The European Parliament: A Normal Parliament in a Polity of a Different Kind

Summary

The European Parliament (EP) has grown from a ‘talking shop’ to a fully-fledged legislative body in the European Union (EU)’s bicameral system. This process of communautarization and parliamentarization has generated considerable attention in the academic field. Furthermore, in today’s political environment—characterized by the polarization of public opinion, Brexit, the lingering effects of the Eurozone crisis, and the steady rise of Eurosceptical and radical forces throughout Europe—the role of the European Parliament (EP) is perhaps more critical to understand and assess than ever before. An overarching question in the literature is how “normal” the EP has become. Drawing on David Easton’s political systems approach, we examine this condition in three sub-literatures: the literature on inputs (demands), the literature on withinputs (inter-institutional processing of inputs), and the literature on outputs (EP decisions and actions, and the impact thereof). Building on this literature and contributing to the ongoing debate on the nature and significance of the EP, we propose to conceptualize the EP as “a normal parliament in a polity of a different kind”. This paradoxical conceptualization reflects abundant insights that, despite the EP gaining comprehensive lawmaking powers that are quite unparalleled in the world of international politics, its functioning and significance remain profoundly, distinctly, and probably durably, shaped by the multilevel nature of EU politics.

Keywords
Introduction

In about six decades, European integration has generated a set of clearly recognizable institutions, legal principles, and organizational procedures for conducting EU policy in a vast variety of domains. This development has reconfigured the meaning and form of politics on the European continent. As this happened, the role of the European Parliament (EP) changed from being an “assembly” essentially controlling a unique European “executive” in a European Economic Community (EEC) of 6 member states, to becoming the ordinary legislator of a European Union (EU) of 28 member states, on a par with the Council of the EU (Council). This makes the EP not only an entirely different kind of parliamentary assembly to those existing in contemporary international organizations (Abélès, 1992), but also probably the EU institution that has undergone the most spectacular constitutional development in the Union’s lifetime.

For these reasons, the EP has generated enormous scholarly interest, and it has become a natural entry point into the broader debate on the nature and the development of the EU polity. How was this assembly of a new kind invented? Why did European statesmen grant the EP ever-increasing constitutional power? What role does the EP play in today’s Europe? How and under what conditions can the EP strengthen European democracy? How does the power of the EP compare to that of national parliaments? These questions, and many others, have fueled vigorous scholarly debates and led to widely contrasted assessments of the EP. For some, the EP remains an institution essentially limited by “political disembodiment” (Calleo, 1967, p. 194). For others, it has become an institution “offer[ing] potential solutions to problems of democratic accountability and
legitimacy facing the EU” (Hix, Raunio, & Scully, 2003, p. 192; see also Rittberger, 2005). In today’s political environment—characterized by the polarization of public opinion, Brexit, the lingering effects of the Eurozone crisis, and the steady rise of Eurosceptical and radical forces throughout Europe—the role of the EP is perhaps more critical to understand and assess than ever before.

In this article, we take stock of the literature with a view to contributing to the debate on the nature and significance of the EP. Our primary aim is to identify areas of consensus and dissensus and gaps in the research agenda with a particular focus on research questions, theoretical debates, and empirical findings—although, where relevant, we also discuss the methodological underpinnings of EP research. Our main goal is to conceptualize the EP as a “normal parliament in a polity of a different kind,” which brings to the fore the paradoxical and unprecedented circumstances shaping the EP development and functioning. In the following sections, we first outline a framework for analysis; we then review systematically the state of the art on the basis of the outlined framework; and finally we identify directions for future research.

**The EP As a Paradoxical Organ of Democratic Representation**

Contemporary research on the EP is a vibrant and fertile meeting point between the various sub-disciplines of political science: international relations; public administration and organization; and last, but not least, comparative politics. Consequently, the literature is huge and complex; the research questions are enormously varied and the findings are rich and encompass a broad range of methodologies. We take stock of these various agendas by conceptualizing the EP as a “normal parliament in a polity of a different kind”. On the face of it an oxymoron, this characterization captures an enduring tension imbuing EP politics and the EP literature alike: While the EP has
become a (sophisticated) organ of democratic representation comparable to domestic legislatures, it must find its place in a polity that remains different from national parliaments in essential ways.

The notion of the EP as a “normal” parliament reminds us that the EP participates in democratic, collective decision making in a way that is amenable to comparison with domestic legislatures (Corbett, Jacobs, & Neville, 2016; Judge & Earnshaw, 2008). Underlying this view is the premise that the EU has evolved to a point where it no longer makes sense to think about it as an international organization (from Wallace, Pollack, & Young, 2015; Wallace, Wallace, & Webb, 1977). The EU has become a political system (Hix & Høyland, 2011)². This means that the EU consists of a set of stable and clearly defined institutions for collective decision making (within inputs) that have a significant impact on the distribution of economic resources and the allocation of values (outputs), which citizens use, directly or indirectly, to press claims and realize their political desires (inputs) (Hix & Høyland, 2011, pp. 12–13). The EP, as an organ of democratic representation and collective decision making, is an integral part of this system: It responds to societal demands expressed through lobby groups, parties, and social movements both through conventional and non-conventional political means (inputs); it interacts with other institutional actors within the established parameter of collective decision making rules (within inputs); and it shapes a broad range of EU decisions in response to these inputs (outputs). The political system approach has provided much of the impetus behind the comparative turn in EP research. In addition, it has provided a scientific rationale and systematic conceptual framework for comparing the EU (and the EP) to domestic politics without presuming EU statehood; and it has done so with two basic commitments. Epistemologically, it has been committed to the development of a positivistic research agenda privileging observable variables. Normatively, it has seen in the EP a potential instrument for improving the EU political system (Føllesdal & Hix, 2006).
While these features have been very explicit, other features of the political system approach have remained fuzzier. In particular, it remains unclear what kind of democracy the EP is or ought to become a part of (Fabbrini, 2015). Presuming the lack of EU statehood does not dispense with defining the nature of EU democracy. Likewise, describing the EP as a normal parliament begs the question of what kind of democratic polity can take roots in the EU in the continuous presence of national statehood. There is an ambiguity in the “normalization” of EU politics (Kreppel, 2012) and the associated description of the EP as a “normal” parliament (Ripoll Servent, 2015). In one sense, normalization may be interpreted as the (gradual) extension of national democratic values, rules, and procedures to the EU level: that is, supranational democracy. Depending on the model deemed relevant, research might draw on the assumptions, concepts, and hypotheses of the (U.S.) congressional literature or the (U.K.) parliamentary scholarship. Another interpretation, by contrast, understands the normalization of EU politics as a phenomenon leading to the reinvention of democracy along new lines. Just like the democracy of the Ancients fundamentally differs from that of the Moderns, EU democracy is unlikely to mimic national democracy. Indeed, the EU polity is different from national polities insofar as it is characterized by a “persistent plurality of peoples” (Nicolaïdis, 2004, p. 76). For that reason, some have conceptualized EU democracy as a “demoiocracy”: a “community of both states(peoples) and individuals in a common supranational polity”, which is “evolving on the basis of mainly nationally constituted demois” (Cheneval, Lavenex, & Schimmelfenning, 2015, p. 2).

Furthermore, as an intermediary realm between domestic and international politics, the EU is characterized by a unique “constitutional settlement,” as recognized by Hix (2007, pp. 143–144). This constitutional settlement recognizes three different layers of political order. First, market-making and regulation belong to the European level of government; second, redistribution and taxation belong to the domestic level of government; third, policies on internal and external security
have become a shared responsibility between these two levels. From this perspective, the role of
the EP in improving the democratic character of the EU must be viewed in the context of “how
democratic institutions at the national level react to European integration” and “how national and
European institutions interact in response to the challenges of democracy in a multi-demoi polity”
(Cheneval et al., 2015, p. 11).

In this article, we use the political system approach as a conceptual umbrella for bundling the
EP literature into distinctive categories (mainly inputs, withinputs, outputs). These categories serve
as yardsticks to determine whether and under which conditions the EP can be considered a
“normal” parliament. For each of these categories, we assess the state of the EP and its political
significance in sustaining EU democracy. We approach the latter with an open mind on the broad
premise that democracy in a multi-demoi polity, and the EP’s contribution to it might assume
different forms depending on how national demoi respond to the increased powers of the EP and on
what corner of the EU’s “constitutional settlement” we look at. Taken together, these reflections
generate the following questions for inquiry to be addressed in the subsequent sections of this
article (see Table 1).

