointment of the President of the Commission President**

The EP has gained influence in the appointment process of the Commission through time. From an initial situation in which it had no involvement at all, it has obtained, over the course of treaty revisions, the right to ‘elect’ the president and then approve the College of Commissioners. As usual, MEPs have tried to get more than that, and to be allowed to select the president. To do so, they have argued that the double obligation for the European Council to take into account the results of the European elections when choosing a candidate and to make ‘appropriate consultations’ created the right for the EP to propose a name (Peñalver García and Priestley 2015). The objective was, in sum, to mimic general elections as organized in parliamentary regimes, which have the double purpose of choosing a majority and then ‘electing’ the head of government. This approach was also seen as a way to make EU elections more interesting for citizens. With a view on the 2014 elections, the EP thus urged European parties to nominate candidates for the presidency of the Commission (‘lead-candidates’, or *Spitzenkandidaten* in German) and to give them a central role in the campaign. Five parties (European Peoples’ Party (EPP), the Party of European Socialists (PES), the Alliance of Liberals and Democrats for Europe (ALDE), the Greens, and the European United Left (GUE)) agreed to do so. After the election, the leaders of the Christian democrat, socialist, and liberal parties collectively supported the candidacy of Jean-Claude Juncker (EPP) to head the Commission, and urged the European Council to choose him. After complex negotiations, he was appointed and then ‘elected’ by the EP with a large majority (Fabbrini 2015; Hobolt 2014).

In 2019, the challenge for the EP was to institutionalize this approach. However, things went differently, since there were tensions between the parties about the best way to organize EU elections and persisting reluctance on the side of the European Council. The 2019 campaign was organized again as a competition between the *Spitzenkandidaten*, but the EP was not able to support clearly the candidacy of Manfred Weber, the EPP’s *Spitzenkandidat*, who was lacking experience at the highest level and was too conservative for most of the

socialists. After long talks within the European Council, Ursula von der Leyen emerged as a compromise candidate and the new president of the Commission was thus chosen with no involvement of the EP. The outlook for 2024 remained unclear at the time of writing. Without an institutionalization of the *Spitzenkandidaten* procedure in the Treaty or, at least, an inter-institutional agreement, the capacity of the EP to impose it will depend very much on the political context.

## 6.5 A More Fragmented Parliament?

The EP is a highly complex institution, gathering 705 MEPs from 27 nationalities, who belong to more than 200 political parties. A major task for the institutions' leaders has always been to fight against centrifugal forces and divisions, in order to be able to find majorities and develop a global strategy in the context of an intense inter-institutional competition. This has been done mainly through the development of political groups and parliamentary committees (Corbett et al. 2005; Hix et al. 2003; Hix and Lord 1997).

### 6.5.1 The Central Role of Political Groups

Even if the treaties did not mention such an obligation, the members of the Parliamentary Assembly of the ECSC decided from June 1953 to sit according to their ideological views (Westlake 1994). Their objective was to distinguish themselves from parliamentary assemblies of other international organizations, in which members sit in alphabetical order or by national delegations. Hence, multinational groups have always been favoured: today a group requires twenty-three members from at least one-quarter of the member states (seven in the EU-27).

As a result of the development of the institution and of the many enlargements of the EU, the political landscape of the EP has constantly evolved (see Table 6.2). However,

surprisingly, the overall structure of the partisan game has remained quite stable. The EP had six political groups prior to the first European elections (1979), as compared to seven after the last elections (2019), with a maximum of ten reached in 1989. Despite some name changes, it always included the same political families: far left (GUE/Nordic Green Left (NGL)), Socialists and Democrats (S&D), Greens and Regionalists (Verts/ALDE), Liberals (RE), Christian democrats (EPP), Eurosceptics (Commission de régulation de l'énergie (CRE)), far right (Independence and Democracy (ID)), and some non-attached members, although their relative strength has varied over time (Roos 2019).

Historically, there has always been a numerical domination of the Christian democrats and the social democrats. However, for the first time in the history of the Parliament, the EPP and S&D groups do not enjoy a majority of the seats—thanks to the success of Eurosceptics, liberals, and greens during the 2019 European elections. This change is crucial, as many of the fundamental decisions of the EP are driven by an absolute majority of its members. This applies, for instance, to amendments to legislative texts in second reading and to the budget, as well as the ‘election’ of the Commission’s president. Concretely, the EP must find 353 voices out of 705, independently from the number of MEPs present in the room; this means that, under this rule, the votes of absentees and abstainers systematically count as negative votes. As the EPP and S&D groups only count 187 and 145 members (as of February 2021), they can no longer control those decisions and need to find at least 21 votes from the other groups. The influence of the latter in the deliberation is, thus, greater today than it was in the past (cf. Rose and Borz 2013).

