

EVALUATING THE LEGISLATIVE POWERS OF
THE EUROPEAN PARLIAMENT THROUGH THE
EUROPEAN UNION TREATIES

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Abstract

The legislative powers of the European Parliament have gradually increased through the European Union Treaties, making it the institution which has evolved the most since the Union's inception. Since the introduction of direct elections in 1979, the European Parliament had wished to expand its action beyond giving advice on the European Commission's proposals. It expressed its desire to be consulted on a regular basis by both the European Commission and the Council of the EU. At the time the Parliament had constantly promoted the cause of European unity. Within this context, increasing the Parliament's legislative powers and strengthening its role in the EU legislative process had encouraged the development of the EU.

Moreover, the Parliament is considered as the direct voice of the European people being the only EU institution which is directly elected by the citizens of the EU, conveying the citizens' views to the other institutions. Thus enhancing its legislative powers is more than suitable. In this regard, it is important to analyse the Parliament's role in the decision-making process of the Union, and how this role has developed throughout the decades.

This dissertation highlights the Parliament's evolution from an assembly to becoming increasingly powerful, at par with the Council of the EU as co-legislator. The Parliament now adopts the Union's laws and budget along with the Council. In addition, the Parliament must approve whenever there is a treaty change. Finally, this study evaluates the strengthening of the Parliament's legislative powers brought about, particularly, by the latest ratified treaties of the EU, the Treaty of Nice and the Lisbon Treaty.

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List of Abbreviations

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| EU | European Union |
| MEP | Member of the European Parliament |
| TEU | Treaty on European Union |
| TFEU | Treaty on the Functioning of the European Union |

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CHAPTER 1

INTRODUCTION

A rudimentary form of what was to become the European Parliament was established in 1952 as the “Common Assembly of the European Coal and Steel Community” and operated as a purely consultative body. The institution officially changed its name to the current “European Parliament” in 1962 and has constantly evolved alongside the European project. Ever since the first European elections in 1979, Members of the European Parliament (MEPs) have been elected for five-year terms in direct democratic elections. The European Parliament is unique since it is the only institution within the European Union (EU) which is directly elected and therefore represents the citizens of EU member states. Moreover, the Parliament makes decisions on European laws jointly with the Council of the EU. It has also been given the power to approve the EU budget.

In all, there are currently 705 members in the European Parliament representing the European citizens from 27 EU member states. The highest role within the European Parliament is that of the President which involves: ensuring that parliamentary procedures are properly followed; overseeing the operations and committees of the Parliament; representing the Parliament in its international relations and all legal matters; and giving final assent to the EU budget (European Union). The incumbent President of the European Parliament is Maltese MEP Roberta Metsola who was elected in January 2022. Metsola has expressed the need for further strengthening decision-making powers of the Parliament (AP News, 2022). This is closely linked with questions on the EU’s legitimacy due to the constant pressure there has been in order to increase the Parliament’s powers in terms of legislation, which lead to the topic of this study.

In the legislative role, the European Parliament has specific functions. Firstly, the Parliament may approve or reject a legislative proposal, or else propose amendments

to it. This role is a collective responsibility which involves the three legislative branches of the Union: the Parliament and the Council in conformity with the proposals of the Commission. The second helpful role of the Parliament is making decisions on international agreements. This role means that the European Parliament must deliberate on and approve matters concerning international agreements between member states and non-member organisations. The third legislative role of the Parliament is reviewing the Commission's work programmes and advising them to make legislative proposals which touch on the Commission (Grill and Boomgaarden, 2017). Besides the legislative roles, the Parliament has other vital functions, such as discussing monetary policies, electing the President of the Commission, making budgetary approvals, as well as other supervisory and fiscal operations. Taking the above into account, the Parliament's legislative powers have been significantly increased through various EU treaties and this increase puts Parliament on an equal footing with the Council of the EU. However, there are still specific cases where Parliament merely has a consultative role.

The development of the EU treaties created quite a number of controversies within the Union. Various treaties were subject to national referenda and the results of these referenda produced several divisions, not only within the EU, but also in national political arenas. It is within this process that the powers of the EU institutions have grown. At the same time, awareness was being raised on the legitimacy of the EU. Indirectly, this has affected the European Parliament's role. Over time, the powers and influence of the Parliament have expanded and it is regarded as the EU institution which has evolved the most in this respect (European Parliament, 2008). Furthermore, the Parliament can now be considered as an important legislator with its powers in adopting and amending legislation, as well as deciding on the annual EU budget.

Aims and Objectives

The dissertation aims to highlight and analyse the legislative powers of the European Parliament through the EU treaties in order to determine the increase of the

Parliament's legislative powers based on these treaties, with particular reference to the most recent EU treaties: Nice and Lisbon. The research also aims to analyse the impact of these legislative powers on the Parliament's role within the Union, as well as examining the Parliament's lack of legitimacy and authority following these treaties. Additionally, the dissertation discusses whether the Nice and Lisbon treaties have been sufficient in terms of the enhancement of Parliament's legislative powers. By taking this into account, the following research question has been developed in order to reach the objectives of this study.

Research Question

The main research question which will be evaluated throughout this research will be: By analysing European Union treaties, particularly Nice and Lisbon, how did these treaties increase the legislative powers of the European Parliament?

Importance of the Study

In line with the research question, the European Parliament's legislative powers have consistently evolved through the EU treaties. The study of legislative powers of the Parliament from the treaties' perspective is significant because it highlights the substantial powers of the Parliament, which have led to strengthening cooperation within the Union, enlargement of its boundaries, more legislative efficiency, and more accountability in policy-making. It provides important insights regarding the involvement of the Parliament in the EU's legislative process and how this has developed as a result of the treaties.

Moreover, the study delves into the various steps which have led to an increase in Parliament's legislative powers as provided by these treaties, especially the Nice Treaty and the Lisbon Treaty. Due to the fact that the Parliament is the only EU institution whose members are directly elected by European citizens, it is fundamental that it is given a central role in terms of legislation and the decision-making process, being the direct voice of the people of Europe.

Lastly, the research outlines the impressive evolution of the Parliament from merely an assembly to its current influential role within the EU, and how it is indeed necessary that it is granted more legislative powers in order for the citizens of the Union to feel that ultimately their vote in European elections matters, and their elected representatives have an essential impact on EU legislation.

Dissertation Structure

This dissertation is organised into five main chapters. The first chapter contains a general overview of the subject, specifically background information about the European Parliament, the President of the Parliament, as well as its legislative roles. In addition, the introduction outlines the aims and objectives of this study; and the significance of enhancing the legislative powers of the Parliament.

The second chapter is the literature review. This section delves into the legislative powers of the Parliament and how these have shifted throughout the years following the EU treaties, primarily from the Treaty of Rome to the Amsterdam Treaty. The chapter also provides an overview of the Parliament's role in the EU legislative process.

Furthermore, the third chapter portrays the research methodology used throughout the dissertation, namely qualitative methods. As explained in this chapter, the use of document-based research, particularly primary sources, has been highly important in order to sufficiently evaluate the evolution of the Parliament's legislative powers over the years from a treaty perspective. Nonetheless, this section also notes the research limitations, in addition to the limitations the EU treaties had in relation to the powers of the Parliament.

The fourth chapter is the analysis. This chapter seeks to address and answer the research question put forward in this study. Moreover, this part focuses on the significant legislative changes made to the Parliament's legislative powers as a result of the Nice and Lisbon treaties. The analysis also makes reference to the reaction of MEPs prior to the entry into force of the Lisbon Treaty, and discusses the shortcomings of both treaties in connection with the legislative authority of the Parliament.

Finally, the concluding chapter brings together the ways in which the research question has been addressed in the previous sections. Besides this, it underlines the importance of the Parliament within the Union and the significance of its legislative powers constantly increasing through the EU treaties; however these still remain insufficient to a certain degree. The conclusion also includes the limitations of the study and the way research can be further developed in the future.

CHAPTER 2

LITERATURE REVIEW

Introduction

The European Parliament is the only directly elected institution of the European Union (EU), with its powers increasing from one treaty to another. This chapter will delve into these powers, particularly the legislative aspect, and how the procedures take place. Other than budgetary and supervisory powers, the European Parliament also has legislative powers. In terms of its legislative role, the Parliament, in collaboration with the Council of the EU, passes EU laws based on European Commission proposals, makes decisions on international agreements and EU enlargements, and reviews the Commission's work programme, as well as asking it to propose legislation (European Union).

Following the Lisbon Treaty's entry into effect, the European Parliament now shares decision-making authority over the EU's annual budget with the Council of the EU, and must be agreed by both institutions. The draft budget is proposed by the Commission. After an agreement on the draft budget is reached, the Council and the Parliament have 14 days to formally approve it. If an agreement is not reached, the Commission has to present a new draft annual budget (European Union).

The Parliament, along with the delegates of EU member states in the Council, enacts EU law. Both institutions function as equal co-legislators in the typical legislative process. Other processes may be necessary for certain circumstances. The conventional legislative process places the Parliament consistently with the Council in the passage of legislative acts. The constituent assembly protocols, which apply exclusively when Parliament has only an advisory role, are distinguished (Judge and Earnshaw, 2003). At times, the EU provides advisory opinions on specific questions such as those involving taxation. In other situations, the treaty makes consultation mandatory since the statutory justification mandates it, and the proposition cannot become law until Parliament has given its view. In this circumstance, the Council does not have the authority to make a judgement on its own.

Moreover, the European Parliament has a variety of oversight and regulatory authorities. These features allow it to exercise oversight above other organs, monitor the proper use of EU funds, and ensure that EU law is appropriately enacted. The European Council establishes the Union's overall ideological aims and agenda. The EU's other legislative branch is the Council of the EU which consists of government ministers from the member states. The European Commission is the EU's executive arm and the keeper of the treaties. The European Council, for instance, describes the Union's general political priorities and direction as it is made up of EU heads of state and government. Ministers of member states together make up the Council of the EU (Scully, 2005). In matters of EU law, the European Court of Justice is the supreme court of the EU. It interprets EU legislation and guarantees that it is applied equally in all member states.

