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## Insults in the European Parliament: Between Self-Rationalisation and Intercultural Turbulence

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## **REVISED MANUSCRIPT SENT TO THE JOURNAL**

### *Abstract*

Exchanges of insults are rare in the European Parliament. The process of self-rationalization that presided over the rise of the institution affects all interactions between parliamentarians – including the civility of their exchanges. Yet, as in all parliamentary institutions, insult remains possible because of pluralism and publicity. Through the analysis of certain mediatized episodes, the contribution highlights factors more specific to the European Parliament likely to generate verbal tension, namely: the presence of Eurosceptic representatives, the lack of cultural agreement on what can be said, the multiplicity of traditions of political rhetoric and the defence of certain European taboos such as peace and the usefulness of Parliament.

*A damp rag*: the insult directed at the president of the European Council, Herman Van Rompuy, in 2010 by the British Eurodeputy and leader of the Eurosceptic party UKIP<sup>1</sup> Nigel Farage did not go unnoticed. The statement, exclaimed during a plenary session, contrasted with the polite, even dull, style of most European Parliament (EP) sessions. Indeed, the institution is usually characterised by the considerable mastery of its internal interactions, which bears the hallmark of a parliamentary style favouring detailed exchanges on substance rather than verbal jousting – in other words, it represents the domination of the working parliament over the talking parliament (Rozenberg 2018). Furthermore, the EP’s historical rise in power may be understood as a process of *self-rationalisation*, the effects of which influence both its inter-institutional strategies and the votes of its members or, in this case, their verbal interactions (Costa 2001). A sense of responsibility, a willingness to comprise and a desire to control the institution’s image are the driving forces behind the main EP and group leaders, and the assembly’s

administration. It has resulted in a strict codification of behaviour, notably via frequent revisions of the Rules of Procedure.

However well-policed it may be, the institution is still a parliamentary one. Verbal tensions are not only fostered by the expression of pluralism within a common space, but also by the growing number of member states, the rotation of parliamentarians and their accompanying diverse parliamentary traditions. As a result, the history of insults in the EP represents a unique axis of observation of the institution's continuously thwarted efforts to impose its order. More precisely, we support the view that: a. phenomena of verbal tensions can structurally emerge within any parliamentary settings; b. the EP offers a relevant way to prove it given its propensity to consensus and order; c. more precisely in the case of the EP, verbal tensions may occur because both of its intercultural dimension and of the possible breaking of two common goods: peace and the parliamentary nature of the institution.

The verbal (in)discipline of the EP, less understood and studied than the discipline of voting (for instance, Hix et al. 2007), is analysed here by considering first the occurrence of the insult, then the regulatory and political rationales of its canalisation. In the third section, we defend the idea that, despite the EP's capacity to regulate interactions *in situ*, verbal tensions are inevitable.

## **1. The impossibility of parliamentary civility**

In parliaments, verbal violence is no different from what has been observed regarding physical violence: though prohibited in theory, it can strike at any moment (Baudot & Rozenberg 2010 and 2011). Parliament presumes a certain pacification of human relations; this is where people can oppose each other with their words and where, like at Westminster since 1313, weapons are left in the cloakroom. However, this parliamentary civility seems to be structurally and continuously threatened. There are several reasons for this. First, pluralism: parliament, as an institution, implies people who disagree to act collectively. Second, orality: above all, a parliament is an institution where people speak ("*parler*", in French), where elected representatives must orally justify their stance. The legislative process often allows opposing views to emerge in the discussion, regardless of their representation in the hemicycle. This *pro* and *contra* discourse can increase tensions notwithstanding other measures intended to foster compromise (Palonen 2016). A final element contributing to tensions is procedural

transparency against a background of electoral competition. Parliamentarians are not only competing to impose their vision of a proposed law; they are members of partisan teams that periodically clash at the ballot box. A significant proportion of their interactions occur under public scrutiny – the public in galleries, and even more so, the public as a whole, who are likely to follow them via the media or comments made by opinion leaders. The famous comparison between French and American constituent assemblies has certainly highlighted the “civilising force of parliamentary hypocrisy”: the imperative of publicity helps to disqualify certain arguments that are not essentially universal (Elster 2000). However, it also generates tensions and detracts from the quality of debate. Comparisons between the work of the committees, which is not as closely observed and is more confidential, and that of the plenary session, or between the upper and lower chambers, have provided various illustrations of this phenomenon<sup>2</sup>.