Even if the EPP and S&D groups vote together in 90 per cent of the cases, the EP’s deliberation is structured by multiple cleavages (Kreppel and Tsebelis 1999). In the absence of a stable coalition (that existed only between July 2014 and December 2016, with a formal alliance of the EPP, S&D, and ALDE groups, named ‘the bloc’), majorities allowing the adoption of legislation are specific to the issues considered, to the political context, and based



on several levels of agreement (Rose and Borz 2013). Tensions between Europhiles and Eurosceptics are, however, central in the deliberation: they are constraining for the EP, since part of the MEPs systematically oppose decisions, but they also contribute to the alliance between moderate left and moderate right groups (Behm and Brack 2019).

The EP's deliberations are also governed by national interests, and more specifically by all kinds of divisions between member states: big and small, new and old, rich and poor, north and south, east and west ... and they often depend on the electoral cycle and government/opposition dynamics of national parties back home (Koop et al. 2018). These cleavages are rarely explicit, especially in the plenary, where MEPs avoid referring to their nationality, but they may be decisive in the conduct of negotiations within groups and committees or in MEPs votes. The main groups, nevertheless, show a relatively high level of internal cohesion: about 70 per cent of MEPs respect the voting instructions adopted by their formation (Bowler and McElroy 2015; Kreppel 2002). Overall, the deliberation of the EP is quite consensual if one considers the final votes on texts, which usually gather an overlapping majority (Novak et al. 2020).

## 6.5.2 The Committees: Main Actors of Policymaking

If groups play a key role in the development of majority positions during the whole decision-making process, parliamentary committees also contribute to the emergence of majorities and, more generally, to the management of centrifugal forces. The EP currently has twenty parliamentary committees consisting of between twenty-five and eighty-one MEPs. Like most national parliaments, the EP largely organizes its work in committees, based on a logic of division of labour (Whitaker 2011; Yordanova 2013). Some analysts thus consider that the EU is a system of 'governance by committees', in reference to the key role played by working groups and Council committees, the Commission's advisory committees, and also the EP committees (Christiansen and Kirchner 2000; Egeberg 2002).

The EP enjoys great freedom when it comes to creating standing, temporary, or inquiry committees. This ability enables the assembly to adapt to the EU's evolving policies and activities. This organizational autonomy has played a decisive role in the MEPs' exercise of their legislative, budgetary, and control powers, and their demand for the extension of the latter. It has also led to the distinctive culture and reputation of EP committees, with some showing a clear 'esprit de corps' and others being more divided on a left–right dimension. For instance, while the Committee on Budgets (BUDG), the Committee on Agriculture (AGRI), and the Committee on Constitutional Affairs (AFCO) attract members with similar backgrounds and work, hence, consensually (which means that their positions are sometimes biased towards specific interests), other committees are increasingly divided on specific cleavages—for instance, an industry–environment division in the Committee on the Environment (ENVI) or a civil liberties–internal security opposition in the Committee on Civil Liberties (LIBE) (Burns 2013; Ripoll Servent 2015, 2018).

As much of the discussions, technical work, and negotiations take place at committee level, plenary sessions are usually only formalizing agreements reached in committees and inter-group negotiations (Settembri and Neuhold 2009). This organization of work tends to deprive them of their interest. In plenary, the time devoted to each point of the agenda is rather limited, and the EP rarely dedicates more than two hours to an important piece of legislation. Exchanges in the house have little impact on the outcome of the vote, especially since, as we have seen in section 6.4, most decisions have been already agreed with the Commission and the Council in trilogues (Roederer-Rynning and Greenwood 2017).

## **6.6 To What Extent Is the EP Representative and Democratic?**

As the only directly elected EU institution, the EP often uses its role as representative of EU citizens to justify its empowerment and legitimize its positions. However, the EP has long been associated with the EU's 'democratic deficit' and blamed for the lack of connection between constituents and their representatives. Therefore, we examine here how the European elections should be understood and how they shape the roles and functions of MEPs.