This chapter will analyse the development of the European Parliament and its role within the Union, as well as the institution's limitations and how it has been strengthened throughout the years. In addition, the chapter will provide an overview of the EU legislative procedure, and will also look into the Parliament's legislative evolution through the EU treaties, from the Treaty of Rome to the Amsterdam Treaty.

The Importance of the European Union Treaties

The EU treaties serve as the foundation for the Union and its institutions. Rule of law is at the heart of the EU. This means that every action taken by the EU is based on treaties that all member states of the Union have democratically and voluntarily agreed to. The European Commission, for example, cannot propose a law in a policy area which is not mentioned in a treaty. Treaties are binding powers amongst EU member states. These treaties lay the goals of the EU, and how these goals could be achieved in the institution, their standards for decision-making procedures in organisations, as well as the EU's interaction with its constituent countries. This makes it easier for each member state to be kept accountable in making sure that they follow the rules and regulations provided by each treaty (European Union).

Furthermore, treaties change to enhance the EU's visibility and accountability, adapt to the new member countries, as well as develop collaborative relationships, such as the single currency. Another reason for this is to be able to adapt to the changing needs within the region. In this regard, it is significant that the European Parliament is given more powers. This has also been highlighted by the newly elected President of the Parliament, Roberta Metsola (AP News, 2022). Many scholars, such as Williams (1991), have suggested that increasing the powers of the Parliament can alleviate the problem of the EU's so-called "democratic deficit." However, while the Parliament's powers have continuously grown over time, citizens' participation in European elections – the EU's only directly democratic element – has decreased, not taking into account the most recent European elections in 2019, which registered the first ever increase in voter turnout. As a result, notable academics, such as Majone (2002); and Moravcsik (2002), argue that the issue of the democratic deficit cannot and should not be resolved by the Parliament itself. Nevertheless, other commentators state that the poor overall turnout in European elections has little to do with the powers of the Parliament. This is due to the fact that European elections are simply viewed as mid-term or second-order national contests compared to the more important national elections where there is more at stake (Hix, Noury and Roland, 2007).

Signatories may enact laws, which member states must subsequently execute according to the treaties. The EUR-Lex repository of EU law contains the whole texts of treaties, legislation, case law, and legislative initiatives. The treaties ensure that all EU member states are kept in check in terms of their performance in various sectors and aspects (European Union).

The Development of the European Parliament and its Role in the European Union

Although the European Parliament, like the Council, has legislative authority, it does not have the same statutory right of initiative as most national parliaments in member states, since the right of initiative is reserved for the European Commission. The European Parliament is the "first institution" named in the treaties and given ceremonial priority over the other EU institutions, and it has equal legislative and financial powers with the Council except on a few issues in which the special

legislative procedures apply. It also has equivalent authority over the EU budget. The European Commission, which functions as the EU's executive body, is ultimately responsible to Parliament. The Parliament, in particular, has the power to accept or reject the European Council's choice for President of the Commission, as well as to approve the Commission's whole appointment. It may then use a motion of censure to compel the present Commission to resign (European Parliament).

The MEPs meet once every month for a plenary session in Strasbourg. The bulk of the other work, such as committee hearings, is done in Brussels. The Parliament's specialist committees include international policy, finances, agriculture, financial and fiscal affairs, labour, gender equity, people's rights and liberties, the ecology, and geographic affairs. Occasionally, temporary committees are formed to handle matters of exceptional importance. A secretariat assists the Parliament in its operations, spending most of its time translating and interpreting between the 24 official languages of the EU.

Furthermore, the European Parliament's competences, which were first mainly consultative, have evolved in several domains as integration has developed. The Lisbon Treaty gave the Parliament greater legislative powers when it took effect in 2009. The European Parliament's co-decision methodology, in which the European Parliament endorses legislation in partnership with the Council of the EU, the decision-making body consisting of ministerial delegates from member states, has been expanded to cover a wide range of policy issues (European Parliament). The organisation also serves as a democratic monitor on other EU organisations, particularly the Commission. It has the power to appoint and remove the President of the Commission.

In addition, the Parliament has the power to approve or reject the appointment of Commissioners and the right to censure the Commission as a whole. During its term, the Commission is politically accountable to the Parliament. The Parliament can pass a motion of censure calling for the Commission's resignation. The Santer Commission resigned in 1999 instead of facing a censure resolution, despite the fact that one had never been approved. In only a few decades, the European Parliament has grown to become one of the most influential legislative bodies and is the EU institution which has undoubtedly evolved the most throughout the years. Since it is

the EU's sole directly elected entity, it owes its strength to the prospect of resolving the organisation's democratic deficiency. By turning people's choices into European law, the Parliament is expected to strengthen the honesty and accountability of the EU decision-making procedure and push the EU closer to its citizens. Hence, this further enhances the Parliament's position within the Union, in addition to increasing its importance. The Parliament's capacity to achieve these aims is primarily determined by how it arranges its work and engages with other public bodies. It has significant power, having been given the authority to establish its specific guidelines.

Along with the Council, the Parliament in most cases negotiates and adopts legislative acts through the ordinary legislative procedure. The Parliament also approves the annual EU budget, in addition to overseeing other EU institutions. The Parliament is responsible for ensuring that signatories always act fairly. The Council and the Parliament collaborate closely. Both institutions cover proposed legislation and the budget.

At all times, critical decisions must be submitted before the European Parliament for approval. As a result, each country must have representatives in the Parliament. Additionally, the Parliament makes pronouncements on issues that the European Council's heads of state and government discuss during regular summit meetings.

Limitations of the European Parliament

The democratic legitimacy of the European Parliament has been called into question on numerous occasions by a number of institutionalist scholars (Moravcsik, 2002; Follesdal and Hix, 2006). Critics argue that the EU's institutional structure, particularly the Parliament's weakness, allows for very limited responsiveness and accountability to the public, weakening the EU's legitimacy. As a result, successive treaty changes have enhanced the Parliament's powers (Hahm, Hilpert and König, 2020).

The main reason for this is that EU treaties such as the Maastricht Treaty and the Amsterdam Treaty have been amended in respect to changes in legislative authority. In terms of decision-making, the revisions have led to drastic changes in the EU to hold more power and influence, while the member states have less. The right of

national governments to veto any proposal has been taken away by these treaty modifications.

The Parliament choices have enlarged the number of policy areas over which it has authority, and it has been given more powers as a result of these modifications. Regardless of the Parliament's increased legislative and oversight powers, the turnout for European elections has consistently decreased throughout the years, apart from the 2019 European elections. The number of people who vote in European Parliament elections has always been relatively low which indicates that public support has consistently declined in the post-Maastricht period despite the empowerment of the Parliament. Additionally, the rise of Eurosceptic parties has played a major role in this regard. One of the reasons behind this is that the European Parliament has been chastised for its lack of democratic legitimacy. Even though new positions and tasks have emerged, members of national parliaments have been assigned to such positions and tasks. Nevertheless, politicians state that it has not provided them with the necessary resources and any genuine authority for national parliaments to steer EU choices (Hahm, Hilpert and König, 2020).

It is often assumed that the Union suffers from a profound lack of democracy. There are a variety of explanations behind such views. The Commission headquarters are in Brussels, which is far away from the general population. This encourages individuals to believe such an explanation because the Commission seems rather too inaccessible to be held democratically accountable. People tend to believe that because the headquarters are located in Brussels, the national governments play second fiddle (Brandsma, 2018). People also tend to believe that the elected members of the legislature are somehow trustworthy. As a result, the European Parliament does not have sufficient authority over the decision-making process. The reality that the European Commission is not held accountable aggravates the problem. In this regard, some scholars argue that it should be held equally accountable for its decisions (Warasin, 2021). People are less likely to see a connection or link between their domestic and professional lives and, to a certain extent, liberal and progressive EU politics.

Jürgen Habermas (2013) claims that although the Commission, the European Central Bank, and the European Court of Justice are the least subject to democratic

constraints, these institutions have had the most profound impact on the daily lives of European citizens over the decades. Moreover, the European Council, which has assumed the lead in times of crises, consists of heads of government whose responsibility in the eyes of their constituents is to advocate their various national interests in the seemingly distant Brussels. The European Parliament was meant to build a bridge between political squabbles in national arenas and the crucial decisions made in Brussels, however, this bridge is nearly deserted. Consequently, at a European level, there is still a gap between the opinion of citizens and will formation, on the one hand, and the policies being implemented, on the other, in order to solve pressing problems. Additionally, this explains why public perceptions of the EU and views about its future growth have remained largely nebulous (Grozelier *et al.*, 2013).

How the European Parliament has been strengthened

The European Parliament has steadily grown in power since its inception. This is highly significant because it is the only EU institution directly elected by EU citizens. The Parliament has supervisory powers over the other institutions within the Union, most notably the European Commission and the Council of Ministers, in addition to its capacity to co-decide legislation. Moreover, the Parliament personifies the "citizen's foot in the door" to the EU legislative process. In the past, it consistently opposed national and EU policies, therefore acting in the best interests of its constituents (Servent, 2018).

In this context, reforms are critical to enhancing the EU's democratic aspect by giving the European Parliament greater direct powers. The Parliament must be able to fund itself. The body representing voters should, as in every democracy, decide on the Union's budget allocations, whereas the Parliament currently finds itself in the unusual position of representing citizens but having no authority to tax or decide on the EU's resources. The necessity to safeguard Next Generation EU's debt through methods that allow the formation of fresh assets without passing through a popular referendum of the states makes this shift even more imperative.

