

National School of Political Science and Public Administration

Doctoral School

PhD Thesis

**“Towards the Supranational via the Intergovernmental:
The role of the European Parliament and of the national
parliaments in a syncretic operational model for the EU”**

- Abstract -

PhD coordinator:

Professor Dr. Iordan Gheorghe Bărbulescu

PhD candidate:

Sorin-Sebastian Niculescu

The paper focuses on the issue of maintaining the European project's democratic character in the context of the integration process' evolution along a national-intergovernmental-supranational path. Its **main objectives** are: (1) analysing the current stage of integration and its associated concerns with regard to legitimacy and democratic representation and (2) formulating a set of proposals to consolidate the EU's operating/development model.

The **concrete questions** that the paper seeks to answer over the course of the research are: What is the current stage of the European integration process and what theoretical framework best reflects this reality? What is the nature of the EU's "democratic deficit" and how does it manifest itself? What are the ways in which the "democratic deficit" can be alleviated?

The methodological approach is mainly qualitative – evaluation of the main existing theoretical models, analysis of relevant documents (legislative acts, strategy papers, political statements), as well as the observation (sometimes participatory) of the EU's decision-making dynamic. Quantitative data is used wherever necessary.

The **first chapter** is focused on the structuring of a syncretic theoretical framework, based on the principles of liberal intergovernmentalism (which offers the best description of the **current stage** of integration), but also incorporating elements of (neo)functionalism (best image of the **trend** of the integration), as well as post-functionalist and *demoicratic* theories (which offer the **optimal prescriptive solutions** for the medium-term evolution of the integration process).

In this perspective:

- The integration process is still ongoing, on the national-intergovernmental-supranational structural-chronological axis. As of yet, there is no consensus among EU member states or citizens concerning the endpoint of this process (the final constitutional, political and geographical parameters of the Union).
- The current stage of integration is predominantly intergovernmental. The legal foundations of the Union are a series of intergovernmental treaties. States remain, *de jure* and *de facto*, the "masters of the treaties", with the capacity to amend, replace or denounce them.
- Member states are still the only actors with real veto power in the EU's institutional architecture and have a decisive influence on the speed and scope of integration. They do not, however, exercise exclusive control over EU processes and the role of supranational structures is growing (though slowly and unevenly).
- The number and magnitude of situations that require a high degree of international coordination and cooperation, and the use of the EU as a geopolitical and economic "force multiplier" is growing. This necessitates the gradual consolidation of the European construction's supranational elements.

- The national-intergovernmental-supranational evolution also manifests itself within the European institutions, not just in their interactions (e.g., the development of certain supranational characteristics and dynamics of nominally intergovernmental bodies).
- There is no integrated pan-European political space yet, nor an EU *demos*, that can allow, in the medium term, a decisive shift of the Union's political "centre of gravity" from the national and intergovernmental levels to the supranational one.
- The current level of European political integration (and corresponding high degree of EU policies' impact on citizens' lives) requires adequate political legitimation, through democratic mechanisms.

The **second chapter** focuses on the analysis of the "democratic deficit" phenomenon and the associated key concepts of legitimacy, democratic representation and accountability. A series of intermediate conclusions are drawn with regards to the main aspects that need to be taken into account in addressing the issue of the democratic deficit in the EU context:

- The EU cannot be characterized as "non-democratic" by any reasonable benchmark, but it does have an incipient deficit that is gradually aggravating, due to the nature of the integration process itself. The current international environment and the succession of crises affecting the Union risk compounding the problem, via the increased use of emergency decision-making procedures and solutions that circumvent or short-circuit normal democratic procedures.
- The deficit's evolution is connected to that of the integration process. There can be no definitive solution to the deficit until an integration endpoint has been clearly defined. Thus, a prescriptive model can only seek to alleviate the deficit. Such a model also has to provide the conditions for the continuation and deepening of EU integration.
- The deficit is primarily generated by the dynamic nature and growing complexity of European integration. The gradual shift of political power along the national-intergovernmental-supranational axis puts increasing strain on the traditional democratic representation and accountability links between citizens and institutional actors.
- The nature of the deficit is primarily political, and is well described by the well-known phrase "*policy without politics/politics without policy*". It affects multiple dimensions of the traditional democratic dynamic, such as: public debate, competition among political agendas, the existence of opposition, electoral validation, democratic representation, accountability. Consequently, strengthening the democratic legitimacy of the European decision-making process requires increasing its degree of "politicisation".
- Such a process of politicisation must take into account three general aspects: (1) the aforementioned national-intergovernmental-supranational axis of integration; (2) the