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**Inputs: The EP As a Target of Societal Demands**

**E lecting the EP**

The European Parliament is the only EU institution that is directly elected by its citizens and,
therefore, it is supposed to act as a transmission belt that translates citizens’ demands into outputs.
At the same time, EP elections continue to be a national matter—fought on national issues, with
national candidates and national political parties. The nature of EP elections has been explained in two different (and to some extent contradictory) ways: the “second-order elections” (SOE) and European Salience (ES) model. These models are based generally on quantitative studies using surveys, electoral data and, increasingly, quantitative text analysis (e.g., on manifestos or tweets).

The SOE thesis is based on the assumption that citizens are not interested in EP elections and, therefore, are more likely to vote for parties they like—irrespective of their chances to get elected into government (that is, they “vote with their heart”—or to use these elections to punish parties in [national] government [what is known as “voting with their boot”]). As a result, smaller and more extreme parties tend to get better results in EP elections than mainstream and, particularly, governmental parties (Reif & Schmitt, 1980; Viola, 2015, p. 42). In contrast, the “Europe Salience” (ES) model contests this assumption and considers that extreme and smaller parties do better in European elections because voters do care about Europe. This means that the European dimension (i.e., being pro or against integration) has become a determinant of EU and national elections (Hobolt & Spoon, 2012; Tillman, 2004, de Vries, van der Brug, van Egmond, & van der Eijk, 2011).

**National Electoral Systems and Their Impact on Geographical Representation**

One of the main reasons why it is difficult to find a definitive answer to these questions is that EP elections continue to be organized on a national basis. Since 1979, the EP has been directly elected for a five-year term, but it does not yet have a uniform electoral procedure. Although some “common principles” were established in 1997 (e.g., proportional representation (PR) and incompatibility between national and European mandates), there are still great differences in how the elections are run in each member state. For instance, although any EU citizen can vote and be voted for in their country of residence (even when one is not a national of that member state), there
are different rules concerning the obligation to vote, the minimum age for voting (between 16 and 18), and to become a candidate (between 18 and 25). Similarly, the fact that all member states use PR for voting does not preclude them from interpreting this provision in very different ways. Therefore, when it comes to the voting system, some citizens may be able to choose a party, but not their preferred candidate (closed lists), while others may be allowed to express their preferences by moving individual candidates up or down the list or giving them a higher number of votes (open lists). Only Luxembourg uses the “panachage” system, where voters can choose individual candidates among the different political parties. Ireland, Malta, and Northern Ireland have chosen the “single transferable vote” (STV) system, where voters are able to rank individual candidates according to their preferences. National electoral systems also diverge in how they translate votes into seats. Generally, there are two types of formulas used to adjudicate seats: “highest average” systems, like D’Hondt, Sainte-Lagüe, or modified Sainte-Lagüe; and “largest remainder” formulas, such as Hare-Niemeyer and Droop. Remarkably, a majority of member states have adopted the D’Hondt system to translate votes into seats, which is considered the least proportional option (D. M. Farrell & Scully, 2005; Lehmann, 2014). Finally, there are also divergences in the district magnitude and electoral thresholds. Generally, EP elections are based on one single electoral district, although in some cases (such as Germany and the Netherlands) parties might propose different lists at the regional level. Six countries have multiple constituencies, namely Belgium, France, Ireland, Italy, Poland, and the United Kingdom. Although there have been calls on member states to introduce electoral thresholds, half of them have refused to introduce them and the rest vary between 1.8 and 5%. Electoral thresholds are more disputed in large member states, where there is more competition for every single seat, to the point that in some countries, notably Germany, the threshold level has turned into a political and legal battle.
These differences have a direct impact on the quality of geographical representation: Various studies have shown that MEPs from “open” electoral systems—that is, candidate-based, especially STV systems—tend to focus more on constituency issues than those from “closed” systems. In addition, national parties are better able to “control” their MEPs if they are elected in countries with closed lists decided by central organs and organized in small districts; those from countries with open PR systems, formed by large districts or with decentralized selection processes, are usually in a better position to vote against their national party (D. M. Farrell & Scully, 2010; Hix, 2004). The link can also work in the other direction; depending on how MEPs are selected at the national level and especially how campaigns are fought, European citizens may develop different levels of interest for and attitudes toward EP elections. A recent comparative study (Pilet, van Haute, & Kelbel, 2015) has shown that the selection of candidates varies according to the level of inclusiveness and centralization when selecting candidates (with most of them being selected by national organs), personal characteristics (age, party membership, or expertise), and party criteria (e.g., gender balance or other types of quota). In addition, incumbents have more chances of being re-selected by their parties but that does not necessarily mean that they have a better chance of being re-elected (Frech, 2016; Pemstein, Meserve, & Bernhard, 2015). Much depends again on the type of electoral system and how campaigns are run: Those campaigning in member states with open PR systems and/or with low district magnitude tend to pursue more personal goals and emphasize contact with voters; in comparison, those in countries with closed lists and/or high district magnitude tend to put more emphasis on getting votes for their party rather than for themselves (Bowler & Farrell, 2011). However, there are other differences among member states that are not directly linked to their electoral system; for instance, the amount of information and the ability of citizens to process it seems to be an important element in EP campaigns (de Vries et al., 2011).

To What Extent Do Citizens Engage with EP Elections?
Low turnouts continue to be a matter of concern: It is indeed interesting to observe that, even if the EP has gradually gained more power, this does not translate into more engagement on the part of voters (Rozenberg, 2009). The reasons for this are multifaceted: In some cases, participation reflects in part institutional factors like the obligation to vote or the national electoral cycle (Mattila, 2003; Wessels & Franklin, 2009). In other cases, people might not vote either because they do not care for or do not trust the EU; indeed, it seems that in those member states where there is more support for the EU (for instance, those that receive economic subsidies), turnout tends to be higher (Clark, 2014; Stockemer, 2012). In addition, when voting for the EP, citizens are more ready to switch their vote and support a different party than the one they supported in the last general election. People switch their vote mostly as a way to punish incumbent parties in government, especially when EP elections fall mid-term in the national electoral cycle (Kousser, 2004; Tilley, Garry, & Bold, 2008). This is, however, not the case for those who switch from a large to a niche party; in this case, they are generally driven by protest voting and anti-EU attitudes (Hix & Marsh, 2011; Hong, 2015; Weber, 2007).

This overview shows that EP elections continue to fit the expectations of the SOE thesis better. However, the distinction between first- and second-order is becoming less clear-cut and does not remain constant across time and space; it is particularly unsuitable to explain the results of EP elections in Eastern European countries (Viola, 2015). At the same time, some argue that EP elections have offered an opportunity to vote sincerely for parties that might not have a chance to govern. This has often infused national party systems with new energy and a wider ideological range that ensure a more critical contest during EP and national polls (Prosser, 2016).

**Inputting Demands Beyond EP Elections**
There are other channels that are open to citizens and outsiders to the policy making process through which they can raise demands and influence the way these demands are processed inside the EP. We concentrate here on three main channels: social mobilization, lobbying, and petitions.

**Popular Contention and Social Mobilization**

The scholarship on popular contention has long made the case that grassroots activism and contentious action are part and parcel of democratic politics. One of the main premises of this strand of scholarship is that established political institutions are the crucibles within which contention forms. While much of this agenda has traditionally focused on the interaction between state-building and changing forms of popular contention, in the last two decades, some scholars have examined the development of the European polity and its implication for contention (della Porta & Caiani, 2011; Ruzza, 2004; Tarrow, 1995). Thanks to these studies, we now have a rather well-developed body of literature, combining protest event analysis, social network analysis, documentary analysis, qualitative interviews, etc. Even though few studies focus on the EP (e.g., Crespy & Parks, 2017), this literature shows that EU institutions have encouraged the development of a plural civil society through material support; and this support is an important resource for organization and mobilization. However, the “domestication” thesis has underlined that popular contention concerned with EU decisions remains strongly structured around national institutions, due to a number of factors including the lack of Euro-parties; the second-order character of EP elections; low media coverage and perceived remoteness of EU institutions; and the perception that national institutions are more accountable.