The Parliament must be able to make decisions on the cooperation of individual states' business and employment strategies on an equal basis with the Council. It should also have legislative proposal authority in complement to the authority's approach power in the event of inaction by the Commission. Concerning the treaty revision process, its significance must be bolstered. While the scrutiny and budgetary powers of the Parliament are important, the most significant development in the Parliament's growing assertiveness has been the gradual expansion of its legislative authority (De Clerck-Sachsse and Kaczyński, 2009).

The European Parliament is consulted and given an opportunity to comment on a treaty while it is being moulded and developed. With each succeeding treaty, the Parliament has gained additional democratic, supervisory, and legislative powers. For instance, the Treaty of Brussels granted the Parliament the power to examine the EU accounts at the end of each year and determine whether the Commission spent the EU funds wisely and accurately. The Single European Act included additional provisions requiring Parliament's approval before a new state could join the EU (Shackleton, 2017). The Amsterdam Treaty provided the Parliament with a significantly stronger role in co-legislating with the Council on a wide variety of issues governed by EU law.

Understanding the EU Legislative Process

The European Commission, the Council of the EU and the European Parliament are the primary actors in the EU legislative process. Co-decision is the standard parliamentary approach for environmental concerns. Other methods, on the other hand, have their own set of regulations. By submitting draft legislation to the other institutions, the Commission has the exclusive authority to start a legislative process. The proposal is predicated on deliberations with experts and key stakeholders as well as a Commission independent analysis. The recommendation is sent to the Parliament and the Council simultaneously, as well as all devolved governments and, where appropriate, the Committee of the States, and the Economic and Social Committee. These institutions are all expected to give their thoughts to the Council, the Parliament, and the Commission. The Parliament and the Council commence an

internal discussion on the Commission proposal under the co-decision process, which should conclude in a joint view (European Parliament).

The process in the European Parliament begins when the appropriate committee elects a representative of the Parliament to serve as their rapporteur and prepare a report outlining the Parliament's suggested revisions to the Commission's draft. Each political party also appoints a legislator, known as a shadow rapporteur, in order to coordinate the rapporteur's work and formulate the group's position. Within the competent parliamentary committee, the rapporteur's report is examined, amended, and voted on. In a plenary session, the committee's report, which amends the Commission's proposal and amendments submitted by other relevant parliamentary committees, is considered, and voted upon. Based on the practical or ideological nature of the intelligence reports, the process normally takes around 13 to 15 months.

Parallel to the Parliament's sessions, the Council meets in working groups to debate the Commission's proposal. These groups consist of experts from the member states and are chaired by the member state which holds the Council's six-monthly presidency. The working groups report to COREPER, which prepares the decisions to be taken by the Council of Ministers, which comprises representatives from the member states. They present a single position that is finalised after taking into account the viewpoint of the Parliament. The Council's process takes an average of 24 to 31 months. The Parliament, the Council, and the Commission frequently hold informal institutional meetings known as trilogues to reach a first-reading consensus. The goal is to negotiate and revise modifications in order to generate reasonable statements with the Commission's help.

Furthermore, the Council's decision is officially approved at first reading and transmitted to Parliament which has four months to respond. The second reading approach follows the same principles and processes as the first reading procedure. The exception is that the information to be changed is the Council's opinion at first reading rather than the Commission's proposal. Only in situations where the Parliament and the Council have differing viewpoints are amendments from the Parliament permitted. Modifications to parts of the text that have already been voted on are not permitted. The ultimate legislative act is signed by the Presidential

contenders and Secretaries-General of the Parliament and the Council. It is printed in the Approved Gazette after legal assessment and translated into all major languages of the EU. The official process of converting European legislation into domestic law may then commence. If a legislative proposal is rejected at any stage during the procedure, or the Council and the Parliament cannot reach a compromise, the proposal is not adopted and the procedure is ended. Only a new proposal by the Commission can start a new procedure (European Parliament).

The European Union Treaties

The treaties of the EU are a series of treaty obligations involving EU member states which establish the EU's legislative foundation. They create various EU institutions as well as their mandates, processes and goals. The Union is based on a set of legal agreements between its member states. Later in 1957, with the ratification of the first treaty in Rome, the European Economic Community was established. In 2003, the EU drafted a draft Constitutional Treaty. As the fundamental legal instrument directing the functioning of the United Nations, this treaty was meant to replace all earlier treaties. This treaty was revoked in 2005 following referenda in France and the Netherlands. A treaty was drafted as a replacement. Due to its similarities to the last failed deal, the current one has stirred controversy. As a consequence, Ireland's referendum in 2008 rejected the EU charter (Geiger *et al.*, 2015). However, it was later overturned and approved after a victorious second referendum. The EU may only operate within the scope of the powers provided to it by these treaties. Any changes to the treaties require the approval and confirmation according to the national procedures of every member state.

The Treaty of Rome (1957)

The European Economic Community, which eventually became the European Union, was established by the Treaty of Rome. A parliament, a European Parliament, a Council of Ministers and a European Court of Justice were established by the treaty. This treaty placed a strong emphasis on trade relations. It attempted to enhance partnerships on a wide variety of economic and commercial concerns, from

agribusiness to international aid. It not only laid forth a broad political vision for an ever closer Union to remove the gap between trade and taxation, but it also outlined a broader political goal for 'eliminating the gap' between trade and taxation. The Rome Treaty also led to the establishment of the European Atomic Energy Community (EURATOM).

As a result, the consultation phase was the Union's first effort to increase Parliament's involvement in the legislature and address the Community's loss of sovereignty. This process required the Council seeking Parliament's approval of legislative measures before being adopted, and it deems legislation that has not been subjected to the required deliberation invalid. Then, a legislative proposal would be approved, rejected, or amended by the European Parliament. The Council is not contractually bound to consider the Parliament's views; however it should not make a decision without first obtaining them, in accordance with the Court of Justice precedent. An advisory role in 1957 was provided to Parliament by the Treaty of Rome wherein, the Commission suggested legislation, and indeed the Council enacted it.

The Merger Treaty (1965)

After being signed in April 1965, this treaty, also known as the Treaty of Brussels, became effective in 1967. Its primary goal was to merge and combine the three bodies: judicial, legislative, and administrative. Its other purpose was to simplify and revise the European communities, including the European Atomic Energy Community, the European Coal and Steel Community and the European Economic Community.

The Single European Act (1986)

The Single European Act was the first move by EU members to change the Treaty of Rome's structure. The major impact of the Single European Act was to establish a timetable for the formation of a fully integrated common market by 1992. The Single European Act removed discriminatory policies in a variety of private sector

industries as well as in the government sector. It also worked for tighter integration by reducing the time needed to adopt legislation and bolstering the European Parliament, in addition to establishing a European international policy.

Moreover, the Single European Act introduced qualified majority voting for all legislation pertaining to the common market's completion. Under this system, each member state was given multiple votes, the number of which varied depending on the country's population and legislation required two-thirds of all members' votes to pass. The Parliament's role was also enhanced as a result of the new procedure. Legislative proposals which were rejected by Parliament could only be implemented by the Council if the proposals received unanimous approval (Kreppel, 2003).

After its signing in 1986, the Single European Act successively extended the Parliament's prerogatives including ensuring that its assent was mandatory before a new country could join the EU (Walters, 2021).

The Maastricht Treaty (1992)

Two fundamental processes were accelerated by the Maastricht Treaty to expand the obligations and strengthen integration within the European Communities. The Treaty of Rome was altered, however, it made significant progress toward the goals outlined in the Single European Act for developing a European political union, particularly in social policy and the economic and monetary union. Additionally, it established a new community model based on three pillars which included economic ties, foreign policy, and justice and home affairs in broad terms. It granted the European Parliament more power, created the notion of European citizenship through the co-decision approach in decision-making and developed the decentralisation doctrine. This treaty also altered the identity of the organisation to the "European Union" as it is presently known.

The Maastricht Treaty's right of initiative has been enhanced to include a requirement for the Commission to present the Parliament with its explanation for not submitting their initiatives in their existing form. This authority permits the Parliament to propose the Commission to present any acceptable legislative proposal on matters where it believes a Community act is necessary for the treaty's

implementation by members' majority. In this regard, the Commission was reformed to increase its accountability to the Parliament.

Furthermore, the reform of the EU legislative process was one of the most radical reforms brought about by the Maastricht Treaty. In the Council, the range of policies subject to qualified majority voting was expanded, whilst in most areas subject to qualified majority voting, the treaty awarded the Parliament a limited right of rejection over legislation, and in a few areas, such as citizenship, it was given veto power (Kreppel, 2003).

The Treaty of Amsterdam (1997)

The Amsterdam Treaty was primarily an effort to tie up all of the unanswered questions of the Maastricht Treaty. The Treaty of Amsterdam's largest symbolic act was the mechanism constructed for the potential admission of ten additional member states, largely from formerly communist Eastern Europe. The Schengen Convention was incorporated into EU law, enabling several member states to enjoy open borders. It gave the Common Foreign and Security Policy (CFSP) further responsibilities by selecting a spokesperson to supervise EU international affairs (Hirsch, 2017). It changed EU decision-making by increasing the number of outcomes subject to qualified majority voting.

Further, the Treaty of Amsterdam provided the European Parliament with a significantly stronger role in co-acting with the Council on a wide variety of matters governed by EU law, including regulatory oversight, the freedom to work lawfully in other countries, and environmental concerns, among others (Walters, 2021). With the entry into force of the Amsterdam Treaty, the Parliament and the Council are jointly responsible for the adoption as well as the failure of proposed legislative acts (Maurer, 2003).

Moreover, the European Parliament is engaged and given an opportunity to comment on a treaty while it is being moulded and developed. According to Walters, with each subsequent treaty, the Parliament has gained additional participatory, regulatory, and legislative responsibilities. After being signed in 1975 the Treaty of Brussels gave the Parliament the power to examine accounts of the EU annually to determine if the

Commission allocated the EU funds properly and accurately. The Lisbon Treaty, which went into effect in 2009, reinforced the European Parliament, granted national parliaments greater influence in shaping the trajectory of European policy and provided EU citizens the right of innovation. This will be investigated in more detail in the analysis chapter of this study.