EU's current predominantly intergovernmental character; (3) the absence of an integrated pan-European political space (and the low probability of one emerging in the near future).

- Under these circumstances, any attempt at alleviating the deficit must target the interaction between the national, intergovernmental and supranational levels, as well as the trend of political power distribution among them.
- At the same time, one must take into account the effects of the EU's intergovernmental character, in particular the fact that states will continue to be essential vectors of democratic legitimacy for the Union as a whole. In this context, two important aspects are: (1) the quality of national democracies and the effects of EU mechanisms upon them; (2) the degree of accountability and transparency of the national representatives to EU intergovernmental institutions.

In the paper's **third part** (chapters III and IV), the European Parliament (EP) and the member states' national parliaments are identified as optimal vectors of the "democratic deficit compensation by politization" process. A strong parliamentary component is necessary to ensure not just legitimacy and representativity in the EU system, but also institutional balance and separation of powers.

Consequently, a prescriptive model is built around increasing the attributes of the EP and national parliaments, in parallel with intensifying inter-parliamentary cooperation in the EU.

In evaluating its institutional profile and perspectives for development, the EP is considered a model of "autonomous parliament", characterised by: (1) institutional and political autonomy; (2) the lack of a parliament-government political fusion and (3) substantial committee activity. The EU's present constitutional framework, correlated with the absence of an integrated pan-European political space, make unviable at the moment the implementation of a *Spitzenkandidat*-type system. Rather, current conditions support the further consolidation of the EP's autonomous role (following a model resembling that of the U.S. Congress).

National parliaments are considered the best-placed actors to address the "policy without politics" and "opposition deficit" issues. They can do this by (1) providing a political debate space that is relevant and close to member state citizens, and (2) by transposing EU issues in the national political spheres ("domestication"). But fostering these roles requires meaningful attributes for the national parliaments, beyond that of "subsidiarity watchdogs".

The concrete measures advanced are:

- giving the EP the full right to legislative initiative (requests from the EP to the Commission for legislative proposals become binding);

- granting a nonbinding right to legislative initiative (“Green Card”) to national parliaments (similar to the currently existing situation for EP proposals, the Commission would not be obligated to act on a request from the national parliaments for a legislative proposal, but would have to motivate any refusal);
- increasing inter-parliamentary cooperation through an institutional inter-parliamentary cooperation *nexus* based on a “COSAC Plus” model.

Such a *nexus* would bring a series of additional advantages, including: (1) assisting national legislatures in efficiently utilizing their competences in the EU framework (particularly if they acquire a “Green Card”-type attribute); (2) creating an additional channel connecting national political options (and electoral mandates) to European policies; (3) intermediating a constant and substantive dialogue between parliamentary committees on a broad spectrum of issues; (4) helping generate and promote best practices in areas of competence.

The set of measures envisaged tackles a series of key aspects of the “democratic deficit” issue, taking into account the fact that, at this time, the deficit can only be mitigated (and maintained in acceptable parameters), not eliminated outright. At the same time, the measures respect the much-needed criteria of realism and feasibility

The formation of an active multidimensional parliamentary space in the EU would ensure: (1) a better connection between the three levels/stages of the integration process (national-intergovernmental-supranational); (2) better access for European citizens to political debates and the EU decision-making process; (3) an important contribution to the formation of an integrated pan-European political space.

Key concepts: democratic deficit, legitimacy, representativity, European Parliament, interparliamentary cooperation