Insults, threats and verbal jousting can at any moment disturb the serenity of parliamentary order. This is particularly true since parliaments are in some respects “emotional arenas” (Fineman 1993), capable of arousing passionate exchanges and where the reputations of elected representatives are at stake. In political cultures that favour a high degree of civility in their interactions, some parliamentarians will thus try to get their colleagues – or better yet, a minister – off their backs by resorting to insults in the same manner as one may push for a foul in team sports.

In most cases, the potential for exchanging insults in parliament has led to various forms of regulation. In the first instance, this is done through polite conventions, such as refraining from making direct references to each other in British parliaments. However, regulating verbal interactions is a delicate exercise, given the difficulty of objectively assessing the degree to which an expression may be insulting, on the one hand, and of imposing sanctions upon elected representatives legitimised by the ballot and protected in their right to speak freely, on the other hand. The British House of Commons, for example, has abandoned the idea of upholding a record of unparliamentary language precisely because, as pointed out by its Secretary General with typical English irony “On the one hand this would ignore the all-important issue of context; and on the other it would provide perhaps irresistible temptation to some”<sup>3</sup>. Nonetheless, most of the internal rules of the Chambers stipulate sanctions, in some cases severe, when an arbitral authority within the Chamber, either individually or collectively, considers that the threshold of civility has been surpassed (Ile 2004).

The EP is not immune to these moments of verbal tension, inseparable from the parliamentary process. Occasionally, insults explode. In 2003, Silvio Berlusconi compared the chairman of the Socialist Group, Martin Schultz, to a World War II *kapo*. On a less egregious note, in 2017 Jean-Claude Juncker, President of the Commission, complained about the low attendance of elected representatives in the plenary and declared that the parliament was “ridiculous”. Compared to other European assemblies, these outbursts, to which we will return in the last section, are still quite rare, and for the reasons we will now elaborate.

## **2. The containment of insults in the European Parliament**

In principle, the EP is an institution where the behaviour of elected representatives is particularly civil and courteous. Indeed, a high level of respect between speakers was underlined by an empirical study on debates conducted using the Discourse Quality Index (Lord & Tamvaki 2013). This is due to the conditions under which the institution was created, to the low level of political conflict it has experienced for a long time and, when it increased, to the very manner in which outrageous behaviour and statements by members were tackled.

### *An assembly designed to be peaceful*

The relatively pacific nature of deliberations in the EP is the result of a combination of four factors (Ripoll Servent 2008). First, until the mid-1990s, it was an institution whose *raison d'être* was primarily symbolic. In the treaties establishing the European Communities (Treaty of Paris, 1950 and Treaties of Rome, 1957), the Assembly was endowed with very limited powers and was above all a concrete manifestation of European reconciliation. By sitting together on the same benches, the representatives of the six founding states were to demonstrate the possibility of a peaceful and constructive deliberation at the supranational level.

Second, because the EP had limited powers, it was not a place where tempers ran high. Since its deliberations had no practical consequences, opposition and controversy were kept to a minimum. Moreover, the commitment of the deputies was modest since, before 1979, they were national parliamentarians holding two mandates at the same time.

Third, the moderation that has long characterised the deliberation of the EP was linked to the specific constraints deriving from its supranational nature. The fact that its members had to rely on translation for their exchanges led to a particular form of deliberation, which was more a succession of monologues than a politicised verbal exchange (Abélès 1992, Costa 2001). Moreover, there is little room for lyrical, humorous or caustic statements through the medium of interpreters. This arrangement also makes it easy for the chair to manage the speakers. He or she can simply cut off the microphone of the member who is speaking to interrupt the interpretation if he or she exceeds the time, makes remarks that are irrelevant to the subject of the debate or indulges in verbal misconduct. The supranational nature of the assembly also implies the absence of a European political class. Members of the EP (MEPs), whose turnover is higher than in national parliaments (60% in 2019), do not have the degree of familiarity that exists at national level and are therefore less likely to be informal, to settle scores and to harbour antagonisms (Michon & Wiest 2021). The supranational nature of the assembly is prone to lead to sluggish deliberation, since it is largely focused on highly technical texts (Roger 2016). Legislative proposals deal with issues that do not usually give rise to major political differences (internal market, agricultural policy, international trade, etc.) and are the result of a drafting process designed to eliminate national and partisan conflicts. The deliberate depoliticization of the dossiers, through the use of expertise and the division of texts (Jobert 2003) is not conducive to verbal jousting, and hence to the insults to which it can lead.

Finally, the supranational nature of the EP means that its deliberations receive little media coverage, which encourages deputies to focus on the substance of the issues and not to engage in political debates and personal opposition (Morgan 2019).