Shortcomings of the European Union Treaties in terms of the European Parliament

Nonetheless, some critics argue that the EU treaties have not completely addressed the issue of a lack of powers vis-à-vis the European Parliament. The adoption of the co-decision procedure looked to give the Parliament greater authority over the legislative process. However, there has been substantial debate on the influence on the EU's legislative efficiency, with some authors, such as Gosalbo Bono, 1995 and Nugent, 1998, claiming that the procedure for transferring draft acts between EU institutions is too complicated, long, laborious, and time-consuming. Given the potential for additional legal bases where co-decision may apply, in addition to the possibility for the procedure's scope of application to be expanded, the ability to conclude after the first reading may result in time savings for a greater number of legislative proposals. In light of this, the Parliament is likely to improve both the process of adopting the relevant amendments, as well as their quality (Maurer, 2003).

Furthermore, the Parliament remained mostly marginalised in the legislative process, prompting the literature to highlight the "democratic deficit" which affects EU Justice and Home Affairs (JHA) policies. Nevertheless, the Maastricht Treaty required the Presidency and the Commission to regularly inform the Parliament of discussions related to JHA issues. The treaty also stipulated that the Presidency "shall" consult the Parliament on the major aspects of JHA activities and make sure that the views of the Parliament "are duly taken into consideration." In spite of this requirement, the Parliament still had limited competences in relation to JHA. During the integration phase of the Amsterdam Treaty, the Parliament's authority-seeking strategy continued. This was reflected, for example, in various Parliament resolutions enacted following the Amsterdam Treaty, in which the Parliament expressed concerns about several issues. Firstly, a lack of transparency in the

Council's legislative debates; secondly, the Parliament's lack of participation and non-systematic consultation in international agreements on judicial cooperation in criminal proceedings and police, as well as the EU's overall external strategy in the Area of Freedom, Security and Justice (AFSJ); thirdly, the absence of complete and timely involvement of the Parliament in the drafting and updating phases of the legislative and operational programme in the AFSJ; and lastly, the existence of significant gaps in the promotion and protection of fundamental rights by means of policies connected to the AFSJ. All of these factors were deemed critical by the Parliament in preserving democratic legitimacy and legal certainty in AFSJ decision-making processes (Carrera, Hernanz and Parkin, 2013).

Theories of the European Union Treaties

During the European construction process, there were three primary ideas: neo-functionalism, intergovernmentalism, and federalism, as well as a few lesser theories. The EU's unique situation cannot be explained or comprehended through the lens of just one country and one of these ideas. Consequently, it often combines elements from all of them. One theory is more essential than another, in accordance with the political beliefs of each individual involved in the process. On the other hand, a melting pot of them is typically the result of a compromise between diverse actors. Theories are essential in three ways: explaining the history, evaluating data, and predicting the future. It is important to comprehend why the integration process has taken such a long time to reach its present structure in order to understand how the EU functions now and the challenges faced by major players, including the European Parliament, which have participated in the European construction process to further enhance the EU project (Hooghe and Marks, 2019).

Intergovernmentalism

This hypothesis is based on inter-state agreements. Since states are seen as the last recipients of sovereignty, it supports coordination to resolve conflicts among members of the organisation. According to this viewpoint, state leaders do not have the authority to hand over the power of their people to an artificial entity. It also

connects voters' emotional devotion as something unique that cannot be transferred to any other political entity. Moravcsik, an American professor at the University of Princeton, is the major proponent of this theory. According to transactionalists, cooperation between states is only feasible when they have some shared goals or values. As a result, only the states that have shared interests may cooperate and coordinate their policies. Since the state is the political authority, every international community institution should function as a civil servant, with no independence or political power of its own (Viola, 2015). In this regard, European cooperation should be founded on member states, not European citizens, institutions, or other entities.

Agreements between states and good faith in their dealings should serve as the foundation. The argument put forward here is that common institutions should just serve as platforms for discussing and resolving various issues. Of course, the majority vote method is unacceptable since unanimity is the only option for all states to defend their viewpoints while maintaining control over the process. This theory is undoubtedly excessively state-centric, ignoring day-to-day policy-making and does not consider many other essential aspects involved in the process. In any case, it has played an important part in European integration, such as the significant function of the Council of the EU. It represents the member states and is the EU's principal body for decision-making.

In any case, as the co-decision system evolves, the European Parliament shares the Council's role to a greater degree following each treaty and the Parliament can ultimately be described as being at par with the Council in terms of decision-making. This will be discussed and analysed to a greater extent throughout the next chapters. It is important that one emphasises the importance of the Parliament since it is the only directly elected body in the EU and therefore considered the citizens' voice in the Union. Additionally, the Parliament can be described as a unique example of multilingual and multinational democracy at work.

Conclusion

This chapter has highlighted, particularly, the legislative powers of the European Parliament, as well as its limitations and how it has been empowered over the years

to become the EU institution which has evolved the most from what was initially a common assembly. Moreover, the EU legislative process has been outlined and how this takes place together with the major players involved. An overview of the EU treaties with regards to the legislative powers of the Parliament has also been provided. Finally, the most recent treaties of the EU, Nice and Lisbon, will be examined in the analysis chapter. The research methodology of this dissertation is portrayed in the following chapter.

CHAPTER 3

RESEARCH METHODOLOGY

Introduction

This chapter focuses on the research methods used throughout this dissertation. First and foremost, the research makes use of qualitative methodology. This type of methodology is critical to understand why the European Parliament constantly seeks an increase in its legislative authority, and to what extent the treaties of the EU, especially Nice and Lisbon have tackled this issue.

In light of the above, the following research question has been articulated for the dissertation: **By analysing European Union treaties, particularly Nice and Lisbon, how did these treaties increase the legislative powers of the European Parliament?**

The rationale behind this research question is to first evaluate the EU treaties from the Treaty of Rome to the Amsterdam Treaty and look into how these treaties have gradually developed the legislative powers of the Parliament. This is done by reviewing the literature on the Parliament's powers as a result of each treaty, as well as the consistent requests of the Parliament's members to have a stronger voice in terms of EU legislation, especially after the 1979 European elections, which were the first ever to be held, allowing European citizens to directly elect the MEPs. This emphasised the Parliament's position regarding the importance of being granted more legislative powers.

Then, through the analysis, the study turns its attention to the Nice and Lisbon treaties, the two latest treaties of the EU. In this section the effects of both treaties on the Parliament's legislative authority are discussed. In this respect, Nice and Lisbon are given more prominence due to their expectations in relation to the Parliament's powers, and whether the outcomes have met those expectations. In view of this, the weaknesses of these treaties are also assessed. Additionally, the two treaties are compared with each other in order to thoroughly analyse which treaty provisions were more effective to increasing the legislative powers of the Parliament, and

addressing the issues put forward by its members. Lastly, the research question aims to create a discussion about what else is necessary for the Parliament to gain more authority in EU legislation and maintain its position at par with the Council of the EU.

Research Analysis

This research looks into a variety of resources which are essential in order to significantly evaluate the legislative powers of the European Parliament through the EU treaties and consequently answer the research question of this dissertation. The study uses qualitative methods and document-based research, mainly the EU treaties as primary sources for more effective analyses. Secondary sources are also important for this research since, by means of news articles, they provide the point of view of the newly elected president of the European Parliament. This is valuable because the research takes into consideration the opinion of the President concerning the substance of enhancing the Parliament's powers and bringing the Parliament closer to European citizens. It is also significant for the reason that this research also looks into contemporary thoughts with regards to how the Parliament has developed on a European level and to the legislative position it is in nowadays in contrast with the past.

The purpose of qualitative research is to understand why increasing the legislative powers of the Parliament is important, as well as how these powers have been strengthened for the duration of the EU project with distinct reference to the Nice and Lisbon treaties. Moreover, qualitative research helps explain the EU legislative process and the various influences in this context (Hennink, Hutter and Bailey, 2020).

In line with the main steps of qualitative research, the study selects various websites and subjects relevant to the research question. The dissertation also collects the necessary data and provides an interpretation of the collected data, while seeking to minimise the research limitations as much as possible. By means of this data, the research evaluates the development and increase of the Parliament's legislative powers through the EU treaties. The data also provides meaning of why this increase

is important to the Parliament's evolution and influence on the EU legislative and decision-making process. In addition, the research question specifically mentions the Nice and Lisbon treaties, being the latest ratified EU treaties and their impact as regards to the study. This requires collection of further data as portrayed throughout the analysis chapter (Bryman, 2016).

The study utilises multiple sources, such as the official websites of the EU and the European Parliament as well as other official documentation linked with the Parliament. These sources are useful in order to extract data on the EU treaties and their impact on shifting and improving the Parliament's legislative powers.

Furthermore, important data is gathered and assessed from various scholars who focus on the Parliament's role in EU legislation and how its capabilities in this regard have evolved as a result of the treaties. The research also goes through the minutes of the parliamentary sittings leading up to the entry into force of the Lisbon Treaty. This is beneficial to grasp what the reaction of MEPs was during this process, besides being aware of their demands and what suggestions they had for the provisions of the Treaty of Lisbon to have greater effects on the Parliament's legislative powers. On top of this, it highlights the lobbying which has taken place between the EU institutions which are consistently competing for legislative powers, hence the persistent divide between the Parliament, the Council and the Commission.

Research Limitations

Nevertheless, it is important to point out other research methods which would have been ideal for this study, as well as the limitations which the research has come across.