The concept of “political opportunity structure” has provided a useful entry point into the discussion of the EP’s role in social mobilization. It captures the set of (dis)incentives to mobilization that are generated by the setup of EU institutions. A general insight from this
perspective is that the EP has traditionally been an ally of civil society groups, especially on the left. As observers have long noted, one consequence of the introduction of direct elections to the EP in 1979 was that MEPs shortly developed a distinctive political agenda focusing on citizen concerns such as the environment and animal welfare (Pollack, 1997; Westlake, 1994, p. 75). In addition, the EP has traditionally had rather fluid and open structures, which has allowed groups without access to the Commission or the Council to use the EP as an alternative venue to EU policy-making. There is some discussion in the literature as to whether EU institutions in general, and the EP in particular, have become less open and accessible to civil society actors. Several have made the case that the growing organizational complexity has made it more difficult for civil society groups to access the EP (M. K. Rasmussen, 2012; Rootes, 2002, see section on “lawmaking” below). Furthermore, the economic and financial crisis might have made it more difficult for civil society to access the EP and other EU institutions (Crespy & Parks, 2017). On the other hand, Euroskeptical groups have increasingly used the EP as a mobilizing resource and a platform for inter-party coordination (McGowan, 2012).

Exactly how and where political opportunities materialize in practice remains to be examined more systematically. We know that EP committees play an important role in EU legislation, and from this point of view, they ought to attract attention from civil society activists. Della Porta and Caiani (2011, p. 89) suggest that this may be the case, as the EP offers “a main channel of access to various organizations, especially in areas where parliamentary committees are more active (for instance environmental issues)” (our emphasis). Active or “activist” EP committees can develop a long-term agenda for change, an esprit de corps, and an institutional memory that are particularly valuable for civil society mobilization and can even generate new civil society groups (Greenwood & Roederer-Rynning, 2015). Besides committees, EP intergroups (informal groupings of MEPs dedicated to specialized topics) might be valuable for civil society groups since they enable MEPs
to develop long-term policy agendas in collaboration with civil society groups (Nedergaard & Jensen, 2014). Intergroups can potentially bridge civil society groups’ quest for political capital and MEPs’ need for informational capital—but we know very little about their role in civil society mobilization (Landorff, 2018).

Indeed, “research has become somewhat movement-centric, occupied with the organizational forms and dilemmas of movements, leaving connections with institutionalized politics in the background” (Crespy & Parks, 2017, p. 454; Hutter, 2014). Future research must examine how important institutional and political-economic developments affect civil society access to EP decision making. Such developments include the formalization of EU decision making mechanisms (ordinary legislative procedure), Euroskepticism, and the financial and economic crisis. Examining these questions more systematically will help us to understand how parliamentary and extra-parliamentary forces combine to structure political conflict in the EU.

**Lobbying the EP**

Brussels does not just attract the attention of diffuse societal interests but also groups representing a myriad of interests—from corporate business to regional and international organizations. As with social movements, we still do not know much about how lobbyists and other representatives interact with the EP (Greenwood, 2014). This is surprising, since now that the EP is a co-legislator in almost all policy fields, interest groups should recognize it as an additional input channel that is even more open to influence than the Council and the Commission (Dionigi, 2017). The number of lobbyists in Brussels has grown steeply in the last decades and is now similar to that in Washington (around 10,000 groups). Despite the wide diversity of interests hidden in this figure, business groups and consultancy firms tend to concentrate most on human and economic resources.
There are generally two different types of lobbying techniques: Formal (short-term) contacts generally include a wide range of services, like writing parliamentary questions or amendments for legislative reports; informal (long-term) contacts help to foster trust between lobbyists and EP actors and ensure the success of formal strategies (Dionigi, 2017). This shows the mutual dependency between interest groups and the EP: Lobbyists need to get access to the policy process and MEPs need technical information as well as a connection with wider societal interests that can help legitimize their positions (Bouwen, 2004). However, compared to the Commission, the EP can be a more difficult arena to lobby: MEPs rarely endorse the demands of an interest group if they fear it might backfire and damage their chances of being re-elected (Dir, 2008, p. 1216). Therefore, the success of interest groups depends to a great extent on their ability to supply essential goods, such as citizen support, policy-relevant information, and the backing of economically powerful actors. Indeed, having access or spending money on lobbying does not automatically translate into influence; it also depends on the degree of counter-lobbying, the importance attached to an issue, or the receptiveness of key actors like rapporteurs (Dionigi, 2017). Therefore, it is essential for lobby groups to know whom to lobby and when, but their efforts might eventually be constrained if a topic becomes contested and makes it more difficult for lobbyists to access EP committees (Dir, Bernhagen, & Marshall, 2015; Marshall, 2010; M. K. Rasmussen, 2015). Some have noted that lobby groups might also try to influence negotiations through other types of actors, such as EP officials or political advisors (Marshall, 2012), or other points of access like delegations dedicated to particular world regions and intergroups, but more research could be done in this area.

Lobbyists thus have a wide range of possibilities to influence the EP, which has given rise to questions about transparency and bias toward business interests. After various lobbying scandals, the EP has tried to introduce more rules regulating the access of external groups and the activities of MEPs, although it remains a highly controversial issue: the EP has proved ready to criticize the
Commission for its lack of regulation and the activities of some former Commissioners, but failed to address similar issues among its members. Since 2012, MEPs have to follow a Code of Conduct, which obliges them, among others, to declare their financial interests online. Access to the EP is also regulated by entry passes that are only given to those who agree to sign a code of conduct and appear on the Transparency Register (Greenwood, 2011). The stricter regulation of lobbying activities is not uncontroversial, since it contravenes traditional pluralist understandings of politics. It undermines the assumption that lobbying is a necessary condition to ensure that economic interests are tied into the policy making process, thereby providing support and legitimacy to new governmental measures. This continues to be a matter for controversy between societal actors asking for tighter rules and a majority of institutional actors who are reluctant to regulate this channel for inputting demands further.

**Petitioning the EP**

Petitioning is potentially an important tool for bringing the EP closer to its citizens and improving participatory democracy in the EU. Petitions give citizens the possibility to “comment upon, complain about, or contest the application of European policy and law” (Corbett et al., 2016, p. 408). This makes petitions politically interesting for two reasons. First, petitions may have important consequences for existing European policy and law, sometimes leading to infringement procedures against the EU member states. Furthermore, petitions may lead to EP own-initiative reports and motions for EP resolution, thus giving European citizens an indirect way of shaping the EU policy agenda. The EP introduced provisions on petitions in its internal rules in the late 1970s in conjunction with the first direct EP elections and established in 1987 a specific EP committee on petitions (PETI). Besides recognizing officially the right of EU citizens and non-EU citizens residing legally in the EU to petition the EP, the Maastricht Treaty also provided for the
establishment of a European Ombudsman to receive complaints related to maladministration in the activities of the EU and its institutions. The shift to direct elections in 1979, the growing focus on European citizenship in the 1990s, and the broad politicization of EU politics in the last decade, thus, make petitions an increasingly interesting object of inquiry.

In spite of these interesting developments, however, the literature has remained rather sparse on this subject, besides the very useful reference material (Corbett et al., 2016; Judge & Earnshaw, 2008) and the EP’s own material (European Parliamentary Research Service, 2015; see also the annual EP reports on the activities of the EP’s Committee on Petitions). It is clear from these sources that petitions have developed considerably over time, increasing by 70% from the mid-1990s to the mid-2010s. Furthermore, Germany, Spain, and Italy are the most important member states in terms of the origins and targets of these petitions. It appears from these accounts that petitions are often an early indication of lacking member state compliance with EU legislation (European Parliamentary Research Service, 2015). Occasionally, they have a clear agenda-setting character, such as the famous large-scale petitions on the ban on baby seal skins in the early 1980s, or the adoption of a single seat for the EP in the mid-2000s (Corbett, Jacobs, & Shackleton, 2011). These early findings raise a lot of interesting questions for research: Who petitions the EP and why? Why do petitions tend to come from a few number of EU member states? What outcomes do petitions have and under what circumstances can petitions provide for popular participation in agenda-setting and policy implementation?