### 6.6.1 Are European Elections Still Second-Order?

Traditionally, European elections have been characterized as 'second-order'. This thesis assumes that people consider that there is 'less at stake' in these elections when casting their vote, which makes it more likely that they will choose 'with their heart' rather than 'with their head'; it also increases the chances that they vote 'with the boot' and use it to protest against their government (Viola 2015: 42). The assumption that there is 'less at stake' explains, hence, why second-order elections show lower levels of turnout and tend to focus on national, rather than European issues (see Table 6.1); it also accounts for the losses that larger political parties tend to suffer—especially if they are in government—to the benefit of smaller and more extreme parties (Reif and Schmitt 1980). However, more recently some authors have noted that the 'less-at-stake' assumption has lost strength with the growing powers of the EU. Therefore, they have proposed an alternative thesis (known as 'Europe Saliency'), which departs from the idea that the European dimension does determine the behaviour of voters in EP elections. This means that, for instance, since environmental issues are believed to be better dealt with on a supranational level, Green parties do better than in national elections; in turn, since issues of European integration are more visible and polarized, Eurosceptic parties also have a better chance of success (Hobolt and Spoon 2012; Hobolt and de Vries 2016; see Box 6.1).

<insert Table 6.1>

### **BOX 6.1 The 2019 elections: from bipartism to quadripartism?**

The dramatization of the EU elections as a showdown between pro-Europeans and nationalists in many member states resulted in a notable uptick in election turnout (see Table 6.1). It came to 51.3 per cent on average, an 8.3 per cent increase compared to 2014. However, this did not result in the anticipated nationalist surge. A rise was seen in some countries (Germany, France, Belgium, and Hungary), but in other member states nationalist results were muted (as in Poland) or disappointing (in Spain, Portugal, Ireland, the Netherlands, Denmark, Greece, and the Baltic countries). Eurosceptic groups won twenty additional seats compared to 2014, but their influence remains limited, especially since the departure of British MEPs on 31 January 2020.

The 2019 election also saw further weakening of the Socialists (S&D) and the Christian democrats (EPP). The two groups went from 66 per cent of all MEPs in 1999 to 54 per cent in 2014; after July 2019, the figure dropped to 45 per cent and after the UK members left, to 47 per cent. This means that the EPP and S&D groups were not able to ensure, without additional support, the election of the new president of the Commission—who should be ‘elected’ by a majority of members. More generally, the two groups can no longer pass legislation on their own. As a result, the centrist group ‘Renew’—born out of the ALDE group and French members from Macron’s Renaissance list—has been significantly strengthened, from 67 to 108 seats. The Green group, which obtained seventy-four seats compared to fifty previously, has also become a potential kingmaker. Just after the elections, officials of the European parties begun intense negotiations to forge more or less formal alliances and link them to the choice of EU leaders: the president of the Commission, primarily but also the president of the European Council, the governor of the European Central Bank (ECB), the High Representative, and even the president of the EP.

Even if the EP was not able to impose its candidate to the presidency of the Commission, as in 2014, the 2019 European election revealed a politicization of the EU regime in several respects. First, in every member state the campaign was structured around common themes (on top of national ones): the desirable degree of European integration, environmental issues, the possibility of a social policy, and institutional reform. Second, the Union left the EPP–S&D duopoly behind; now, in the European Council, Christian democrats, socialists, and liberals have equal weight. Finally, the dialogue between the European Council, the EP, and the Commission has intensified and today includes a partisan logic. Third, Brexit and conflicts around the rule of law intensified the debates on the EU’s fate, which turned them into ‘first-order polity’ elections, where citizens expressed their concerns about common values and identities (Galpin and Trenz 2019).

In most cases, these divergences are closely linked to the use of distinct electoral systems, since member states are only obliged to share a few ‘common principles’, notably the use of proportional representation. Apart from that, national systems diverge in how they elect members: in some cases, voting is compulsory, while some countries apply thresholds or divide the electoral district into several regions; similarly, there are differences in the use of open or closed lists and in the formula used to adjudicate seats (Ripoll Servent 2018).

Does this matter? Several studies have shown that the electoral system has a direct influence on the type of campaign and the level of interest it raises among voters. For instance, voters will be more involved in the elections if the selection of candidates is more inclusive and if they also have a bigger say in indicating their preferences through open lists. Similarly, the type of electoral system affects the style of the campaign, with candidates in open-lists systems or in smaller districts adopting a more personalized style, while closed-list systems emphasize the figure of the party’s *Spitzenkandidat* (Bowler and Farrell 2011; Farrell and Scully 2010; Pilet et al. 2015).