Firstly, a difficulty arose while analysing the minutes of parliamentary sittings since some MEPs addressed the Parliament in their original languages. Hence, it was quite inconvenient to completely comprehend what the MEPs were expressing during their speeches. In spite of this, the reports drawn up in addition to other relevant documents were still sufficient and essential in order to understand what other powers MEPs requested. Another research limitation is due to the fact that not all documents are released and available in the public domain, therefore potentially

crucial internal dialogue remains largely inaccessible. Nonetheless, analysing the speeches and reports by MEPs as well as official European Parliament statements proved to be satisfactory for this research.

Further research constraints emerge because of the treaties themselves as a consequence of their limitations as regards to increasing the legislative powers of the Parliament. In this context, the shortcomings of the EU treaties, in particular Nice and Lisbon, are evaluated through academic debate.

Conclusion

Although the research has the limitations outlined above, the study still manages to gather the required data which shows and gives an explanation of the powers gained by the European Parliament in the last two treaties of the EU. By means of a number of sources discussed previously the research considerably undertakes the subject of this dissertation and therefore answers the research question accordingly.

The next chapter analyses, through qualitative methods, the impact of the latest EU treaties, Nice and Lisbon, on the Parliament's legislative powers; therefore, it aims to address the research question with a high degree of accuracy. In accordance with the research question, the Parliament's legislative authority has steadily increased subsequent to each treaty, making it the institution which has evolved the most within the Union since the Union's inception. Nonetheless, the analysis chapter shows that there is still more to be done in order for the Parliament to deal with its lack of legitimacy and to have a greater role in the EU legislative process, despite the meaningful efforts of the Nice Treaty and the Lisbon Treaty.

CHAPTER 4

ANALYSIS

Introduction

This chapter will focus on the most recent EU treaties: Nice and Lisbon, and how the European Parliament's legislative powers have been enhanced in relation to both treaties. When it first met in 1952, the European Parliament, like all other EU institutions, was not designed to have its current form. It originated as the Common Assembly of the European Coal and Steel Community (ECSC) and is one of the oldest common institutions. At the time it was merely a consultative assembly of 78 appointed parliamentarians, selected by the member states' national parliaments, with no legislative powers (European Parliament).

The empowerment of the European Parliament, the world's only directly elected supranational body, has been one of Europe's most significant democratic accomplishments in recent decades. According to Hix and Hoyland (2013), neither the Nice Treaty of 2003 nor the Lisbon Treaty of 2009 made any major modifications to the Parliament's powers in the EU legislative process. Nonetheless, the Lisbon Treaty created co-decision as the Union's new "ordinary legislative procedure" which, with a few minor exceptions, is currently applied to all areas of EU law. In addition, the Treaty of Lisbon established a single budgetary mechanism, which gave Parliament a say in all sectors of EU spending (Hix and Hoyland, 2013).

Although proponents point to the Parliament's growing institutional importance, it confronts a number of public perception issues. Some critics argue that the Parliament lacks the legitimacy of national parliaments and has limited power. According to other commentators, the complexity of the EU legislative process adds to the lack of public interest and knowledge of the Parliament's actual role, which has resulted in a downward trend in European Parliament election turnout. Another issue is whether Members of the European Parliament (MEPs) represent European or national concerns; many MEPs campaign on national matters rather than European ones and many voters perceive European elections as a national mid-term, secondary election (Archick and Mix, 2010).

Treaty of Nice

The Treaty of Nice aimed to alter the EU's institutional framework in order to meet the challenges of the new enlargement. The Nice Treaty strengthens the European Parliament's legislative and supervisory powers, and qualified majority voting is extended to more areas within the Council. Moreover, under this treaty the Parliament, like the member states, the Commission, and the Council, was given the power to bring a legal challenge to acts of the Commission, the Council or the European Central Bank on the basis of a lack of competence, a violation of an essential procedural requirement, a violation of the treaty or any rule of law relating to its application, or a misuse of powers. Article 191 was turned into an operational legal basis for the adoption of regulations governing political parties at EU level and rules regarding their funding under the co-decision procedure, in accordance with a proposal by the Commission. Hence, the Treaty of Nice laid down a new legal basis stipulating that matters concerning the statute for members and the financing of European political parties are subject to the co-decision procedure. Through the Nice Treaty, the Parliament's legislative powers were bolstered by a small expansion of the scope of the co-decision procedure and the requirement that expanded collaboration in areas covered by co-decision receive Parliament's approval. Should the Council take a view on the risk of a substantial breach of fundamental rights in a member state, the Parliament must be consulted (European Parliament).

By means of the Treaty of Nice, the European Parliament continued to gradually evolve within the EU. Through this treaty, the role of co-legislator of the Parliament was strengthened and the co-decision procedure was applied in areas involving anti-discrimination, immigration, asylum, visas, economic and social cohesion. Nevertheless, in preparation for the Nice Treaty discussions, the Parliament suggested that co-decision would be extended to all legislative acts and that it would be linked to qualified majority voting automatically. However, the negotiations resulted in just a minor extension, which did not cover all first-pillar issues or the Common Agricultural Policy (Héritier, Moury and Schoeller, 2015).

Furthermore, other scholars argue that the Treaty of Nice failed to produce wide-ranging changes and was considered as a disappointment for the European Parliament, even though it was granted the status of "privileged litigant", allowing it

to dispute the actions of other institutions in front of the European Court of Justice. Still, none of its other demands were fulfilled: co-decision was limited to, essentially, non-controversial subjects and it was not related to the use of qualified majority voting. As a result, crucial areas like agriculture continued to exclude the Parliament from the decision-making process. Thus, with regards to the Nice Treaty, negotiations for Parliament did not turn out well (Servent, 2018).

The Expected Effects of the Nice Treaty

The Treaty of Nice aimed to address several unresolved issues in the Council regarding vote weights which were not addressed in the Amsterdam Treaty. It managed to do so by introducing a double-majority requirement under qualified majority voting, requiring legislation to be approved by a qualified majority of both member states and votes cast. Any decision made was required to represent a total of 62% of the EU population, and member states might request verification that this requirement was met before a decision was approved.

The treaty also included a minor expansion of qualified majority voting into new policy areas, as well as an increase in the overall number of seats in the European Parliament following enlargement, overturning the cap established in the Amsterdam Treaty. Despite these reforms, the Treaty of Nice was widely regarded as a failure since it did not go far enough in terms of the scope of the voting procedural modifications it imposed. It is also important to note that the treaty included only a few provisions aimed at increasing legislative efficiency in the Parliament. While the minor extension of qualified majority voting may have had a positive effect, the double-majority requirement made reaching decisions under qualified majority voting more difficult, leading to mixed predictions and expectations about the overall impact. Nonetheless, the Treaty of Nice entered into force in February 2003 following the conclusion of negotiations in February 2001. In contrast to the Amsterdam Treaty, it is rather difficult to find any clear and effective impacts on the legislative efficiency of the Parliament as a result of the Nice Treaty. This finding is consistent with the observation that the Nice Treaty failed to improve the legislative process in a significant way. At least in this respect, it appears that the critics who

state that the treaty failed to reach its objectives are indeed correct (Bølstad and Cross, 2016).

The European Parliament after the Treaty of Nice

Generally, the Treaty of Nice aimed to change the institutional structure of the EU to enable it to adapt to the new enlargement. The treaty increased the Parliament's supervisory as well as its legislative powers (Fukuda, 2019). In addition, it qualified the Parliament to engage in majority voting and extended its authority to more sectors within the Council. Moreover, the Nice Treaty enhanced the powers of both the European Commission and the European Parliament by requesting the Parliament to express its opinion in the event that the Council adopts a position on the risk of a serious violation of fundamental rights in any member state. Additionally, the treaty enabled the Parliament to file a legal challenge to the actions of the Council, the Commission, or the European Central Bank on the basis of incompetence and violation of the treaty (Dabwan, 2020). Therefore, to a certain extent, the Nice Treaty contributed to a positive development for the Parliament. Overall, the treaty attempted to strengthen relationships among the EU institutions in order to improve the effectiveness of cooperation (Brandsma and Blom-Hansen, 2015).

Limitations of the Nice Treaty

Governments of EU member states during the Intergovernmental Conference, which led to the adoption of the Nice Treaty, did not make any meaningful attempts to challenge the link between extending qualified majority voting and including the European Parliament in the legislative process. Nonetheless, there was still a lot of dispute about the scope of Parliament's power and how far qualified majority voting should be expanded to new policy areas. The extension of qualified majority voting to policy areas previously regulated by the unanimity rule, as well as the co-decision procedure and the Parliament's legislative powers, was sparse in the Treaty of Nice. Moreover, co-decision and parliamentary involvement were less of a concern during the Intergovernmental Conference leading to the adoption of the Nice Treaty. Six new circumstances of co-decision were included in the treaty. However, three

legislative matters remained outside the co-decision procedure among the new cases under qualified majority voting. These were the following: internal measures for the implementation of cooperation agreements, financial regulations, in addition to the Structural Funds and the Cohesion Fund. Several member states resisted the request for co-decision in certain areas since these policies are particularly significant because of their major budgetary implications.

The Parliament decried the Intergovernmental Conference's refusal to even consider moving matters already subject to qualified majority voting to the co-decision procedure. It claimed that the Conference was rejecting a fundamental institutional principle on which the Amsterdam Treaty had achieved substantial progress and that, as a general rule, qualified majority voting should be accompanied with co-decision in legislative matters. In light of the impending enlargement Declaration no. 23¹, attached to the Nice Treaty, urged member states to begin a comprehensive discussion concerning the EU's future, which should result in, amongst other things, a simplification of the treaties in order to make them clearer and easier to understand without changing their meaning (Rittberger, 2007).

Furthermore, the Intergovernmental Conference was unable to expand the co-decision procedure to legislative measures, which were already subject to qualified majority voting, such as trade policies and agriculture. If the extension of qualified majority voting in conjunction with the co-decision procedure was the criterion for success at the Treaty of Nice, one cannot conclude that the outcomes correspond to the objectives of proponents of more effective EU institutions and deeper integration. In this regard, during his speech to the European Parliament shortly after the Nice Summit, former President of the European Commission, Romano Prodi, was highly critical of the narrow-mindedness that prevailed at Nice.