All in all, the literature on inputs suggests that a greater number of societal actors recognize the EP as a suitable venue for shaping the agenda and drawing attention to problematic implementation of EU laws. The political visibility and significance of the EP, however, depends in part on its good relations to other EU actors. Chief among them is the Commission, on whose information and expertise the EP is often dependent to instruct petition cases. National parliaments (NP) are also
becoming more important, as attested by current proposals for establishing a structured dialogue between the EP and the NP on petitions. Finally, it is worth noting that the European Ombudsman has undergone a “metamorphosis of its role from a residual institutional actor in early 1990s to a largely uncontested protagonist in the field of the extra-judicial protection against Community maladministration by the first half of the 2000s” (Tsadiras, 2009, p. 457). Good relations between the EP and the Ombudsman are thus important for enhancing the role of these institutions in EU participatory democracy. We need to know much more about all of these questions.

**Withinputs: The EP and Inter-Institutional Politics**

*Actors and Structures*

Any political system needs to organize legislative life to achieve a minimum of stability (Polsby, 1968, p. 144). Indeed, legislatures need to develop internal rules that allow them to make decisions on the allocation of resources such as time, money, and staff as well as to assign parliamentary rights—such as the right to propose amendments or negotiate compromises (Krehbiel, 1991, p. 2). Therefore, the internal organization of a legislature influences the levels of expertise, the capacity of different actors to influence political outputs as well as the loci of power and decision making. The EP is characterized by being both a *young* parliament and a *working* parliament. As a young parliament, the EP displays a relative degree of plasticity, due to the fact that institutional structures are still emerging, which allows individual MEPs considerable room for maneuver in defining and interpreting their role (Navarro, 2009). As a working parliament, the MEPs need to specialize in order to be more effective during the policy making process. As a result, the EP has concentrated decision making in its 20 standing committees, which deal with specific policy or institutional
issues. This means that the plenary fulfils mostly symbolic functions, such as giving MEPs a chance to deliver justifications and messages to their national parties and electorate, mostly in the form of speeches and (oral) questions (Prosch & Slapin, 2010; Slapin & Prosch, 2010). When it comes to legislative work, the plenary tends to rubber-stamp what has been agreed upon in committee or in inter-institutional negotiations.

Committees: The “Legislative Backbone”

Committees have been characterized as the EP’s “legislative backbone” (Westlake, 1994, p. 191). Indeed, they are probably more similar to the U.S. Congress than to many European parliamentary systems, which explains why most research has turned to rational-choice institutionalist approaches developed in the U.S. context (cf. Asher, 1974; Davidson, 1974). Three theoretical models have been put forward to explain the mechanisms and conditions that lie behind specialization: distributive models look at the special interests of legislators and their ability to produce gains for their constituencies in order to secure votes for the next elections (Shepsle & Weingast, 1987); informational approaches focus on the need of parliaments to have trustworthy expertise (Krehbiel, 1991); partisan theories consider that committee members are there to serve parties and help them build winning coalitions (Cox & McCubbins, 2007). Clearly, none of the three approaches can capture singlehandedly the functions of EP committees, since the latter largely depend on their jurisdictions and formal powers. Specialization is generally driven by the need to acquire (better) information and build the Parliament’s expertise (i.e., by a policy-seeking rationale); however, this process is tightly coordinated by party leaders with the aim of maintaining cohesion and building winning majorities (Bowler & Farrell, 1995; Whitaker, 2011; Yordanova, 2013).

EP committees have not just become more specialized; they have also developed individual organizational cultures and reputations. Constructivist institutionalist explanations have shown how,
for instance, the Environment committee (ENVI) gained a reputation for its “green credentials” and the civil liberties and justice and home affairs (LIBE) committee was considered as a very “liberal” advocate of migrants and civil rights. Interestingly, both committees have maintained this reputation even though their practices and votes show that codecision have forced them often to abandon their “green” or “liberal” standards (Burns, 2013; Ripoll Servent, 2015). The emergence of specific organizational cultures has enhanced the chances for conflicts between committees, especially when there is potential for overlaps and disagreements over who is responsible for a given issue (Bowler & Farrell, 1995, p. 223). For instance, Roederer-Rynning (2015a) has underlined the presence of longstanding conflicts between the environment committee (ENVI) and the Committee on Agriculture and Rural Development (known as AGRI or COMAGRI). As a result, the EP has developed a set of formal and informal mechanisms to foster cooperation and allow for the participation of various committees in a single procedure (Burns, 2006; Corbett et al., 2016, pp. 178–180).

What about potential conflicts between committees and plenary? Generally, this is not an issue, since the composition of committees tends to mirror that of the plenary (McElroy, 2006; Whitaker, 2011; Yordanova, 2013). In addition, even if decision making in committees is steered by highly specialized MEPs, majorities still have to be formed and political groups have an incentive to do so early in the process. Therefore, the fact that committee reports are rarely overthrown in the plenary has very much to do with the shadow that majorities and coalitions cast over committee decisions (Bendjallah, 2009; Roger & Winzen, 2015). The system is thus based on representativeness and trust: Expert MEPs have to bear in mind potential aspects that might be problematic for the plenary as a whole. At the same time, Ringe (2010) has shown that trust is vastly mediated by partisan (and national) considerations—non-committee members tend to put their trust in expert members, especially if they are from the same national party or, at least, from the same political group.
**Political Parties and the EP’s Ideological Dimension**

Indeed, political parties are an essential instrument in the EP to help aggregate individual interests into a coherent whole. Political parties in the Parliament are nested in a complex system of multilevel party politics (Crum & Fossum, 2009; Hix, 2008; Lord, 2002). We can identify four main levels: *transnational parties* operate inside the EP (what we call “EP political groups”); *European party federations* operate outside of the EU institutions and help coordinate national parties in the same political family; *national party delegations* (NPDs) exist inside each EP political group and serve to organize the work of MEPs who belong to the same national party; and, finally, *national parties* are in charge of candidate nominations to the EP elections (Lindberg, Rasmussen, & Warntjen, 2008). What is highly interesting is that, despite the fact that EP political groups cannot reward (or sanction) MEPs with votes (re-election) or offices (government), they nevertheless show a high level of ideological coherence and an increasing level of internal cohesion.

The composition of EP groups has remained relatively stable in the last decades, with two large groups (Christian-democrats and Social-democrats) dominating its political life. As Lord (2002, p. 42) noted, the EP provides a “complete parliamentary party system [that includes] all the party families to be found in various member states”. This means that, despite major changes in the structure of national party competition and consecutive rounds of enlargement, political groups in the EP have managed to hold high levels of internal coherence and voting cohesion (Bressanelli, 2013; Hix, Kreppel, & Noury, 2003). Indeed, studies looking at the voting behavior, electoral programs, and even tweeting activities of the EP groups show that the positions taken in the EP are situated along two main dimensions: a left-right ideological axis and a pro-/anti-EU one (Hix, Noury, & Roland, 2006; McElroy & Benoit, 2012; Raunio, 1999). The main explanation for coherence resides in the search for political congruence between national and European parties, that
is, their ideological compatibility (McElroy & Benoit, 2012). Ideological congruence also helps to explain why voting cohesion has remained stable over time and across different policy areas (Bressanelli, 2014; Kreppel, 2002). There are, however, some sanctions that political groups can use to ensure discipline. For instance, those who defy the voting position of a political group might be side-lined and have a more difficult time getting offices—notably committee chairmanships—or reports (Faas, 2003; Yoshinaka, McElroy, & Bowler, 2010). However, explanations based on voting behavior in plenary may hide other informal processes that contribute to cohesion. Bowler and McElroy (2015) point at the absence of contestation in plenary votes, which indicates that conflicts have been settled before they reach the plenary and that the behavior of EP groups is largely shaped by norms of consensus. It is here that Ringe’s (2010) model of “perceived preference coherence” plays an important role. As seen above, non-expert MEPs generally rely on the judgment of expert colleagues to cast their final vote. Cohesion here is largely explained by the process of policy specialization that occurs in committees and how expert MEPs play a central role in striking intra- and inter-institutional agreements.