## 6.6.2 To What Extent Do MEPs Represent Their Constituents?

The type of electoral system can also make a difference after the elections; MEPs' roles are largely influenced by how they perceive their mandate and their relationship to constituents (Farrell and Scully 2005, see also Box 6.2). Certainly, most MEPs see their role as one of 'constituency representative', especially if they come from countries with electoral systems (e.g. those with open lists) that allow for close links with constituents (Brack and Costa 2019). This form of geographical representation is crucial if an MEP wishes to be re-elected or go on to have a career back home (Aldrich 2018). However, MEPs may choose to adopt other types of role in their parliamentary work. For instance, some decide to specialize on one policy issue and become an expert in the field; this career as 'policy advocate' is particularly attractive for those who want to raise their profile quickly—especially first-timers and young MEPs. Others prefer to focus on strengthening the institutional influence of the EP or act as promoters of the European project in domestic or international settings. These roles, however, are only partially applicable to Eurosceptic MEPs: among those who are present, many use the plenary as an arena to contest the EU, although some engage with normal parliamentary work and participate like any mainstream MEP (Bale and Taggart 2006; Brack 2017; Navarro 2009; Ripoll Servent and Panning 2019).

These different roles do not just affect their priorities or the way they behave, but they also colour the way they vote. Although, as seen above, political groups in the EP are highly cohesive, there are still occasions when individual MEPs or national party delegations decide to defect and vote against the group line. This decision depends on a range of issues, such as their individual career ambitions, their ability to assess when it is less problematic to defect, and the position of their national party back home (Koop et al. 2018; Lindstädt et al. 2012; Meserve et al. 2017; Mühlböck and Yordanova 2017).

## **BOX 6.2 How diverse is the European Parliament?**

The number of women MEPs has steadily increased since the first direct elections. In 2019, 41 per cent of newly elected members were women. This ratio is consistently higher than in most national parliaments, although there are still disagreements as to why this is the case. Certainly, the presence of quotas and proportional representation helps, but it is not the only explanation, since they are largely dependent on how many women are part of the candidates' pool in the early stages of the selection procedure (Fortin-Rittberger and Rittberger 2015; Lühiste and Kenny 2016; Stockemer and Sundström 2019). More importantly, gender balance does matter. For one, the presence of quotas does help women break the glass ceiling but also promotes candidates with higher qualifications independent of their gender (Aldrich and Daniel 2020); in addition, women do vote differently, especially on gender-sensitive issues (McEvoy 2016). The issue of gender and harassment has become more prominent inside the EP, largely helped by the #metoo movement—although the official responses have often disappointed (Berthet and Kantola 2020; Kantola and Agustin 2019).

Even more problematic is the issue of ethnic and racial diversity, with ethnic minorities clearly underrepresented (Psaedakis 2019). The European Network against Racism (2019) calculated that, after Brexit, only 4 per cent of MEPs belonged to an ethnic minority and only 3 per cent were people of colour. This lack of diversity in Brussels institutions has instigated the #brusselsowhite campaign and led some MEPs to point out the discrepancies between an anti-racism rhetoric and the absence of ethnic minority leaders in EU top posts, which often leads to acts of racial discrimination in the institution (Bah Kuhnke and Herzberger-Fofana 2020; Heath 2017; The Guardian 2019).

## **6.7 Current and Future Challenges**

Despite its significant empowerment and its development into a ‘normal’ Parliament, the EP is currently facing internal and external pressures that shape its daily life and its capacity to exert influence in the EU’s political system.

### **6.7.1 Polarization and Politicization**

As we have seen in the sections above, the EP has become a more polarized parliament. This is largely due to the increase in Eurosceptic and populist parties but also to the move away from traditional catch-all parties. This internal fragmentation, and particularly the rise in fringe parties, has been seen as threatening for the EP’s functioning. However, these last legislatures have proved that there are several factors limiting the potential disruptive impact of these parties: first, sovereigntists have little in common beyond their aversion for European integration and they are not good at organizing themselves at a supranational level. Second, deliberation in the EP is arranged in a way that prevents minorities from being obstructionists. Finally, the structure of right-wing Eurosceptic groups was largely dependent on British members; therefore, their departure in January 2020 reduced their overall weight and influence. Indeed, mainstream political groups have always made an active use of the ‘cordon sanitaire’, which has excluded those groups perceived as Eurosceptics and/or radical from exerting influence. For instance, they have been voted out of committee chairmanships and largely ignored in legislative work. However, the use of the ‘cordon sanitaire’ is often a formality that cannot effectively stop the spread of radical ideologies—especially when populist parties are part of mainstream groups (e.g. Fidesz in the EPP) and when centrist forces decide to copy the messages of radical groups to gain votes (or prevent further losses) (Ripoll Servent 2019; Ripoll Servent and Panning 2021).