Treaty of Lisbon

Following the rejection of the draft EU Constitution, the Lisbon Treaty was signed in December 2007 and came into effect in December 2009. As stated in its preamble, it was desired to continue the process initiated by the Amsterdam and Nice treaties in

¹ Treaty of Nice, "Declaration on the Future of the Union" (No. 23, paragraph 5)

order to strengthen the EU's democratic legitimacy and efficiency, as well as to enhance the coherence of its actions. The Lisbon Treaty, which amended the previous treaties and included most of the changes found in the draft Constitution, was the final essential step in the Union's deepening with the goal of eliminating blockages in the decision-making mechanisms of the EU, and achieving a more effective and democratic functioning of the Union as a whole (Fontaine, 2018).

Furthermore, the Treaty of Lisbon granted the European Parliament greater legislative powers and placed it on an equal footing with the Council of Ministers when it comes to deciding what the EU does and how money is spent. It also altered the way the Parliament engages with other EU institutions, giving MEPs more say over who administers the Union. All of these measures made sure that by voting in European elections, citizens will have a stronger influence in the direction Europe takes. Additionally, the Lisbon Treaty provided Parliament complete legislative authority over more than 40 additional areas including: immigration, energy security, agriculture, justice and EU funds. Consequently, this placed the Parliament on par with the Council, which is highly important since the Council is a major decision-maker within the EU and is made up of government ministers from each member state. Due to the enhancement of powers, decisions made by MEPs have an even more substantial effect on the daily lives of European citizens. In this regard, the Parliament, being the only EU institution directly elected by citizens, has the responsibility and power to hold other institutions accountable, thus offering a stronger voice to the people of Europe.

Through the Treaty of Lisbon, the European Parliament's legislative powers were increased by means of the "ordinary legislative procedure," which replaced the previous co-decision procedure. This procedure now covers a total of 73 different policy areas. No changes were made to the consultation procedure, while the assent procedure continued to exist as "consent." Moreover, the ordinary legislative procedure is now the default legislative procedure in which the Parliament is on an equal footing with the Council as co-legislator. The Lisbon Treaty also established a distinction between legislative and non-legislative acts based on their decision-making process.

The European Parliament after the Treaty of Lisbon

The number of areas in which the Parliament co-legislates in the ordinary legislative procedure has increased throughout recent years. Most legislative acts, including those relating to the EU's internal market, the environment, regional development, security and justice, data protection, consumer protection, energy, agriculture and fisheries, among others, are currently enacted through the ordinary legislative procedure. The EU legislature adopted 401 acts via the ordinary legislative procedure during the 2014-2019 parliamentary term, in comparison to 488 adopted during the 2009-2014 legislature. It is important to note that the majority were in the fields of economic and monetary affairs, public health, the environment, justice and home affairs, and food safety. In sectors such as taxation, education, health care, and foreign policy, the Parliament has no, or only limited, legislative powers.

Nevertheless, the foregoing indicates that the Parliament has a key role in the EU legislative process, even though the final outcome is often dependent on the actions of other EU institutions and compromises reached during complex and protracted negotiations. In addition, the legislative powers of the Parliament vary significantly depending on the area involved. In light of this, in 2017, the Parliament asked for the replacement of the remaining special legislative procedures, consultation or consent with the ordinary legislative procedure.

With the extension of its powers post-Lisbon, the Parliament had to begin regularly legislating about matters which are of direct concern to European citizens. It is argued that the Parliament, at the time after the Lisbon Treaty came into force, should have considered the need of having more open-ended debates in committee and plenary rather than attempt to reach an agreement in advance and in smaller settings, regardless of whether this would come at the expense of the legislative process being delayed. As a result, this would enable the media to pay more attention to the European public discourse as well as to the legislative activity of the Parliament. Noticeably, a greater willingness to bring political controversy into the open presupposes a willingness on the part of the Parliament and its political groups to develop a consistent agenda that is not only responsive to Commission initiatives but also represents and prioritises the Parliament's own preferences and reflections. In this context, the post-Lisbon versions of the treaties provide new legal arguments for developing a progressive legislative agenda for the EU, including a stronger

emphasis on fundamental rights, a new legislative competence in areas of general interest and the inclusion of a new horizontal social clause and a non-discrimination clause (De Witte *et al.*, 2010).

Furthermore, Hix and Hoyland suggest that in terms of the European Parliament's policy impact on the EU's operation it now has a considerable influence on policy outcomes in Brussels, especially through the ordinary legislative procedure (Hix and Hoyland, 2013).

Post-Lisbon: The European Parliament's Struggles for Legitimacy and Authority

Some scholars declare that the official acceptance of the Parliament's powers following the Lisbon Treaty has still not been matched by a complete shift in mindset among the Council, the Commission and the EU member states. A case in point is the so-called "Schengen Freeze." The controversy emerged from the Danish Presidency's decision in 2012, which was backed by the Justice and Home Affairs (JHA) Council, to unilaterally amend the legal basis of the Commission's proposed regulation for a new Schengen evaluation mechanism. The decision, which essentially excluded the Parliament in the middle of a legislative procedure, displayed a pre-Lisbon attitude among member states within the Council, as did the Council's legislative modifications watering down the Schengen Governance Package's "Union-focused" nature. Evidently, the Schengen Freeze and the prolonged discussions over the Schengen Governance Package were precipitated by member states' refusal to accept the package's Union-centred approach, which indicated a strong desire to retain national sovereignty and perhaps even renationalise elements of the Schengen acquis. In several cases the Commission and the Council have used alternative and unsuitable legislative procedures to avoid the Lisbon Treaty's requirement that policy-making related to Area of Freedom, Security and Justice (AFSJ) be subject to democratic supervision. While the choice of legal basis or the decision to use non-accountable and technical procedures such as delegated acts is frequently justified by extremely technical arguments, it often hides institutional struggles as well as deep political issues, and has significant implications for the level of influence accorded to the Parliament in the decision-making process. The Parliament's reaction, particularly in the Schengen Freeze,

demonstrates a new sense of confidence in the Parliament's ability to display its power and employ the procedures at its disposal in order to exercise its legislative authority. Throughout the post-Lisbon phase, the Parliament has illustrated that it is willing to assert its authority through various means, whether by means of litigation before the Court of Justice of the EU, suspension of cooperation on a wide range of legislative files, or the use of its powers over international agreements, and it has been relatively successful in doing so. Yet, the Parliament's constant struggles for authority have been somehow exacerbated by its concurrent endeavour to be recognised in its new capacity as a legitimate co-legislator during its relations with the Council and Commission. Hence, the demand for legitimacy may help elaborate the Parliament's determination to pass contentious international agreements and legislation in the post-Lisbon era, which, in certain instances, may signify a rupture or conflict with its own previous policy positions. An example of this is Parliament's approval of the EU-US PNR (Passenger Name Records) agreement, which not only contradicted its earlier position on the same matter, but also revealed a general discrepancy with the prior vigorous defence of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) in relation to data protection within the Union (Carrera, Hernanz and Parkin, 2013).

Furthermore, since the European Parliament's legislative powers under delegated acts have been greatly strengthened, the Parliament has become more attentive to how these powers are used and to the specific conditions proposed. Both the Parliament and the Council may revoke the delegation or else express objections to the delegated act. Since the implementation of the Lisbon Treaty reforms on the 1st of December 2009, the Parliament and the Council can no longer refer to the Regulatory Procedure with Scrutiny (RPS) in legislative acts passed after that date. They can only bestow authority to adopt delegated and implementing acts.

Outside of the organisation structure, the level of interest and understanding of MEPs in interacting with the decision-making process is another factor in how the Parliament handles delegated acts. The Parliament is fundamentally a legislative body, thus MEPs are primarily focused on this part of their work. Within such tight constraints, it is rather difficult for MEPs to grasp the complexities of the delegated acts procedure as well as the substance of the specific measures. Additionally, there is a political component to these detailed measures which is relatively low from the

standpoint of MEPs with limited time and minimal resources. This issue could be rectified by means of two changes from RPS to delegated acts. Firstly, the delegated acts offer the Parliament far more power than RPS and the powers are considerably more clearly defined. Secondly, linked to this, is the fact that the Parliament now has the ability to object on any grounds, rather than the three legislative requirements. Consequently, this makes scrutinising measures much easier for the Parliament, along with allowing for more individual feedback from MEPs who may have concerns about the substance. In addition, it is no longer necessary for MEPs to understand how the three legal criteria should be applied. As a result, more MEPs are likely to delve into detailed technical measures, implying that while the procedural status quo from RPS to delegated acts will probably maintain the importance of some key actors within the Parliament, the application of the powers of objection and improved understanding may lead to increased interest and participation in delegated acts. Moreover, since the Parliament has the power to object to a delegated act on any grounds, the Commission must devise some kind of consultation mechanism, or an early-warning strategy, in order to start engaging the Parliament in advance, or else the Commission ends up lobbying the Parliament not to object to measures once they have been formally distributed.

According to Héritier and Moury (2013), comitology, in particular RPS has become an additional element of negotiation in co-decision. Throughout the RPS's integration into the existing *acquis*, the Parliament attempted to delegate as much as possible to the RPS, expecting the RPS's relative gain in power under this procedure. Kaeding and Hardacre, by means of empirical findings, confirm that the Parliament strives to optimise its institutional power in accordance with a distributive institutionalist argument. Furthermore, whenever the voting rule is qualified majority, and the policy area at stake is complicated, the amount of discretion and delegation allowed to the Commission grows. This is noteworthy in view of the Lisbon Treaty's expanded use of qualified majority voting and co-decision, particularly in legislative areas where the Commission is delegated considerable implementing powers, for example commerce, public health, energy, agriculture, and humanitarian aid. Delegated acts have maintained this pattern giving the Parliament even more power in the co-decision procedure (Kaeding and Hardacre, 2013).

