

House of Lords

European Union Committee

The Role of National Parliaments in the European Union

Written evidence by Dr. Eleni Panagiotarea (D.Phil, Oxon.) submitted on the 27th of September, 2013.

1. A big burden, political and institutional, has been placed on national parliaments operating in the European Union, as they seemingly and single-handedly have to fill in the ever-widening democratic deficit. Their 'use' is not disputed: they alone embody the 'will of the people' or at least encapsulate 'popular consent'. 'Bringing them in' is more often than not the best strategy that EU officials and Eurozone officials have in preserving the modicum of legitimacy that is required, if their policies are to be cloaked in public acceptability.

2. Obviously, there are important political limits to 'bringing national parliaments in' merely for window-dressing exercises or for rubber-stamping prior decisions taken at national (political executive) or euro zone (EU institutions and authorities) level. These limits are very close to being reached. Citizens may no longer be content with the performance of their respective parliamentary democracies in the EU framework and casting a vote may no longer suffice to give 'citizenship' a substantive meaning. Interestingly, the declining trend in citizens' trust in both the EU and national governments and parliaments, evident in successive Eurobarometer surveys and other surveys has not set the alarm bells ringing.

3. Before discussing the role that national parliaments should play in shaping and scrutinising EU decision making, it is important to take stock of a number of significant permutations that have been taking place and are beginning to crystallise.

I. Some national parliaments have become more equal than others. National parliaments in the 'core' have acquired disproportional power, as governments in the 'south' are depended on their 'yes' vote, when it comes to authorising important financial support. While no one would dispute that taxpayers matter or that aid should come with conditions attached, this asymmetry may well be projected on to other fields, particularly as it builds on divergent models of capitalism (export-growth vs. demand-led).

II. Some national parliaments are better at adapting to the new economic governance legislation that is currently being implemented. This is related to their institutional capacity but also to a potential institutional affinity between their current arrangements and the frameworks that they eventually have to adopt. Active institutional (re)engineering may or may not place them in an advantage- a lot will depend on whether the idea that better fiscal outcomes can come about by adhering to stricter

rules of a legislative or a legislative kind will withstand reality. It is certainly the case, however, that the degree of institutional efficiency will add or subtract from eventual budgetary performance, hence accentuating the trend of discriminating between 'leaders' and 'laggards', and exacerbating the kinds of asymmetries mentioned in I.

III. All national parliaments have been unable to fend off the serious erosion of their power, particularly over setting and deciding upon the national budget, in the aftermath of the Eurozone crisis, the crisis management followed, and the remedies, both preventive and punitive, adopted. The fact that the new legislation is supposed to apply to EU-28, with some specific rules for the euro-area Member States, is solidifying the trend for removing important economic decisions from parliamentary scrutiny and control.

4. Obviously, no national parliament is the same or operates in a similar manner, embedded, as it is, in distinct legal- cultural trajectories; in like manner, the so-called Europeanisation process has not triggered a homogenisation of frameworks and procedures- national parliaments are there to re-assure not only that the minimum demands of representative democracy are met but also that every loss of sovereignty can be somehow accounted for, as the delegation of power has been ex ante approved.

5. This realisation should serve as a building block when considering 'what next?' for national parliaments in the EU framework. It may appear paradoxical but the biggest contribution that national parliaments can currently make is re-claim or re-politicise national policy space and place, particularly in the areas of revenues, spending, borrowing and job growth: in this way, they can assuage their electorates that they still have their own vision for how to manage the economy; they can also ensure that, allowing for current policy co-ordination arrangements, EU decision-making takes into account 'conditions on the ground'. National parliaments are uniquely placed to bridge the 'national' to the 'supranational' by explaining why diversity and flexibility, which are both necessary and inevitable, can be as important as co-ordination and discipline. A procedure akin to Protocol No. 1 (Treaty of Lisbon) can be instituted, whereby the direction of the flow of information, relevant instruments of policy, and consultation documents goes from national parliaments to the Commission. The "good functioning of the Union" passes through the good functioning of its constituent members; they are, in turn, evaluated by the extent to which they promote the well-being, economic and social, of EU citizens.

6. National parliaments also have a role to play in filling in the European public space that is currently being created and is, if anything, shallow: it does not go much deeper than the institutional strengthening of economic co-ordination and the principle of conditionality. The 'post Euro crisis order' project is lacking in strategic vision, a unifying narrative, and a notion of solidarity that can somehow compensate for the omission of mechanisms that promote institutional and productive convergence or risk-sharing. Forums such as the Conference of European Affairs Committees, which could have made some preparatory work, in terms of fostering some common purpose and understanding, have been of little relevance. Hence, prior

to instituting new bodies or second and third chambers, it is worth investigating into the kinds of synergies that will guarantee visibility, and provide genuine platforms for reducing the distance between technocracy and accountability. Interparliamentary committees ought to have institutional teeth and be organised around specific targets, including the clarification of the political objectives of the EU, the sharing of responsibility vis-à-vis commonly agreed EU rules and institutions and equitable burden-sharing. The solution certainly does not lie in instituting new bodies or second and third chambers that may in fact multiply the pervasive sense of 'blurred' accountability that appears to prevail now.

7. National parliaments are not 'free-standing' structures. No one will disagree however that they currently constitute the strongest building block in the process of re-engaging European citizens and awakening EU elites from their political messianism. The more they can be seen to be relevant, the more resources they will have to be relevant.