#### *An increasing political polarisation*

Over time, however, the EP has become a more polarised and politically divisive assembly, with MEPs more prone to outbursts and violent language (Kreppel 2002). Initially, they were predominantly recruited from the pro-European integration parties – Christian-Democrats, Socialists and Liberals. Until 1979, some Member States even refused to send representatives of the more critical parties, as was the case with the Communists in Italy. After the 'empty chair crisis' orchestrated by Charles de Gaulle in the Council in 1965, to protest against the excessively federal approach to Community integration, the Gaullist MEPs chose to sit separately from the Christian-Democrats in the European Democratic Group. At the other end

of the hemicycle, the Communist MEPs created the Unified European Left Group in 1974. Both groups developed a more critical discourse on European integration, but the deliberations remained generally polite.

This changed dramatically following the first direct elections to the EP in 1979. As all Member States with the exception of the UK opted for proportional representation, the partisan spectrum was considerably broadened. The EP has not only welcomed members from all parties represented in national parliaments (more than 200 today), it has become the preferred destination for the leaders of fringe and anti-system parties that were previously not in a position to be elected in their own national parliament (Brack 2017). Since 1979, green, far-right and far-left parties, as well as some regionalist parties, have always been represented in Brussels and Strasbourg. In short, the EP has long been the outlet for minority parties that were unable to gain access to national representation, especially when the first-past-the-post system was in place. In France, this was the case for the National Front (10 seats in the EP in 1984; 22 in 2019) and the Greens (8 seats in 1989; 12 in 2019), but also for more modest parties such as the *Lutte Ouvrière*, the *Ligue Communiste Révolutionnaire* and *Chasse Pêche Nature et Traditions*<sup>4</sup> (3, 2 and 6 seats respectively in 1999).

These elected representatives - and their counterparts from other Member States - were mobilised in the EP in more than one way. Since they often had no voice at the national level, they saw the European assembly as a platform for expression. They therefore multiplied their passionate speeches, which were designed to be commented on and taken up by the media, and which were only reported on by virtue of their sheer outrageousness. Jean-Marie Le Pen, the founder and historical leader of the French *Front National*, had particularly made a name for himself in this respect, giving numerous bombastic speeches to an audience beyond the assembly during his very long career as a MEP (1983-2003 and 2004-2019). In addition, the deputies of minority and anti-system parties have always been – with the exception of the Greens and some regionalists – more or less hostile to European integration, at least as it is enshrined in the treaties. Finally, elected representatives of fringe and anti-system parties often did not want to integrate themselves into the functioning of the EP, whose legitimacy they challenged. Those from the extreme right were even excluded by a “*cordon sanitaire*” policy, imposed by their peers to protest against their extremist views. As a result, many members of the extreme-left and extreme-right groups were constrained to adopt a purely tribune-like posture, conducive to excesses of language and, occasionally, to insults.

### *The regulation of excessive behaviour*

The EP authorities and the leaders of the main political groups tried to limit the influence of anti-European parliamentarians, to deprive them of the means to engage in dilatory strategies and to prevent them from making speaking out. A first reform took place following an incident in October 1988 by the Reverend Ian Paisley, leader of the Democratic Unionist Party of Northern Ireland<sup>5</sup>. The MEP interrupted Pope John Paul II's speech to the EP by shouting "Death to the antichrist!" and holding up a sign reading: "Pope John Paul II Antichrist". One year later, a serious incident was triggered by MEPs from the Group of the European Right (nationalist right), who wanted to protest against being excluded from the appointment of key positions in the EP. Their protest degenerated into a brawl which forced the President to suspend the sitting and clear the room. In order to avoid a recurrence of such situations, the Rules of Procedure were revised so as to deal more severely with troublemakers, a process that has continued ever since, following various incidents.

Today, the Rules of Procedure strictly regulate the speeches of MEPs and strongly sanction insults and disorderly behaviour. This evolution reflects the more general quest, since the entry into force of the Single European Act (1987) and the Maastricht Treaty (1993), for a certain form of parliamentary efficiency. In summary, EP authorities have sought to maximise the powers granted to them by improving their deliberative effectiveness. This meant, on the one hand, prioritising the adoption of texts and consensus building, and on the other hand, limiting the rights of individual MEPs and the degree of spontaneity of exchanges in plenary sessions (Brack & Costa 2012).

Although the various reforms governing MEPs' behaviour and their sanctions have not succeeded in dissuading or preventing such behaviour – a point we shall return to later – they have led to severely restricting speaking in plenary sessions in particular. Apart from rare exceptions, Members are only allowed to speak if they have been included on the list of speakers by their political group or by virtue of their duties (rapporteur, committee chairman, etc.). Moreover, their speaking time is strictly limited – often just one or two minutes – and carefully counted by the session chair.