These high levels of cohesion should not hide the tensions faced by MEPs on a daily basis—namely the need to accommodate the demands of their EP group with those of their national party. When conflicts arise, individual members tend to vote with their national party rather than their EP group (Coman, 2009; Hix, 2008; Meserve, Robbins, & Thames, 2017; A. Rasmussen, 2008). The emergence of national delegations inside EP political groups came as a response to the growing size of the Parliament and the need to find a better way to represent national particularities. EP political groups developed internal rules to ensure a fair distribution of key positions among their national delegations, which in practice, makes it more difficult for EP group leaders to reward or punish their members and reinforces the power of the NPDs (Kreppel, 2002, pp. 203–204). The formal and informal links between NPDs and national parties have increased over time: Most MEPs are now
involved in the work of their national party and many participate in their executive organs. Although we know that these links are used as a mechanism for national parties to control the activities and loyalty of their MEPs, we only have sporadic evidence of the influence that MEPs can exert on their national parties (Busby, 2014; Mühlbäck, 2012). One should not see NPDs only as an instrument of control; they also help MEPs to remain informed on the day-to-day life of the EP and help them negotiate the conflicts between their national and ideological roles (Busby, 2014).

The process of finding a cohesive position within a group does not occur in a vacuum; political groups are under constant pressure to find compromises across their own national delegations and with other political groups. This process is all the more complicated by the need to build coalitions that make an agreement with the Council possible. This might explain why grand coalitions between the two largest groups have been a recurrent phenomenon in the EP. The rising number of Euroskeptic and radical MEPs has reinforced this trend, since it has reduced the size of mainstream political groups and made it more difficult to build coalitions along ideological lines. Therefore, it is not so surprising to see the two largest groups often voting together, especially when issues are salient and the outcome of the vote more uncertain (Kreppel & Hix, 2003). Grand coalitions can also serve another purpose, namely that of exerting pressure on the Council by showing a unified front. This has often led the two largest groups to sacrifice their ideological differences in order to secure collective benefits and maximise the influence of the EP in negotiations with the Council (Kreppel & Hix, 2003; Rose & Borz, 2013). At the same time, the ideological distance between center-right, center-left, and liberals is often smaller than one might imagine, especially on regulatory or technical matters (Bressanelli, 2014, p. 152). Therefore, coalition building is both a matter of size and ideology, which means that political groups often have to choose “between forming a grand coalition and competing along political lines” (Hix & Høyland, 2013, p. 179). This tension raises concerns about the capacity of the EP’s political groups to communicate clear and
distinct programs to the electorate and it might contribute to the perception of a democratic deficit in the EU’s political system (Rose & Borz, 2013).

**Lawmaking Power**

Even if the ordinary legislative procedure (OLP) was formally born in the Lisbon Treaty, its roots go back more than a quarter of a century, and are steeped in the changing international political and economic order of the mid-1980s. The literature has captured the gradual empowerment of the EP in EU lawmaking under the broader umbrella of the “parliamentarization” of EU politics and has proposed three main explanations: a *policy-seeking* explanation, emphasizing policy calculations of the member states as a main explanatory variable (Brüninger, Cornelius, König, & Schuster, 2001); a *legitimacy-seeking* explanation, emphasizing normative-institutional logics (Rittberger, 2005; Rittberger & Schimmelfennig, 2006); and an *inter-institutional bargaining* explanation, focusing on the EP’s superior bargaining power in everyday interactions with the Council as a source of change (H. Farrell & Héritier, 2003, 2007; Hix, 2002). Recently, scholars have concluded that democratic concerns, a “process of normative socialization” of the member states, and EP bargaining in everyday politics have driven the empowerment of the EP (European Parliament 2015, p. 10). Even though the adoption and generalization of codecision across areas continue to elicit conflict and opposition, it is striking that the pros and cons increasingly must reckon with, and argue within, the normative-legal template of a rule-based, constitutional EU polity (Rittberger, 2012; Roederer-Rynning & Schimmelfennig, 2012; Rosén, 2017).

Ensuing from these perspectives are questions of what one might call “the domain of application of OLP” and “the institutionalization of OLP”. Regarding the former, the question is how the EP’s lawmaking power compares across the different areas of the EU’s constitutional settlement. The extant research indicates that the role of the EP remains modest in areas of
redistribution and taxation. Work on the management of EU economic governance shows that, even if the position of the EP has improved, the EP still lacks decisional powers and is often involved late (Fasone, 2014). Some have seen in this pattern the vindication of a “new intergovernmentalism” in areas of economic and budgetary coordination where the EP enjoys legislative prerogatives (for example, the Six-Pack and Two-Pack legislation) (Bressanelli & Chelotti, 2016). For Rittberger (2014, p. 1179), the picture is more nuanced: “It can be considered a partial success of the EP that practices of the “Economic Dialogue”—established in context of the Six-Pack and Two-Pack legislative packages—are already being extended to the Troika’s operations.” Likewise, work on the first reform of the Common Agricultural Policy (CAP) under the OLP paints a mixed pattern of EP involvement in one of the key redistributive common policies (Roederer-Rynning, 2015b). On a number of policy issues, the European Council acted as a makeshift legislator, using the concurrent talks on the multi-annual financial framework (MFF) as an ad hoc legislative vehicle. At the same time, the shift to OLP produced unprecedented political mobilization inside the EP (inter-committee fights) as well as outside (increased civil society activism).

**Trilogues and the Institutionalization of Informal Decision Making**

Regarding the “institutionalization of OLP,” much scholarly research is now focusing on the so-called legislative trilogues. “Trilogues” is the name given to the way the two EU lawmakers work in practice to resolve their differences and produce a legislative text that they can adopt in exactly the same terms. Trilogues are informal negotiations between the representatives of the Commission and of the two lawmakers (Council and EP). In the first half of the eighth EP term (2014–2016), 97% of codecision files were fast-tracked, that is, adopted in first or early second reading—compared to 72% in the sixth term (2004–2009), which represented a turning point in the development of fast-
tracked legislation (European Parliament, 2017). Although it is difficult to predict how many trilogues are necessary to reach an agreement, Brandsma (2015) finds that politicization within the Council and the EP tends to increase the number of trilogues. Scholars have highlighted the potentially problematic features of secluded negotiations for transparency, predictability, and accountability, and therefore the potentially problematic impact of trilogues for the democratic legitimacy of EU lawmaking (Reh, Héritier, Bressanelli, & Koop, 2013). They have also raised questions about the distributive implications of trilogues. Trilogues may systematically empower some actors at the expense of others—ministers, on the Council side; rank-and-file MEPs vs. the plenary, on the EP side—thereby creating institutional biases that fail to deliver inclusive decision making (H. Farrell & Héritier, 2004; Håge & Naurin, 2013; Héritier & Reh, 2012; Shackleton & Raunio, 2003). For some, the EP has much to lose from trilogues, both distributively and normatively (Costa, Dehousse, & Trakalova, 2011; Kardasheva, 2012). Others have argued that, although the codecision procedure tends to advantage the Council, trilogues might favor the EP, since the Council is more likely to accept Parliament’s demands at an early stage and, thereby, avoid lengthy decision making processes (Håge & Kaeding, 2007). A lot depends, in the end, on how trilogues are institutionalized across and within the decision making institutions. In contrast to interpretations of trilogues as fait accompli, Roederer-Rynning and Greenwood (2015) have provided a multi-layered typology of trilogues, distinguishing between “full (or political) trilogues,” “technical trilogues,” and finally informal bilateral contacts. Trilogues, they argue, have produced a body of norms, standard operating procedures, and oversight mechanisms that link formal and informal institutions. They furthermore find that a dominant “parliamentary” approach to trilogues has taken roots in the EP (which substantiates the thesis of the EP as a potentially autonomous lawmaker), while Council has been left increasingly frustrated (Roederer-Rynning & Greenwood, 2017). Dionigi and Koop (2017, p. 72) find that EP committee chairs now often “take a horizontal
approach” ensuring that delegated and implementing acts, after passage in trilogues, “tally with what has been negotiated on other files, and that they are not traded off for more influence on the substance of legislation”; furthermore, they underline that trilogues have spurred a discussion on transparency in the Council (2017, p. 75). Future research must continue to examine the institutionalization of trilogues in the Council, the extent to which external actors (organized interests, civil society actors) have access to the negotiations, and the final results of trilogues. It must also examine more systematically the role of the EP and its committees in tertiary-level legislation, that is, the Commission’s implementing legislative activities (former comitology, now referred to as delegated and implementing acts).