### **6.7.2 Facing De-Parliamentarization**



Despite its growing powers, the EP faces a challenge that is not exclusively European but is reflected in many national systems, namely the growing role of the executive power at the expense of legislatures. The state of ‘polycrisis’ experienced since the end of the 2000s has reinforced the role of national governments, which have not hesitated to by-pass the ordinary procedures to find solutions to the diverse crises facing the EU. The use of non-legislative instruments (such as the EU–Turkey Statement on asylum-seekers) and intergovernmental treaties (such as the ‘fiscal compact’) outside the EU framework mean that the EP has no say on decisions or is restricted to implementing them in follow-up legislation. Moreover, the fact that these successive crises have touched upon ‘core state powers’ of member states has also helped governments to legitimize their primary role as decision-makers and placed MEPs under the shadow of the European Council and, hence, intergovernmentalism. We have seen how the EP has had limited influence in shaping the substantive outputs of the Eurozone and refugee crises, although some have noted that it has at least managed to reinforce the standards of democratic oversight and the general chains of accountability (Bressanelli and Chelotti 2020; Fasone 2014).

These patterns seem to have largely held for the COVID-19 crisis. The EU has played principally a coordinating role and the European Council has been the epicentre of crisis decision-making. Most solutions have not (yet) necessitated the legislative intervention of the EP, which has also been largely marginalized during debates on the Recovery Fund and the 2021–27 MFF. There, MEPs often struggle between wishing to exert some influence and rebalance the objectives of the MFF (for instance, avoiding further cuts to programmes like Erasmus) and not being seen by their constituents as obstacles for a recovery instrument that could help a large number of citizens. The crisis, and particularly the lockdown, have accentuated the difficulties of the EP to set the agenda under a state of urgency. The move to digital solutions allowed the EP to continue functioning but at a much lower intensity than

usual. Legislative work stopped almost completely, and plenary moved online, which also reduced its visibility and inclusiveness.

The aftermath of the COVID-19 crisis is likely to shift the internal workings of the EP for the long term. It has accentuated the need for efficient decision-making—with committees and plenary meetings being shorter and leaving less space for deliberation. These are not new debates in the EP, which has often struggled to find a middle point between efficiency and democratic representation. At the same time, the EP has shown its ability to mutate and adapt itself to new circumstances—a technique developed since its very origins, which has allowed it to gradually assert its legislative, budgetary, and scrutiny powers.

## 6.8 Conclusion

The EP continues to position itself as the main *supranational* institution—since it is the only one directly elected. However, this does not mean that it can avoid the shadow of intergovernmentalism. Externally, the rising influence of the European Council gives member states a stronger voice and makes national cleavages more visible. Internally, higher levels of politicization lead to more polarization, both among and within political groups.

Euroscepticism and radical ideologies are not limited to fringe parties but can be found in most mainstream groups. This often undermines the supranational character of the EP and its ability to fight for more powers and a deepening of the integration process. Therefore, the *transnational* character of the EP continues to be important, but one should not forget that it can equally be utilized to upload Eurosceptic and populist messages coming from European party federations and citizens.

This shows that, in order to understand the EP, we need to situate it in the broader environment of a political system that has become more politicized. It reflects also the ongoing debates on the form of government that the EU should adopt. While the current

system fits well into a *separation of powers* model, the EP has often sought to ‘parliamentarize’ the EU with the hope that it would allow it to gain more powers. However, efforts to politicize the Commission have proved challenging until now and often have only served to obfuscate responsibilities and made it more difficult for citizens to understand how the EU works. The backlash of the *Sptizenkandidaten* in 2019 is a good example of how trying to fuse these powers can lead to more disillusionment and a loss in *legitimacy*. Indeed, if the COVID-19 crisis has demonstrated anything, it is how fragile the representative function of the EP can be and how dependent it is on its capacity to be visible and show that it has a say on issues that matter to citizens. This is probably the biggest challenge that the EP faces in the years to come; namely, how can it provide *leadership* and political change, while facing stronger executive forces and more divergent voices within the chamber. A key to solving this question might come in the shape of the Conference on the Future of Europe. However, the COVID-19 pandemic has broken the momentum, and left enough time to the main EU institutions—Commission, Council, and EP—to affirm their leadership on it, and to make sure that it will lead to no significant treaty change. It is, thus, quite unlikely that the Conference will help to clarify the nature and the functions of the EP.