Other academics argue that by empowering the European Parliament, the Lisbon Treaty intended to resolve concerns regarding the control of executive rule-making. The cost of this was an increase in complexity, as legislators now must decide not only between several committee procedures for implementing acts but must also reach an agreement beforehand about whether to utilise implementing or delegated acts. In addition, the entry into force of the Lisbon Treaty has not alleviated lines of contention over control positions which were present prior to the treaty. On the other hand, conflicts have grown to a certain extent by including the option between implementing and delegated acts. In a considerable number of cases the choice between these two alternatives is rather unclear. Moreover, the ambiguous wording of Article 290 TFEU (delegated acts) and Article 291 TFEU (implementing acts) allows for interpretation, which every institution involved appears to relish in order to seek its own control preferences (Brandsma and Blom-Hansen, 2015).

Limitations of the Lisbon Treaty

The lack of visible increase in legislative efficiency may be an effect of the so-called post-Lisbon Treaty shock. Many innovative breakthroughs in the EU legislative process were introduced by the Lisbon Treaty and their adoption and understanding by players, especially MEPs, requires time, learning and the ability to adapt. Therefore, the players involved were not instantly ready to negotiate and implement more proposals in line with new rules. Kirpsza states that in contrast to expectations, the provisions of the treaty did not result in a noticeable rise in the legislative efficiency of the EU. In spite of an increase in treaty bases stipulating the extension of qualified majority voting in the Council, as well as the ordinary legislative procedure, the number of proposals filed by the Commission under this procedure following the Lisbon Treaty's entry into force remained practically unchanged. Additionally, there are other factors which may affect legislative efficiency under the ordinary legislative procedure, such as the Commission submitting significantly fewer proposals following the European elections as a consequence of the "adaptation effect." Another reason is the proximity of the end of the parliamentary term. This also has a considerable effect on legislative activity and efficiency. In

fact, studies show that the Commission presents far less proposals during the months leading up to the European elections in comparison to other periods (Kirpsza, 2018).

Moreover, other scholars claim that in terms of delegated acts the European Parliament has significant control powers, at least from a theoretical point of view, albeit in practice the Parliament's gains are more limited than they look when compared to the prior RPS. The evolution of the delegated acts process has managed to lower accountability standards for the general public. The key question is whether citizens of the EU, along with their elected representatives (MEPs), the Council and the member states combined, can exercise sufficient *ex ante* and *ex post* control over the delegated and implementing acts entrusted to the Commission as a result of the Treaty of Lisbon. There are a few crucial factors to consider when it comes to the scope of application of Articles 290 and 291 TFEU. In this context one can also outline the constant divide between the Commission and the Parliament. To begin with, the Commission is correct in asserting that the aforementioned provisions are mutually exclusive. This is consistent with the framework of Article 290, which concerns cases in which legislators would normally use legislative powers, that is where legislative acts are amended or supplemented.

It also clarifies the reference in Article 290 regarding control by the Parliament and the Council in the case of delegated acts, as opposed to the reference in Article 291 regarding control by member states which according to Article 291(1) have a comparable power to enact measures implementing EU acts. In the first case, the legislators, Parliament and Council, must maintain control over potential legislative powers delegated to the Commission, which includes the right to revoke these powers, if necessary, whereas in the second case, member states have a similar requirement for control over measures which infringe on their ordinary competence in the implementation of EU legislation. In addition, there are major differences between Article 290 and Article 291, as well as the mutual exclusivity of these provisions and a lack of clarity about their actual scope. This means that, following the Lisbon Treaty, serious disagreements remain amongst EU institutions on the dividing line between the two articles. Furthermore, although the Council and the Parliament were in many ways on an equal footing with respect to the RPS, this was not the case when a committee blocked the adoption of a draft measure since in that scenario the Council had the first opportunity to determine whether to reject or adopt

the draft measure. If the Council chose to reject the draft measure, it had the liberty to do so on any grounds, whilst the Parliament was only allowed to reject it for a limited number of reasons. However, such a distinction cannot be made under the delegated acts procedure because there are no committees with the authority to oppose draft delegated acts in the first place. In this regard, the Parliament's long-standing reservations regarding the democratic deficit within the EU, particularly in this area which were based on its limited effect on comitology measures in comparison to the Council's central role, appear to have been addressed. From a theoretical perspective, this is quite remarkable. Nonetheless, in the case of delegated acts, the Parliament does not have the same power as the Council under the special legislative procedure.² Hence, one can argue that in this respect the Parliament is not at par with the Council. In general terms, both the Parliament and the Council have greater power than they did under the RPS procedure since they are no longer bound to block the draft measure only on specific grounds. Additionally, they can exert *ex post* control if the proposal does not meet with their approval (Peers and Costa, 2012).

Moreover, the European Parliament has been particularly affected by the rise in populism and nationalism across Europe. Populist and radical parties benefit from the rising dissatisfaction and mistrust of citizens towards representative institutions. On the one hand, the Parliament emerged as the main winner of the Lisbon Treaty. On the other hand, recent events and crises have contributed to reducing the Parliament's engagement in key policy areas (Brack and Costa, 2018). Additionally, the Parliament has faced significant challenges as public support for representative institutions has dwindled and the gap between political elites and citizens has grown. Its legitimacy hinges on its ability to represent citizens of the EU as the Union's only directly elected body. The nature of the Parliament, the balance between efficiency, representation and transparency, as well as the nature of the parliamentary mandate are all unresolved issues in political representation beyond the member state. Despite the fact that the European political system has become more parliamentary, the European Parliament cannot yet claim to be a completely regular parliament (Servent, 2018). It is at a major turning point, confronted with various problems in an ever changing environment.

² Article 289(2) TFEU

The Reaction of MEPs to the European Parliament's New Role in Implementing the Lisbon Treaty

By looking at the minutes of the parliamentary sittings it was evident that the European Parliament was constantly lobbying for more power due to the fact that it is widely considered the weakest among the EU institutions. In this section, the reaction of MEPs prior to the entry into force of the Treaty of Lisbon is analysed.

The various reactions were expressed through a report which was drawn up by Joseph Leinen, former German MEP, and adopted by the Committee on Constitutional Affairs. With regards to new powers for the Parliament MEPs welcomed the fact that, apart from a few exceptions, the Lisbon Treaty would place it on an equal footing with the Council as a lawmaker in areas where this had not been the case so far. This was most notable in setting the EU budget since the Parliament would enjoy full parity, including the areas of agricultural policy, and justice and home affairs. Moreover, MEPs welcomed the new consent procedure. The report stated that it was highly important for the Parliament that the simplified revision procedure, with respect to the introduction of qualified majority voting and the introduction of the ordinary legislative procedure, required the Parliament's consent. The Parliament's consent was also required for a wide range of international agreements signed by the EU. In addition, MEPs appreciated the improvements flowing from the new provisions on legal acts and the hierarchy of norms, particularly the establishment of delegated acts, which made it possible to delegate to the Commission the power to adopt non-legislative acts of general application or to amend non-essential elements of legislative acts.

The report noted that MEPs specifically welcomed the provisions of Article 290(2) TFEU, which stipulates that "legislative acts shall explicitly lay down the conditions to which the delegation is subject; these conditions may be as follows: (a) the European Parliament or the Council may decide to revoke the delegation; (b) the delegated act may enter into force only if no objection has been expressed by the European Parliament or the Council within a period set by the legislative act." Therefore, the article envisages both the Council and the Parliament to have the right to revoke the delegation of powers, including objecting to individual delegated acts (European Parliament, 2008/2063 INI).

Nevertheless, the MEPs still called on the Council and the Commission to agree with the Parliament on a strategy aimed at ensuring coherence between the legislation adopted and the Charter of Fundamental Rights, besides the rules contained in the treaties in relation to policies, including improving transparency, protecting asylum seekers, preventing discrimination, data protection, the rights of victims and suspects, and the rights of minorities.

Intergovernmentalism

Intergovernmental cooperation is a type of policy-making in which national governments play a central role, decisions must be approved by all participating governments, and many decisional outcomes do not require the passage of legislation. Intergovernmental cooperation is thus said to exist within the EU context when: the European Council or the Council of Ministers are the sole decision-makers, with the Commission and the European Parliament operating on the margins at best; qualified majority voting is not available and all member states have the ability to veto a proposed decision to which they object; and decisions are political rather than legal and are not enforceable through the EU's courts.

Intergovernmentalism is discussed in relation to this study due to the fact that according to Nugent (2010), EU member states began to seek to work more closely with one another on foreign policy issues. However, because of the sensitivities involved in terms of foreign policy, the Community method was seen as being unsuitable and unacceptable. The member states had to see how much they could cooperate rather than integrate. Additionally, member states wanted to be firmly in charge of developments in comparison to being dependent on the European Parliament, the Commission, or the European Court of Justice. Moreover, the Parliament is in a generally weak consultative position, with few formal powers other than the power of consent on some types of international agreements. Most of the policy activity is focused on fostering cooperation among governments rather than on law-making. The Parliament is also limited in this regard since all key decisions are made by either the European Council or by the Council of Ministers acting by unanimity (Nugent, 2010).

The European Parliament's Influence on EU Politics

The treaties leave it up to the European Parliament to design its internal rules. The Parliament has structured and reformed its internal organisation with the aim of expanding its powers further on the basis of the prerogatives which it had been given through the treaties, or at least making the most of its hard-won powers within the EU political system. As the Parliament has gained new powers, the full chamber has delegated more authority to committees. The majority of legislative work takes place in committees with individual rapporteurs drafting reports which serve as the foundation for parliamentary resolutions. Committees are also important for holding institutions such as the Commission accountable, as well as shaping and overseeing the EU budget (Raunio, 2012).