**Legislative Oversight**

Legislative oversight is one of the core functions of parliament, including a broad range of tools such as confirmation of executive appointments; dismissal of the executive; organization of question time, if necessary; commissions of inquiry; and not least the legislative scrutinizing and authorizing of revenues and expenditures, and of the implementation of the budget (Stapenhurst, Pelizzo, Olson, & von Trapp, 2008). A unique feature of the EU is its dual executive, symbolized by the Commission (supranational polity) and the member states (representing the people in EU states). Three main developments are worth noting here. First, the EP has managed to increase its oversight over the EU’s executive roughly in line with its legislative power. It has done so mainly through political flair and procedural ingenuity, as exemplified by the evolution of the appointment of the Commission, with the developing use of EP hearings to screen Commissioner-designates and the introduction of the Spitzenkandidaten in the 2014 EP elections (Christiansen, 2016). Second, however, the expansion has been limited to control of the Commission—the supranational branch of the EU’s executive, while the Council and the European Council have remained outside of EP
control. Third, given these trends, the rise of the European Council raises the question of whether national parliaments are able to step in to hold it accountable.

Historically, the power of the purse has been one of the core powers of parliaments, as epitomized by the “no taxation without representation” axiom distilled through centuries of democratic development. EU budget making distinguishes itself from national budget making in several important ways. First, the EU budget represents only a tiny fraction of the 28 countries’ gross domestic product (GDP) (1%)—which is not only negligible compared to the budgets of EU countries (49% of GDP on average) but also a very pale reflection of the budget of federal states like the United States (federal net outlays represented 20.75% of U.S. GDP in 2017). Second, the EU, unlike national polities, must not run a deficit. Third, and crucially of course, the EP (unlike national parliaments) does not have power over the revenue side of the EU budget; its budgetary power is limited to the scrutiny and authorization of expenditure. The budgetary process of the EU revolves around three main components: the multi-annual financial framework (MFF), defining the EU’s long-term budget ceilings (seven years); the annual budgetary procedure; and the discharge procedure. Most recently, the Lisbon Treaty abolished the distinction between compulsory and non-compulsory expenditures, and simplified the annual budget procedure roughly along the lines of the codecision procedure (Benedetto & Höyland, 2007; Crombez & Höyland, 2015). These changes provided for equality between the Council and the EP on all types of expenditure, including in the sensitive field of agriculture (Roederer-Rynning & Schimmelfennig, 2012), even though member states managed to retain some degree of intergovernmental control, for example by making it harder for the EP to cut expenditure. Likewise, the EP has extensive powers in the discharge procedure, where it has the exclusive right to approve the budget implementation of the EU institutions. Regarding the adoption of the MFF, the big change in the Lisbon Treaty is that the procedure for adopting it has become formalized and communautarized (Crowe, 2016): The European Council,
which formerly played a large, but informal, role in the adoption of the MFF, is *not mentioned* in the Lisbon Treaty except in the *passerelle* clause authorizing under certain conditions the Council to adopt the MFF by qualified majority. The adoption of the MFF takes place by a unanimous vote of the Council, on a proposal of the Commission, after consent of the EP (article 312(2) TFEU). However, many have remarked how decisions on the MFF are still determined by informal discussions in the European Council, which limits the EP’s ability to influence the shape and priorities of the overall EU budget (Benedetto, 2013).

The literature has examined how the budgetary powers of the EP have gradually increased over time (Benedetto & Milio, 2012; Rittberger, 2005); and how, in turn, the EP has used these growing powers to leverage policy and procedural concessions (see also inter-institutional bargaining thesis, discussed earlier). In the annual budget procedure, scholars seem to agree that the power of the EP resides more in the power of amendment and rights of proposals than its veto rights; this is because the voting requirements make it a harder test to meet in the Council than in the EP (Citi, 2015; Crombez & Höyland, 2015). Given the divisive role of redistributive politics, we need to understand better how the different EP committees involved in these various procedures (Budget and Budgetary Control committees) exercise collective power. Finally, we need to pay better attention to how other EU institutions (primarily Council and European Council) and member states respond to EP activism. Preliminary evidence on the MFF suggests that member states have “proceeded as if nothing had changed with the entry into force of the Treaty of Lisbon” (Crowe, 2016, p. 72)—an observation partly corroborated by the discussion above on the first reform of the CAP after Lisbon. While the MFF is becoming an (ad hoc) legislative vehicle side by side with the formal OLP process, the links between budget politics and legislative politics are becoming ever more intricate, with important implications for the functioning of the OLP and the accountability
and legitimacy of EU legislation. Future research needs to address this fuzzy landscape and its implications.

Besides the budget, dynamic areas of legislative oversight include the appointment of the executive and the use of parliamentary questions and commissions of inquiry to exercise scrutiny. In everyday political life, the EP has been adept at using its internal Rules of Procedure and informal interpretations of the treaties to deepen its constitutional prerogatives and develop leverage over the Commission. For instance, the EP has used its power to reject the whole Commission as a threat when it was not happy with some of the selected Commissioners, which has given it an informal right to force the Commission President to ask for new nominees or to reshuffle their portfolios. One of the big questions examined in the literature is the extent to which increased leverage over the Commission has been achieved at the expense of party competition in the EP. Recently, Christiansen (2016, p. 992) has argued that the introduction of the Spitzenkandidaten system, far from leading to a systemic change in EP politics, has “further strengthened the longstanding ‘grand coalition’ in the European Parliament”. Interestingly, the Spitzenkandidaten system has now come under criticism from EU leaders interested in “shaking up” the EP, and its “rigid” old parties (Financial Times, February 14, 2018). This potentially highlights the value of parliamentary questions as being “one of the last formal right of the backbencher” (Raunio, 1996, p. 356) and one of the most valuable information tools for MEPs from national opposition parties (Proksh & Slapin, 2010).

However, MEPs’ parliamentary questions are still relatively under-researched, which makes it difficult to assess their impact. As scholars devote more attention to this area, it would be fertile, given the multilevel nature of the EU polity, to examine the development and use of scrutiny tools (such as parliamentary questions) on the EU at both the EP and national level. Preliminary research provides little reason to think that many national parliamentarians really “care about” the EU (Auel,
Rozenberg, & Tacea, 2015; Navarro & Brouard, 2014; Tacea, 2018), which is certainly problematic for the development of an EU democracy.