<insert Table 6.2>

## FURTHER READING

See Ripoll Servent (2018) for a detailed introduction to the EP, with an emphasis on academic debates and recent theoretical developments. For a more practical account of the EP’s workings, see Corbett et al. (2016) and Clark and Priestley (2012), both written by (former) staff members. For an update on the latest developments of research about the EP, see Costa (2019).

**Clark, S. and Priestley, J.** (2012), *Europe’s Parliament: People, Places, Politics* (London: John Harper).

**Corbett, R., Jacobs, F., and Neville, D. (2016),** *The European Parliament* (9th edn, London: John Harper).

**Costa, O. (ed.) (2019),** *The European Parliament in Times of Crisis: Dynamics and Transformations* (Cham: Palgrave Macmillan).

**Ripoll Servent, A. (2018),** *The European Parliament* (London: Palgrave Macmillan).

**Table 6.1 Composition of the European Parliament since 1979 (after each election)**

July 1979		July 1984		July 1989		July 1994		July 1999		July 2004		July 2009		June 2014		July 2019	
S	112	S	130	PES	180	PES	198	EPP-ED	233	EPP-ED	268	EPP	265	EPP	221	EPP	182
EPP	108	EPP	110	EPP	121	EPP	156	PES	180	PES	200	S&D	184	S&D	191	S&D	154
ED	63	ED	50	LDR	49	ELDR	44	ELDR	50	ALDE	88	ALDE	84	ECR	70	RE	108
COM	44	COM	41	ED	34	EUL	28	G/EFA	48	G/EFA	42	G/EF A	55	ALDE	67	G/E FA	74
LD	40	LD	31	G	30	FE	27	GUE/NGL	42	GUE/NGL	41	ECR	54	GUE/NGL	52	ID	73
EPD	22	EDA	29	EUL	28	EDA	26	UEN	30	IND/DEM	37	GUE/NGL	35	G/EF A	50	ECR	62
CDI	11	RBW	20	EDA	20	G	23	TDI	18	UEN	27	EFD	32	EFD	48	GUE/NGL	41
		DR	16	DR	17	ERA	19	EDD	16								
				CG	14	UEN	19										
				RBW	13												
NI	10	NI	7	NI	12	NI	27	NI	9	NI	29	NI	27	NI	52	NI	57
	<b>410</b>		<b>434</b>		<b>518</b>		<b>567</b>		<b>626</b>		<b>732</b>		<b>736</b>		<b>751</b>		<b>751</b>

Note: ALDE: Alliance of Liberals and Democrats for Europe; CDI: Group for the Technical Coordination and Defense of Independent Groups and Members; CG: Left Unity; COM: Communist and Allies Group; DR: Technical Group of the European Right; ECR: European Conservatives and Reformers; ED: European Democrats; EDA: Group of the European

Democratic Alliance; EDD: Group for a Europe of Democracies and Diversities; EFD: Europe of Freedom and Democracy; EFDD: Europe of Freedom and Direct Democracy Group; ELDR: Group of the European Liberal Democrat and Reform Party; ENF: Europe of Nations and Freedom Group; EPD: Group of European Progressive Democrats; EPP: European People’s Party; EPP–ED: European People’s Party and European Democrats; ERA: Group of the Radical European Alliance; EUL: Confederal Group of the European United Left/Group for the United European Left; FE: Forza Europa; G: Green Group in the European Parliament; G/EFA: Group of the Greens/European Free Alliance; GUE/NGL: European United Left–Nordic Green Left; ID: Identity and Democracy; IND/DEM: Independence/Democracy Group; ITS: Identity, Tradition and Sovereignty Group; LD: Liberal and Democratic Group; LDR: Liberal and Democratic Reformist Group; PES: Party of European Socialists; RBW: Rainbow Group in the European Parliament/Rainbow Group: Federation of the Green Alternative European Left, Agalev-Ecolo, the Danish People’s Movement against Membership of the European Community and the European Free Alliance in the European Parliament; RE: Renew Europe; S&D: Progressive Alliance of Socialists and Democrats; S: Socialist Group; TDI: Technical Group of Independent Members—mixed group; UEN: Union for Europe of the Nations.