Finally, EP authorities have always made a point of strongly reacting to outrageous comments and conduct due to their attachment to some form of “dignity” of the assembly. They consider that the EP must embody the values that are at the heart of European integration (democracy, human rights, tolerance, temperance, etc.), and therefore seek to repress any inappropriate behaviour or remarks within it. This is the reasoning that led to the creation in 1984 of the Committee of Inquiry into the Rise of Fascism and Racism in Europe, after the election of the first extreme right-wing MEPs<sup>6</sup>, and to the implementation of the “cordon sanitaire” policy against them, which is still in force today.

This attitude has led to a very restrictive regulatory arsenal. In the current version of the Rules of Procedure (updated in February 2023<sup>7</sup>), Rule 10.4 states that "during parliamentary debates in the Chamber, Members shall refrain from offensive language"; it applies *de facto* to all EP bodies. An interpretation of the Rules by the Committee on Constitutional Affairs provides that it is for the President to determine whether such language is offensive, taking into account the intentions of the speaker, the perception of the statement, the extent to which it “harms the dignity and reputation of Parliament, and the freedom of speech of the Member concerned.” Rule 176 details a wide range of possible sanctions: reprimand, forfeiture of entitlement to the daily subsistence allowance, temporary suspension of the Member's rights to take part in the EP's activities, suspension from representing the assembly, limitation of rights of access to confidential or classified information. Finally, Annex II of the Rules of Procedure contains the “Code of appropriate behaviour for Members of the European Parliament in exercising their duties”, which stipulates, among other things, that they must refrain from using “degrading, insulting, offensive or discriminatory” language.

Beyond the regulatory framework for MEPs' expression, more political considerations have led some of the Eurosceptic MEPs to moderate their statements. The detailed study of that population has brought to light different profiles: alongside the radicals and the absentees, some have chosen to play the Brussels game and ended up adopting a more moderate attitude (Brack 2017). Even beyond the parliament, the functionalist tropism of European institutions, which has withstood many crises, is a powerful vector of moderation ((Novak Rozenberg & Bendjaballah 2021). In their systematic study of EP debates between 2004 and 2009, C. Lord and D. Tamvaki (2013) found that MEPs were more civil when debating issues that fall within the Union’s core competences, such as climate and the budget. All the evidence suggests that

the desire to be a good student of legislative process leads to the exclusion of iconoclastic words – or speakers.

### **3. The impossibility of neutralising verbal violence in the European Parliament**

Despite political and procedural constraints, verbal misconduct is still possible. We defend the idea that in matters of civility of speech, as in other aspects of parliamentary behaviour, hyper (self) rationalisation cannot be completely achieved. As argued in the first part, the parliament's mode of selection and the inevitability of the oral phase preceding the decision structurally allow for disorder to arise. Outrageous or unruly elected representatives can resist the strong pressures exerted on them. Compared to other institutional actors (judges, ministers, civil servants, etc.) the sanctions that can be taken against parliamentarians are limited in scope – since they have been elected. Freedom of speech is thus one of the privileges, in the British sense, granted to parliamentarians, even before the democratic era. The authenticity of government scrutiny and public action presupposes that everything can be said from the rostrum.

The EP is no more immune than other parliaments to this potentiality of disorder, not only because it has always attempted to mimic the parliamentary matrix developed in European democracies, but also because it has had openly anti-system members in its ranks since 1965. The driving force behind their political engagement is to fight against European integration or against the political leaders of their country, which requires them to abandon, if necessary, the smooth and courteous tone that typically dominates EP deliberations. As these political powers have tended to find refuge in the European assembly, it has served as a platform for them to address their constituents and their media outlets, irrespective of the substance of their deliberations. The Rules of Procedure and the session chairman can limit excesses, but they cannot totally and constantly silence these members, unless they openly deny the parliamentary deliberative ideal and the representative nature of the institution.

#### *The intercultural insult and its misinterpretations*

More specifically in the EP, the intercultural character of the assembly tends to favour verbal tensions. As a fluid social phenomenon, an insult implies an interaction between three actors: an insulter, an insulted, and third parties able to attest to the insulting nature of an intervention

or interaction<sup>8</sup>. As such, the similarity of the cultural codes of both speakers and third parties (in this case, other parliamentarians, journalists and even voters) is a crucial issue for the mutual recognition of an insult. In the EP, the implicit agreement of what constitutes an insult is not self-evident given the differences in language, rhetorical culture but also in parliamentary style (Plaonen 2018). This cultural pluralism is the source of an unavoidable misinterpretation regarding the type or degree of insult.