**Outputs: How Does the EP Matter for Democracy in the EU?**

**Influence Over Domestic Outputs**

The EP has gained important veto powers over legislation, especially since the advent of codecision: Does this translate into policy influence? It is, of course, difficult to find a definitive answer to this question and much ink has been spilled on who wins and who loses in the lawmaking process. Rational choice has dominated scholarly accounts on the balance of power between the Commission, the Council and the EP, often basing their findings on formal modeling. After long discussions on the capacity of the EP to set the agenda (Crombez, 1996; Moser, 1996; Tsebelis, 1994), most scholars using procedural models now agree that the EU is moving toward a bicameral system, which tends to weaken the Commission’s power (Crombez & Vangerven, 2014; Tsebelis & Garrett, 2000). More recently, new bargaining models looking also at informal procedures have underlined how, despite the formal veto power of the EP, the Council still enjoys a certain advantage in negotiations (Costello & Thomson, 2013; Napel & Widgren, 2006). However, these models have been criticized for using methodologies that tend to underestimate the role of the Commission and the EP (Slapin, 2014). The debate is thus not yet closed, especially when it comes to the role of the Commission and the extent to which it has lost power now that the EP and the Council have developed much closer ties under codecision (Burns, 2014; Crombez & Hix, 2011; Nugent & Rhinard, 2015). These models also ignore the growing importance of the European Council in setting the agenda and overseeing the decision making process.
We need to take into account other inter-institutional dynamics that go beyond formal procedures and bargaining. To this effect, it would be recommendable to use other theoretical tools such as sociological or constructivist institutionalism, policy analysis approaches (e.g., multiple streams or advocacy coalition frameworks) or framing to study how institutional and societal norms shape the ability of the EP to exert influence over policy outputs. By combining these different theoretical tools, we may reach a more complete picture of inter-institutional relations. For instance, in the previous section, we have seen how the increase in early readings and the consolidation of a culture of consensus has had a direct impact on the internal politics of the EP. This has led to more moderate policy outputs situated at the center of the political spectrum. There are two reasons for this: First, the need to find early agreements means that the EP often adopts a behavior known as “anticipatory compliance”, that is, the EP’s negotiating team does not take into consideration amendments that are deemed too far away from the Council’s position (Burns & Carter, 2010). Given that this kind of behavior can also be observed in the Council, and especially the Commission (Burns, 2004), it is not surprising that the individual positions of the different EU institutions often look very similar and that lawmaking is characterized by very moderate solutions and limited opportunities to change the core of specific policies (Costello, 2011; Trauner & Ripoll Servent, 2016). In addition, a new culture of consensus and inter-institutional loyalty has emerged with the expansion of codecision, which emphasizes the EP’s feeling of responsibility, toward both other policy makers and EU citizens. It is becoming apparent that these dynamics affect the quality and effectiveness of the EU’s policy process and that the EP is often not getting as much out of codecision as it could for fear of violating the shared institutional norm of consensus and responsibility (Andlovic & Lehmann, 2014; de Ruiter & Neuhold, 2012; Ripoll Servent, 2015), even though the parallel institutionalization of the trilogue process in the EP partly counteracts this trend by granting the EP more autonomy (Roederer-Rynning and Greenwood 2015, 2017).
As a result, the EP is not yet able to exert its veto power as effectively as the Council. There are formal reasons linked to the structure of codecision, which makes it easier for the EP to adopt a Council position than to amend it (Hagemann & Høyland, 2010, p. 830). However, these dynamics are also largely due to the history of European integration and the central role member states have played in it. Indeed, the Council enjoyed a privileged position in EU policy making until the 1980s and, in some areas, until the entry into force of the Lisbon Treaty. In practice, this meant that many EU policies were decided by the Council alone, which makes it easier for member states to accept the status quo than for the EP, keener to change current legislation (often to achieve more integration). Therefore, member states are usually in a better negotiating position than the EP, especially if the latter fails to adopt a united front and the Council can use the EP’s internal divisions to “divide and conquer” (Costello & Thomson, 2013; Roederer-Rynning & Greenwood, 2015; Trauner & Ripoll Servent, 2016).

Finally, there is growing concern that a new intergovernmentalist turn is reinforcing the role of member states (and heads of state and government in particular) in EU lawmaking. The various crises have underscored the preference of member states for intergovernmental solutions and the capacity to use the European Council to bypass “ordinary” forms of decision making (e.g., Fabbrini & Puetter, 2016). We have seen above that the capacity of the EP to shape the solutions to the Eurozone crisis were limited and concentrated mostly on procedures and accountability, rather than substance (Bressanelli & Chelotti, 2016). The decision of the European Council to close a deal with Turkey during the crisis of the EU’s asylum regime is also a good example of how governments can present the other EU institutions with a solution in which they have not had any chance to participate but that they then have to put into practice. The EP was put in a particular difficult position, since it was forced to deal with the promise to liberalize access to Schengen visas for Turkish nationals, despite the most MEPs’ reluctance to make concessions to President Erdogan.
Therefore, if the EU’s political system transforms itself radically, we may need more research to understand how this affects Parliament’s position in the system and its capacity to influence outputs.

**Influence Over International Outputs**

With the Lisbon Treaty, the EP gained the right to give its consent to most international agreements (except those in CFSP), accession decisions, association agreements as well as sanctions for violations of the EU’s values. The right to give its consent to international agreements (i.e., to ratify them) represents a more potent, but also a much riskier veto power, which is why this procedure has been equated to a “nuclear” power (*Smith, 1999*, p. 76). Negative votes are seen as “unconstructive”, since they can affect not only inter-institutional relations, but also the position of the EU in the international arena (*Krauss, 2000*, p. 219). It is, therefore, a highly symbolic negative power, which explains why the EP has been reluctant to use it. Formally, the EP only plays a role in the last stages of the procedure, even if the Treaty contemplates that the EP has the right to be informed *at all stages* (Article 218.10). The vagueness of the formulation has opened a door for an informal re-interpretation of the rules, to the point that the consent procedure has been reshaped into a “quasi”-codecision (*Ripoll Servent, 2014*). The use of the EP’s “nuclear” power has thus been used to empower the EP and widen its influence through informal channels. After the Single European Act, the EP refused to ratify a set of protocols to the EEC-Israel Association Agreement to show its parliamentary strength (*Greilsammer, 1991*). A similar episode took place after the entry into force of Lisbon, when the EP refused to give its consent to an EU-U.S. Agreement on bank data transfers (SWIFT Agreement). Although there were concerns about data protection, most MEPs voted against the agreement because they felt that the EP was being asked to rubber-stamp
the Council’s decision. With its negative vote, the EP managed to transform its right to be informed into a “right to be involved” (Ripoll Servent, 2014; Ripoll Servent, & MacKenzie, 2012).

Since the SWIFT Agreement, there has been mixed behavior from the EP when it comes to ratifying international agreements. Some, like the 2012 EU-U.S. Passenger Name Record (PNR) Agreement, went without a hitch, despite the fact that the EP had shown strong opposition toward similar agreements in the past (cf. Kaunert, Léonard, & MacKenzie, 2012). Others, however, have been voted down, notably the multilateral “counterfeiting” agreement (ACTA), which raised concerns related to the transparency of negotiations among MEPs and civil society (The Guardian, 2012; Matthews & Žikovská, 2013). A similar development was observed in the EU-South Korea trade agreement of 2011, where the EP used its newly acquired ratification power to force the Commission to renegotiate certain clauses of the agreement and set a clear path for implementation (Elsig & Dupont, 2012). The EP has also cast a shadow on some of the biggest trade negotiations—the EU-U.S. Transatlantic Trade and Investment Partnership (TTIP) and the EU-Canada Comprehensive Economic and Trade Agreement (CETA). In both cases, the EP has had to be persuaded of the necessity to conclude these free trade agreements—especially in the face of mounting popular opposition—although it eventually gave its consent to CETA on February 15, 2017.

Conclusion

The literature on the EP has mirrored, and in some respects heralded, broader developments in EU studies. In the last three decades, the field of EU studies has grown from being a specialist sub-field of international relations to becoming a large field of inquiry shaped by a variety of political science sub-disciplines, chief among them: comparative politics, public administration and policy, and political theory. Paralleling this expansion, the nature of the scholarly inquiry has evolved from
rather circumscribed “European integration” debates between neofunctionalists and intergovernmentalists to increasingly wide-ranging, complex, fragmented, and multifaceted debates on the character of EU politics and institutions. Not only has the EP featured prominently in many of these debates; the EP has in many ways provided a prism for identifying transformative trends in EU politics and capturing them in new conceptual frameworks.

From an unelected organ with almost no powers, the EP has grown into a mature legislature and has become indispensable in improving the legitimacy and accountability of the EU’s political system. It has also contributed to the transformation of the EU into a genuine bicameral system. The EP provides an additional channel of representation: Citizens, civil society and interest representatives have found in it a partner willing to listen to their demands. These demands are then filtered through ideological lenses: Even if national characteristics are still relevant to understand individual members, aggregation functions first and foremost through a left-right divide. However, the multi-partisan, multinational and multilingual nature of the EP means that MEPs need to reconcile a myriad of internal and external pressures coming from the Councils, the Commission, interest groups, civil society, and national parties, among others. This might help us to understand why, unlike many national parliaments, the EP has developed more consensual working practices that help parties from the two sides of the ideological spectrum to work together.

However, despite its substantial empowerment, the EP remains a contested institution—with national parliaments often resenting its tendency to encroach their own field of action and citizens seeing it as a far-away institution that does not inspire any real attachment. More importantly, the EP is also becoming a field of contestation and a new arena for those opposed to the EU project. The rise of Eurosceptic MEPs in the 2014 elections poses new challenges to the internal workings and external status of a Parliament that has been seen as favoring “an ever closer union”. With the slow awakening of the European Council as a key policy maker, its place in the EU’s political
system is also disputed. If the EU is indeed facing the dawn of a new intergovernmental period, the
EP might face the challenge of reinstating itself in the EU’s balance of power.