**Table 6.2 Turnout at the European Parliament elections (1979–2019) in percentages**

	1979	1984	1989	1994	1999	2004	2009	2014	2019						
Belgium	91.36	—	92.09	—	90.73	90.66	—	—	91.05	90.81	—	90.39	—	89.64	88.47

	1979	1981	1984	1987	1989	1994	1995	1996	1999	2004	2007	2009	2013	2014	2019
Denmark	47.82	—	52.38	—	46.17	52.92	—	—	50.46	47.89	—	59.54	—	56.32	66.08
Germany	65.73	—	56.76	—	62.28	60.02	—	—	45.19	43.00	—	43.27	—	48.10	61.38
Ireland	63.61	—	47.56	—	68.28	43.98	—	—	50.21	58.58	—	58.64	—	52.44	49.70
France	60.71	—	56.72	—	48.80	52.71	—	—	46.76	42.76	—	40.63	—	42.43	50.12
Italy	85.65	—	82.47	—	81.07	73.60	—	—	69.76	71.72	—	66.47	—	57.22	54.50
Luxembourg	88.91	—	88.79	—	87.39	88.55	—	—	87.27	91.35	—	90.76	—	85.55	84.24
The Netherlands	58.12	—	50.88	—	47.48	35.69	—	—	30.02	39.26	—	36.75	—	37.32	41.93
United Kingdom	32.35	—	32.57	—	36.37	36.43	—	—	24.00	38.52	—	34.70	—	35.60	37.18

	1979	1981	1984	1987	1989	1994	1995	1996	1999	2004	2007	2009	2013	2014	2019
Greece	—	81.48	80.59	—	80.03	73.18	—	—	70.25	63.22	—	52.54	—	59.97	58.69
Spain	—	—	—	68.52	54.71	59.14	—	—	63.05	45.14	—	44.87	—	43.81	60.73
Portugal	—	—	—	72.42	51.10	35.54	—	—	39.93	38.60	—	36.77	—	33.67	30.75
Sweden	—	—	—	—	—	—	41.63	—	38.84	37.85	—	45.53	—	51.07	55.27
Austria	—	—	—	—	—	—	—	67.73	49.40	42.43	—	45.97	—	45.39	59.80
Finland	—	—	—	—	—	—	—	57.60	30.14	39.43	—	38.60	—	39.10	40.80
Czechia	—	—	—	—	—	—	—	—	—	28.30	—	28.22	—	18.20	28.72
Estonia	—	—	—	—	—	—	—	—	—	26.83	—	43.90	—	36.52	37.60
Cyprus	—	—	—	—	—	—	—	—	—	72.50	—	59.40	—	43.97	44.99

	1979	1981	1984	1987	1989	1994	1995	1996	1999	2004	2007	2009	2013	2014	2019
Lithuania	—	—	—	—	—	—	—	—	—	48.38	—	20.98	—	47.35	53.48
Latvia	—	—	—	—	—	—	—	—	—	41.34	—	53.70	—	30.24	33.53
Hungary	—	—	—	—	—	—	—	—	—	38.50	—	36.31	—	28.97	43.36
Malta	—	—	—	—	—	—	—	—	—	82.39	—	78.79	—	74.80	72.70
Poland	—	—	—	—	—	—	—	—	—	20.87	—	24.53	—	23.83	45.68
Slovenia	—	—	—	—	—	—	—	—	—	28.35	—	28.37	—	24.55	28.89
Slovakia	—	—	—	—	—	—	—	—	—	16.97	—	19.64	—	13.05	22.74
Bulgaria	—	—	—	—	—	—	—	—	—	—	29.22	38.99	—	35.84	32.64
Romania	—	—	—	—	—	—	—	—	—	—	29.47	27.67	—	32.44	51.20



	1979	1981	1984	1987	1989	1994	1995	1996	1999	2004	2007	2009	2013	2014	2019
Croatia	—	—	—	—	—	—	—	—	—	—	—	—	20.84	25.24	29.85
Total	61.99	—	58.98	—	58.41	56.67	—	—	49.51	45.47	—	42.97	—	42.61	50.66

*Source:* European Parliament in collaboration with Kantar.