The most obvious illustration of these intercultural differences is the definition of what can be said. Certain radical statements are perceived as radical in some European countries, but they are still tolerated, whereas they are not – or no longer – permissible elsewhere. This is the case, for example, with the misogynistic statements of the Polish MEP Janusz Korwin-Mikke, who declared in a sitting on 2 March 2017: “Of course women must earn less than men because they are weaker, they are smaller, they are less intelligent.” These words were perceived as an insult by many of the elected representatives in the session, particularly the women who viciously responded to him. Without minimising the far-right MEP’s desire to provoke, it appears that the parliamentary system can give rise to such outrages, not only because the elected representative is called upon to defend a certain world view from the rostrum, but also because an *a priori* agreement on what is permissible is more absent in the EP than in other more culturally homogenous assemblies. It is worth noting that the sanction imposed by the EP on Mr. Korwin-Mikke was invalidated by the Court of Justice of the European Union in 2018. The Court's established jurisprudence emphasises the “particular importance of the freedom of expression of Members of Parliament” and stresses that an elected representative may be penalised by his institution based on his conduct, namely the disruption of the orderly conduct of debates, and not for his words alone, even if they jeopardise the dignity of the Parliament<sup>9</sup>.

This pluralism inherent to the EP does not only condition the definition of the general values of the political community but also the conception of parliamentarianism and the place of rhetoric within it. Beyond disagreements on substance, verbal tensions are also a question of parliamentary style. In British culture, in particular, the sophisticated use of words as part of an incrimination strategy is central (Atkins & al. 2014). This can be seen as offensive, not only because it is aggressive, but also because other elected representatives, socialised in other assemblies, are less used to this style and less able to deal with it. After 1973, the first British MEPs tried, rather unsuccessfully, to change the procedures in a more confrontational direction (Jackson 1993). They and some of their colleagues, who were drawn to the parliamentary role

of the debater (Navarro 2009), then took advantage of debates on the state of the Union, presidencies, or general current affairs to honour parliamentary deliberation. It is interesting in this respect to read the full speech by MEP Nigel Farage mentioned in the introduction, which followed the election of H. Van Rompuy as President of the Council.

Box 1. Full text of Nigel Farage's speech in plenary on 24 February 2010 (Brussels)<sup>10</sup>

President of Europe – this long-awaited day. We were told that, when we had a President, we would see a giant global political figure: the man that would be the political leader for five hundred million people; the man that would represent all of us on the world stage; the man whose job was so important that of course, you are paid more than President Obama. Well, I am afraid what we got was you. And I am sorry, but after that performance that you gave earlier... I do not want to be rude, but you know, really, you have the charisma of a damp rag and the appearance of a low-grade bank clerk. (*Protests*)

The question that I want to ask and that we are all going to ask is: who are you? I had never heard of you; nobody in Europe had ever heard of you. I would like to ask you, Mr President: who voted for you? (*Loud protests*)

And what mechanism – I know democracy is not popular with you lot – what mechanism do the peoples of Europe have to remove you? Is this European democracy?

I sense, though, that you are competent and capable and dangerous, and I have no doubt that it is your intention to be the quiet assassin of European democracy and of the European nation states. You appear to have a loathing for the very concept of the existence of nation states; perhaps that is because you come from Belgium, which, of course, is pretty much a non-country. (*Reactions*)

But since you took over, we have seen Greece reduced to nothing more than a protectorate. Sir, you have no legitimacy in this job at all, and I can say with confidence that I speak on behalf of the majority of the British people in saying: we do not know you, we do not want you, and the sooner you are put out to grass, the better.

It is evident that the British MEP is careful not to use foul language to describe the President of the Council. He uses graphic metaphors – the damp rag, the low-grade bank clerk – which are particularly telling<sup>11</sup>. He also multiplies the rhetorical devices aimed at attenuating the defamatory scope of his remarks (“I am sorry,” “I don’t want to be rude,”), by mixing compliments and criticisms (“you are competent and capable and dangerous”), by using irony (with the allusion to Van Rompuy’s oral “performance”, who is notoriously a poor orator), and even by deploying a certain aesthetic of language (“the quiet assassin”: quite a clever touch). Everything suggests that the former Dulwich College resident is part of a rhetorical tradition, which permeates British political culture, of using a variety of figures of speech to gain the upper hand in an exchange while avoiding crude insults.