The dependence on national politics casts a shadow on the behavior of MEPs as well:
Individual members have to negotiate different loyalties on a daily basis, since they often need to
please different publics—voters, EU citizens, particular interest groups, their national party, and
their EP political group. Therefore, loyalties often fluctuate depending on the context, but they are
still largely constrained by the dependency of MEPs on their national parties. The fact that re-
selection and re-election is still decided at the national level looms over the functioning of the EP
and its relations with other EU institutions. MEPs continue to be national MEPs, and that is still
patent when it comes to their voting behavior, their loyalty to EP groups or the influence that
Council members may exert on EP actors during negotiations. These particularities can help us to
understand to what extent the EP has become a “normal” parliament (see Table 2).

Are these tensions any different from those of national legislatures? In some respects, the
answer is no, which means that we could in the future draw wider comparisons with the formal and
informal politics of national parliaments and examine how they tackle challenges like specialization
and conflicting loyalties. There are, however, other tensions particular to the EP and the questioning
of its “normalcy”. A major peculiarity of the EP is that, despite having gained considerable powers
in the last few decades, it has often failed to translate this formal power into actual outputs. We
have seen above some of the reasons for this (such as the informal preeminence of member states in
the policy making process); in practice, it means that codecision has led the EP to sacrifice long-
held substantive positions in order to be accepted as a “mature” and “responsible” institution.
Another particularity is the growing presence of radical and Euroskeptic parties in its fold, which
have used the EP as a source of income and publicity and contributed to the transformation of the
EP’s internal organization—turning it into a well-oiled machine where improvisation and spontaneity are not welcome. These changes have raised concerns about the EP’s legitimacy as a space for deliberation and exchange; in a way, fringe parties have been very successful at depoliticizing and rendering it a more technocratic legislature. In this sense, Brexit could potentially be an opportunity to reverse these trends: with the departure of the United Kingdom, the number of soft and hard Euroskeptic members will be considerably reduced, which might open up a new space for politicizing inputs and outputs and offering more alternatives to EU citizens.

**Further Reading**


**References**


Ariadna Ripoll Servent and Christilla Roederer-Rynning
Table 1. To What Extent Can the EP Be qualified As a “Normal” Parliament? Measuring “Normality” in a Polity of “a Different Kind”

<table>
<thead>
<tr>
<th>INPUT</th>
<th>NORMAL PARLIAMENT</th>
<th>IN A MULTI-DEMOI POLITY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Conventional and non-conventional means of participation: elections, petitions, lobbying, protest, etc.</td>
<td>• To what extent are EU citizens, voters, organized interests, and social movements aware of the EP as an organ of representation and decision making?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• How does the national political context influence political campaign and voting behavior in EP elections?</td>
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<tr>
<td></td>
<td></td>
<td>• Why has turnout in EP elections remained low in spite of the expansion of the EP’s powers?</td>
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<tr>
<td></td>
<td></td>
<td>• Why do states, organized interests, and other actors differ in the frequency with which they lobby the EP?</td>
</tr>
<tr>
<td>WITHINPUTS</td>
<td>Inter-institutional processes related to appointment of EU executive, budget making, lawmakers: EP hearings of Commissioner selects, budget procedures, ordinary legislative</td>
<td>• To what extent do national debates and institutions have an impact on the organization of the EP?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• How do individual legislators in the EP make decisions? In particular, what is the role of national politics in MEPs’</td>
</tr>
<tr>
<td><strong>procedure, special legislative procedure, etc.</strong></td>
<td><strong>voting behavior?</strong></td>
<td></td>
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<td>------------------------------------------------</td>
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<tr>
<td>• How do informal procedures and rules affect the EP’s political significance in practice?</td>
<td>• How can we understand change in the policy preferences of the EP?</td>
<td></td>
</tr>
</tbody>
</table>

**OUTPUTS**

<table>
<thead>
<tr>
<th>Political behavior of MEPs; legal and non-legal acts produced by the EP on its own initiative or in the context of inter-institutional procedures: voting behavior of MEPs; resolutions; secondary legislation.</th>
<th>• Who are the winners and losers of EP decisions and why?</th>
</tr>
</thead>
<tbody>
<tr>
<td>• What is the overall policy impact of the empowerment of the EP?</td>
<td>• To what extent have EP decisions strengthened the link to its citizens and influenced the relationship between the EU and its member states?</td>
</tr>
</tbody>
</table>

Table 2. Squaring the (EP) Circle: A “Normal” Parliament in a Polity of “a Different Kind”

<table>
<thead>
<tr>
<th><strong>NORMAL PARLIAMENT</strong></th>
<th><strong>IN A MULTI-DEMOI POLITY</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INPUT</strong></td>
<td>• Limited level of organization of citizens and social movements but increasing pressure from interest representatives (lobbying).</td>
</tr>
<tr>
<td>Conventional and non-conventional means of participation: elections, petitions, lobbying, protest, etc.</td>
<td>• EP elections still largely second-order and structured according to national electoral systems, which determines the</td>
</tr>
</tbody>
</table>
| **WITHINPUTS** | Inter-institutional processes related to appointment of EU executive, budget making, lawmaking: EP hearings of Commissioner selects, budget procedures, ordinary legislative procedure, special legislative procedure, etc. | quality of democratic representation.  
- There is no agreement on why turnout is low—the main theses pose that either citizens do not care about the EU or they do but do not see the EP as a legitimate institution.  
- Some interest representatives have better formal (e.g., economic and human capital) and informal (long-term relationships with policy makers) resources, which explain to some extent their (in)ability to get access to and influence over EP actors.  
- Although ideology structures political life in the EP, MEPs are largely influenced by their national parties and government/opposition dynamics back home—mostly due to the fact that their re-selection and re-election is done by national parties and voters.  
- MEPs vote along left/right and pro/against EU integration cleavages, except if a vote is crucial for the national party, in which case they might |
• The EP has gained significant formal powers under codecision. In practice, codecision legislation has been shaped by informal trilogues between EP, Council, and Commission representatives. Over time, the EP has developed a more conscious approach to tackling the challenges of removing decision making from the public gaze, while at the same time defending the need for an institutional space to negotiate with the Council of Ministers in camera. This gradual process of institutionalization has mitigated, though not eradicated, the problems associated with secluded decision making.

• A more conservative EP has found it easier to build bridges with the Council but the rise in Eurosceptic and radical groups has made it easier for mainstream parties to find stable majorities and diluted the left/right
cleavage in favor of a “grand coalition” logic.

- Liberal parties are often seen as the main winners in EU policy making, although participating in winning coalitions has sometimes come at the expense of their ideological positions.
- The EP has benefited less from its empowerment than expected. This is the result of compromise-seeking practices across EU decision making institutions and the capacity of member states to set the agenda and control the pace of EU policy making.
- The link between EP decisions and citizens remains weak, especially with the rise of the European Council and “new intergovernmentalism.”

Notes


2 The political system approach draws on insights from the post-World War II U.S. behavioral revolution, which construed political life as a system of interactions (David Easton’s contribution in Easton, 1957, 1965).
3. One must remember that the EU polity is based on the system of attributions of competence, which means that EU institutions are only allowed to act within the range of competences defined in the Treaties.

4. “Highest average” systems like D'Hondt, Sainte-Lagué, or modified Sainte-Lagué divide the number of votes successively by a given divisor (1,2,3,4 for D'Hondt; 1,3,5,7 for Sainte-Lagué). In contrast, “largest remainder” formulas like Hare-Niemeyer and Droop allocate “integral” seats following a quota established for each seat. Once all integral seats have been attributed, they allocate the remaining seats proportionally to the quota left to each party (cf. D. M. Farrell, 2011).

6. The legal basis of the right of petition is provided by Articles 20 and 227 of the Treaty on the Functioning of the European Union (TFEU), and Article 44 of the Charter of Fundamental Rights of the EU.

7. Budget revenue is determined by the Council after consultation of the EP.