### *The existential insult*

Another reason for the unassailable nature of EP insults is almost contradictory to the previous one: despite its intercultural diversity and the misunderstandings that can result from it, the assembly is also based on a system of common goods and places (Goyet 2018). By this, we mean the ways of seeing the world that have underpinned the institutionalisation of the Parliament and have been reinforced in the process. The belief on which all institutions are based, as anthropologists speak of (Legendre 1999), automatically generates the possibility of scandal – and therefore of insult – through its denunciation. In other words: insult presupposes the existence of a community.

Mapping the common values that underpin the EP is beyond the scope of this contribution. However, it is worth noting that what has been identified as insults to the EP, for example by the online media by offering rankings, touches on important axiological issues<sup>12</sup>. Firstly, peace, understood as the possibility of harmonious coexistence between peoples, but also the redemption of those responsible for the atrocities of the 20th century. This is where Silvio Berlusconi's comparison between Martin Schulz and a *kapo* does not sit well. The debate was held at the opening of the Italian Council Presidency, with the Italian head of government intervening at the end of the debate to respond to the various speakers, including Mr. Schulz, a German elected representative who had spoken on behalf of the Socialist Group.

Box 2. Excerpts from the plenary debate, 2 July 2003 (Strasbourg)<sup>13</sup>

**S. Berlusconi.** Mr Schulz, I know there is a producer in Italy who is making a film about Nazi concentration camps. I will suggest you for the role of guard. You would be perfect! [*Laughter, protests from the left*]

[...]

**E. Barón Crespo.** I would ask you<sup>14</sup>, as well as giving the floor to Mr Schulz, to call on Mr Berlusconi, the President-in-Office of the Council, to withdraw those comments, out of respect for the values we all share as Europeans. [*Applause*]

**President.** It is perhaps better that we should deal with this matter directly. I do not want to open up a whole debate. There is considerable emotion in the House regarding this. It is very clear that a Member is entitled to make a contribution in a debate and to have it responded to with some serenity. In this case, in the vigour and flow of his response, Mr Berlusconi perhaps allowed himself to go beyond the ordinary rules of engagement. [*Mixed reactions*]

[...]

**M. Schulz.** Mr President, thank you for giving me the floor. I do not need three minutes. I will be very brief. During his statement, if the translation was correct, Mr Berlusconi said that a director is currently shooting a film in Italy about the concentration camps, and was inviting

me to take the role of the *Kapo*... [*Heckling*]... that is to say, the role of the SS henchman. I have only one thing to say to you in response: my respect for the victims of fascism prevents me from saying a single word about this. However, I am quite clear in my mind that it is very difficult to accept a situation in which a President-in-Office of the Council, when he comes up against the slightest contradiction during a debate, loses his composure in this way. [*Loud and sustained applause from the left and centre left, standing ovation*]

**S. Berlusconi.** Mr President, who was not in the Chamber to hear Mr Schulz's speech? That he should insult me seriously on a personal level, gesticulating and in a tone of voice that really is unacceptable in a Parliament like this. I said what I said ironically. If you are all unable to understand irony, I am sorry.

But I will not withdraw what I said ironically unless Mr Schulz withdraws the personal insults he made. I said it ironically; he did that maliciously! [*Applause from the right, uproar on the left*]

**President.** Colleagues! Please, could we have some calm! There are many colleagues who wish to make points of order and to speak. We are running very late. I will not take those points. I wish to say, as President of the House, that I personally regret the tone that the latter part of this morning's debate has taken. It is unfortunate. It is a distraction from the European business we have at hand. It is regrettable. I should now like to invite the President of the European Commission to close this debate in some serenity and then to proceed to the vote. [*Sustained applause*]

A long excerpt was presented because it captures the sudden intensity of the debates produced by the unusual association between a German elected representative and a concentration camp guard. The reference by a former EP President, E. Barón Crespo, to European values is significant for the normative scope of the debates. S. Berlusconi seems to be aware that he has broken a taboo by moderating his words a trifle (without withdrawing them) and by placing himself in the position of the insulted. Finally, the attitude of the President of the EP, the Irishman P. Cox, is revealing, to the point of caricature, of the desire to calm down the debate by minimising the scope of the remarks made by the head of the Italian government, by refusing to allow the incident to continue, and by recalling the time constraints and the mission of the assembly in terms of substance. His conclusion – “a distraction from the European business we have in hand” – perfectly sums up the functionalist mindset of the institution. It is also worth noting that the EP services preferred the less controversial word “guard” in the official report of S. Berlusconi's remarks who, although speaking in Italian, had used the word “*kapo*”.

Another major source of damage to European values concerns the EP itself. The culture of the institution has been characterised since its inception by the desire to convince people that it is a "real Parliament", a title that the assembly gave itself by authority (1965) well before the treaties conferred it (1987). Questioning the authenticity of the EP's parliamentary character is taboo and is perceived as an insult to the entire institution. Ironically, the speeches of two

political opponents illustrate this and each called for a clarification from the President of the session.

The first excerpt takes place during a debate introducing the Maltese Presidency of the EU Council. Jean-Claude Juncker, known for his frankness, is indignant about the low number of elected representatives who have come to listen to the Maltese Prime Minister J. Muscat. The transcript respects the languages used to indicate that while multilingualism eases verbal tensions, it does not prevent them. In this case, the two speakers alternated between languages during their speeches.

Box 3. Excerpts from the plenary debate of 4 July 2017 (Strasbourg)

**J.-C. Juncker.** Monsieur le Président, Monsieur le Premier ministre, le Parlement européen est ridicule, très ridicule. Je salue ceux qui se sont donné la peine de se déplacer ici, mais le fait qu'une trentaine de députés seulement assiste à ce débat démontre à suffisance que le Parlement n'est pas sérieux, et je voulais le dire aujourd'hui. Si M. Muscat était Mme Merkel – difficilement imaginable – ou M. Macron – plus imaginable...<sup>15</sup> We would have a full House. The Parliament is totally ridiculous.

**President.** La prego, signor Presidente, di avere un atteggiamento più rispettoso nei confronti di questo Parlamento.<sup>16</sup> Monsieur le Président, je vous en prie, vous pouvez critiquer le Parlement, mais ce n'est pas la Commission qui doit contrôler le Parlement. C'est le Parlement qui doit contrôler la Commission.<sup>17</sup>

**J.-C. Juncker.** There are only a few Members in the plenary to control the Commission. You are ridiculous! I wanted to pay tribute to the Maltese Presidency [*The President interrupted the speaker.*]

**President.** Monsieur le Président, je vous en prie, veuillez utiliser un langage différent. Nous ne sommes pas ridicules. Je vous en prie!<sup>18</sup>

**J.-C. Juncker.** I will never again attend a meeting of this kind. The Commission is under the control of the Parliament, but the Parliament has to respect even the presidencies of smaller countries, which Parliament is not doing.

In a revealing manner, President A. Tajani dismisses the debate on absenteeism in favour of a reminder of the great constitutional balances of the EU under which the EP can effectively censure the Commission.

The last example is the plenary debate in the wake of the Brexit referendum. Here, UKIP MEP N. Farage made triumphant remarks against his colleagues. He was interrupted by protests when he said that MEPs had never really worked in their lives.<sup>19</sup> EP President Martin Schulz then intervened and called for calm, but also, less conventionally, to challenge the claim.

Box 4. Plenary speech by Martin Schulz, EP President, 28 June 2016 (Brussels)<sup>20</sup>

Mr Farage, one moment. Colleagues! With all due respect for your enthusiasm, you are doing what UKIP normally does here in this house. So: do not copy them. But I would like to say one thing to you, Mr Farage: [about] what you said – that my colleagues in this House have never done a decent job – do not take your own case as a generalisation.

## CONCLUSION

The focus on some colourful episodes of insults in the EP illuminates their inextricable links with parliamentary deliberation. Deliberation certainly presupposes respect for the rules of order and courtesy, but also the recognition of a variety of viewpoints, and therefore of sometimes profound disagreements, and a certain degree of freedom of speech, which may even reach extremes. This double presupposition of pluralism and free expression is at the core of an institution whose function is to bring about consensus or majorities from the confrontation of various positions, through the exchange of arguments and the negotiation of agreements. In a democratic assembly, debates are supposed to be based on reason, but a balance must be found between the use of expertise as a vehicle for dispassionate exchange and rational argumentation, and the more political debates, based on opinions, values and convictions. In other words, MEPs, especially those from anti-system or radical parties, cannot be expected to stick to reason and moderation: they occasionally express radical views, the very views for which they were elected. Given their representative legitimacy and their freedom of speech and tone, verbal slips and insults cannot be excluded.

The existence of episodes of verbal tensions within an institution as seemingly rationalised, quiet, and polite as the EP was taken as a worst case scenario: if insults emerge within it, there are reasons to think that they are intrinsic to parliaments as modern representative institutions. Indeed, we have highlighted that as any political organization, the EP is rooted on shared beliefs and norms, and that, as any pluralist debating body, outliers sometimes question them. In the EP, the scandal typically emerges when orators question the contribution of the EU to peace and the relevance of the institution itself. In that sense, it can be said that the EP is a real parliament, not only because it holds significant prerogatives and follows relevant procedures but also because the Parliament is able to *think as an institution*, to quote Mary Douglas (2011), beyond its multi-cultural nature.

More specifically to the EP, the issue of verbal tensions leads to another one: that of the media coverage of its activities. We know indeed that the way norms are respected or not within a given organisation partly derives from actual regulations within interacting settings (Walter 2021). The EP is not poorly elected, but it is little known and rather absent from the media. How can journalists and citizens be interested in the lacklustre debates between mostly anonymous MEPs, which most often boil down to a litany of perfectly courteous, expert, and calibrated speeches? In fact, the EP's plenary deliberations are, most of the time, nothing more than a stage production, a formalisation of agreements reached beforehand. The real exchanges take place upstream, within the parliamentary committees and groups, between their representatives, and within the framework of 'trilogues' which bring together, behind closed doors, representatives of the EP, the Commission, and the Council. Since the beginning of the 2000s, the public deliberation of the EP has essentially been a form of validation of these agreements, devoid of surprise and drama. In this respect, the EP is perhaps more capable of being recognised as a representative body by European citizens when it is the place for slurs, murderous phrases and armed conflicts. On these occasions, the EP is actually given more media coverage than usually. Insults, in other words, are a risk to be taken in order to assert the representativeness of an institution. Such conclusion resonates with other parliaments in the world in an age when their representative nature is largely questioned.

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<sup>1</sup> *United Kingdom Independence Party*.

<sup>2</sup> On the deliberative capacity of the various institutions: Steiner & al. 2004. On the effect of transparency on legislative capacity: Fasone & Lupo 2015.

<sup>3</sup> Written statement by the Secretary General of the House of Commons, *Robert Rogers*, 25 June 2012. See: <https://publications.parliament.uk/pa/cm201213/cmselect/cmproced/writev/language/p19.htm>

<sup>4</sup> The Workers' Struggle (*Lutte Ouvrière*) and the Revolutionary Communist League (*Ligue Communiste Révolutionnaire*) are two Trotskyist political parties. Hunting, Fishing, Nature and Traditions (CPNT) (*Chasse Pêche Nature et Traditions*) is an agrarian French political party whose aim is to defend the traditional values of rural France.

<sup>5</sup> “Ulster Protestant Interrupts Pope, Yelling 'Antichrist!'”, *New York Times*, 12 October 1988.

<sup>6</sup> European Parliament, Committee of Inquiry into the Rise of Fascism and Racism in Europe. Report on the results of the work, December 1985 (AX-46-86-654-FR-C).

<sup>7</sup> [https://www.europarl.europa.eu/doceo/document/RULES-9-2023-02-14-RULE-010\\_EN.html](https://www.europarl.europa.eu/doceo/document/RULES-9-2023-02-14-RULE-010_EN.html)

<sup>8</sup> As argued by a pragmatic approach toward insults, as developed by Fracchiolla forthcoming.

<sup>9</sup> Judgement of the General Court of 31 May 2018, Janusz Korwin-Mikke v European Parliament. Case T-352/17.

<sup>10</sup> European Parliament, Debates, Wednesday 24 February 2010 – Brussels

<sup>11</sup> Something which has been demonstrated more generally: Camp 2017.

<sup>12</sup> For example: <https://www.politico.eu/article/6-best-european-parliament-bust-ups-jean-calude-juncker-eu-parliament-ridiculous/>

<sup>13</sup> European Parliament, Debates, Wednesday 2 July 2003 - Strasbourg. The ambiance indications are those of the Parliament's services.

<sup>14</sup> Request made to the President of the session.

<sup>15</sup> “Mr President, Prime Minister, the European Parliament is ridiculous, very ridiculous. I welcome those who have taken the trouble to come here, but the fact is that only thirty or so Members of Parliament are attending this debate is proof enough that Parliament is not serious, and I wanted to say that today. If Mr Muscat were Mrs Merkel – difficult to imagine – or Mr Macron – more imaginable...”

<sup>16</sup> “Please, Mr President, have a more respectful attitude towards this Parliament.”

<sup>17</sup> “Mr President, please, you may criticise Parliament, but it is not the Commission that should control Parliament. It is Parliament that should control the Commission.”

<sup>18</sup> “Mr President, please use different language. We are not ridiculous. Please!”

<sup>19</sup> “Virtually none of you have ever done a proper job in your lives or worked in business, or worked in trade, or indeed ever created a job”.

<sup>20</sup> Our translation from German.