Furthermore, academics disagree on the extent to which the Parliament has been empowered by the co-decision procedure. Empirical studies have also attempted to quantify and explain the Parliament's influence in alternative legislative procedures or on specific issues such as economic policy (Kreppel, 2003).

As the ordinary legislative procedure has gradually become the standard method of adopting EU laws, scholars have also paid attention to the political dynamics of this procedure. The ordinary legislative procedure has resulted in a significant increase in interaction between the Parliament and the Council. This constant interaction combined with concerns regarding legislative delays has led to a higher percentage of early agreements in the ordinary legislative procedure. In essence, this means that laws are passed behind closed doors through informal trilogues. Reducing inter-institutional rivalry helps to technocratise or depoliticise EU decision-making, making it more difficult to monitor what decisions are made and how the various players involved contribute to these decisions. In addition, the Parliament has steadily gained new powers that enable it to exert greater oversight over the Commission. This especially applies in the case of appointment powers, where the link between European elections and the composition of the Commission has been increasingly direct since the early 1990s. Since the Commission and its president must be approved by Parliament before they can take office and can also be voted out by MEPs, the Parliament has made it clear that the voters' verdict should not be overlooked in the Commission's composition. This essentially means that party

politics is more important in EU policy-making than it is within the Parliament (Raunio, 2012).

Conclusion

In conclusion, this chapter has analysed in detail the effects of the Nice Treaty and Lisbon Treaty on the legislative powers of the European Parliament, while also highlighting the shortcomings of both treaties by means of arguments from various scholars. Although it is argued that the two treaties did not bring about radical and extensive changes to the Parliament's powers in the EU legislative process, it can be safely stated that the Treaty of Lisbon had a much more significant impact on the Parliament's legislative powers when compared to the Nice Treaty.

The Parliament is often referred to as the supreme winner of the Lisbon Treaty, owing to several changes which have substantially enhanced its powers, for example the introduction of the assent procedure for international agreements and the extension of co-decision to the ordinary legislative procedure. The introduction of delegated acts, as well as the reform of comitology, are frequently regarded as the culmination of the Parliament's lengthy quest for an equal position with the Council in this field (Christiansen *et al.*, 2012). Nevertheless, questions remain regarding whether the increase in legislative powers of the Parliament following the Lisbon Treaty has been sufficient for it to be considered on par with the Council. With the establishment of co-decision the Parliament gained veto power over whether to legislate or delegate, in addition to deciding which procedure to use. Similarly, as co-legislator on the comitology regulation, one would expect the Parliament to extensively participate in developing the new procedures. However, rather than completely fulfilling its role as co-legislator on the regulation related to implementing Article 291, the Parliament evidently placed much more energy and optimism into the application and implementation of Article 290.

CHAPTER 5

CONCLUSION

The dissertation's objective is to evaluate the legislative powers of the European Parliament through the EU treaties. In line with this objective, one research question has been developed from the title of this study. The research question articulated at the beginning of this dissertation has provided an in-depth analysis showing the extent of the increase in the legislative powers of the European Parliament. This chapter brings together the conclusions obtained from the previous chapters, in particular the analysis, in order to provide a definitive answer to the research question. The research has assessed how the Parliament has come a long way since its inception in terms of gaining more legislative powers through the treaties.

Both the literature review and the analysis address the research question, namely how the EU treaties, particularly Nice and Lisbon, increased the European Parliament's legislative powers, by means of a discussion and an evaluation of the empowerment to the Parliament's legislative authority and efficiency as a result of the treaties as well as the limitations of these treaties in this regard. Within this context, the literature review chapter focuses on the EU treaties from Rome to Amsterdam, while the analysis chapter specifically focuses on Nice and Lisbon, being the latest ratified treaties.

Moreover, the legislative powers of the Parliament have gradually been given more importance since the 1979 European elections, due to the fact that these elections were the first ever to allow the citizens of Europe to directly elect the MEPs, making the Parliament the only directly elected body in the EU. Since the introduction of direct elections, the Parliament had wished to expand its action beyond giving advice on the Commission's proposals. The Parliament had expressed its aspiration of being consulted on a regular basis by both the Council and the Commission. At the time, the Parliament had constantly promoted the cause of European unity. In light of this, enhancing its legislative powers and its role in the EU legislative process has further encouraged the development of the Union. In addition, the strengthening of such

powers provides the European electorate with the impression that their vote counts when it comes to EU legislation via their elected representatives.

Furthermore, the consistent increase in the Parliament's legislative powers has also been achieved as a consequence of lobbying by MEPs which took place prior to the treaties' entry into force, taking into consideration that the Parliament was widely regarded as the weakest amongst the EU institutions. Nevertheless, this study has shown that following the Treaty of Lisbon it is still necessary to put more pressure to further strengthen the Parliament's legislative authority. As previously outlined in the research methodology chapter, there is more that can be done to improve the research on this topic, particularly through other research methods. However, the literature and documents which have been analysed throughout the dissertation significantly overcome the research limitations.

Although the research has evaluated the evolution of the Parliament's legislative powers through the EU treaties, the topic is subject to contemporary discussion nonetheless. The EU somehow finds itself stuck in terms of future development due to the resistance it faces by a number of its member states as well as various political groups. Therefore, questions remain in relation to what kind of legislative powers the Parliament holds in the future since these powers must be increased by means of new treaties.

The Lisbon Treaty, in contrast with the Nice Treaty, notably raised the Parliament's position by placing it on an equal footing with the Council of the EU. However, the analysis of this study has demonstrated that these powers are still not enough with regards to EU legislation, a sentiment expressed by multiple scholars and MEPs. A clear case in point is the way the current President of the European Commission, Ursula von der Leyen, was elected and how the Parliament was ignored during the process. Spanish MEP and Vice President of the European People's Party (EPP Group), Esteban González Pons, expressed anger and disappointment to the European Council for ignoring all candidates who obtained votes from European citizens, referring to the Parliament's members. In addition, the MEPs described the decision as undemocratic and stressed that the future of the EU can no longer be decided behind closed doors with reference to the selection process of the new President of the Commission (Politico, 2019). Another reflection made in view of

the conclusions of previous chapters is that the limitations of the Parliament in terms of legislation are also due in part to its members by merely looking into one aspect of the decision-making process, whereas the EU is indeed more complicated.

According to Van der Veer and Otjes (2021), it is possible that ironically the parliamentary power struggle became more evident as an intra-institutional conflict because a group of MEPs was content with the outcome of the Lisbon Treaty and did not want the Parliament's powers to be extended. This may have created a divide within the Parliament which had previously been united in its desire to enhance its powers (Van der Veer and Otjes, 2021).

Despite its history as the weaker body of the EU legislative system, the Parliament has drastically strengthened its political power in recent decades. The participation of the citizens of the Union in European elections, as well as the Parliament's legitimacy, should both have increased as a result of these political changes. However, in many EU member states the European elections are considered secondary to national elections. The most recent European elections held in 2019 finally exceeded 50% voter turnout. Thus, there has been a growing debate over whether the citizens appreciate the empowered legal and political competences of the Parliament or not. Moreover, it is generally claimed that direct elections were the critical stage in the development of the Parliament's role in the EU. Yet, subsequent to the ratification of the Treaty of Lisbon, the latest historical steps included the extension of the co-decision legislative procedure and the Parliament's rejection of the EU-USA international agreement in 2010. These political and legal changes bolstered the Parliament's legitimacy and political authority. It is argued that since the first European elections, the Parliament has to a significant extent increased its legislative powers and its role in the EU legislative process. In spite of this, the Parliament's democratic legitimacy is still questionable. Additionally, the introduction of the co-decision procedure has been deemed as a great success in strengthening the Parliament's powers. It has granted the Parliament symmetrical legislative powers at par with the Council, although these are restricted to certain areas. Nonetheless, over the last decade the Parliament has expanded its function, both in international affairs as well as in the extension of the ordinary legislative procedure (changed from the co-decision procedure through the Treaty of Lisbon) to an increasing number of political areas. The expansion of the Parliament's legislative

powers, particularly following the Lisbon Treaty's implementation, has given legal legitimacy to the Parliament's position within the EU (Rakutienė and Unikaitė-Jakuntavičienė, 2020).

The Treaty of Lisbon also awarded the Parliament the power to give its consent over most international agreements. As a result, it now wields both the pen and the purse in a wide range of policy areas. These policy areas include trade and agriculture which are two of the EU's core competences. The functioning procedures of the Parliament in the legislative arena have been transformed due to these changes (Servent, 2018).

Throughout this study one can note how the Parliament has effectively, through the EU treaties, evolved the most amongst the EU institutions, from a consultative assembly made up of unelected members with no visible effects on the daily business of the Union to a directly elected parliamentary body with increased legislative powers and a strong position in the political system of the EU. Consequently, the Parliament has developed into a powerful proponent of integration lobbying for its own empowerment. The MEPs have enhanced their ability to make themselves heard, in addition to their ability to pressure and influence the other institutions. Within this context, the Parliament is a fundamental pillar of democracy which conveys the voice of the European citizens directly to the EU institutions, hence it is essential that its legislative powers continue to increase in the future. Nevertheless, as demonstrated above, greater awareness among the citizens regarding the Parliament's work is necessary in order to actually engage them in the undertakings of the MEPs, including their elected representatives, and how these directly affect their daily lives.

In conclusion, the President of the European Parliament, Roberta Metsola, has recently reiterated the importance of the Parliament's commitment to uphold the fundamental values of the EU, while also stating that the majority of European citizens want a stronger role for the Parliament by placing people at the centre of the decision-making process (Malta Today, 2022). This can be done by further strengthening the Parliament's impact on EU legislation and policy-making, which shows that the European electorate's votes in European elections matter in terms of the legislative process.

Lastly, even though the European Parliament's legislative powers have substantially increased through the EU treaties, the Parliament remains a rather contested institution which faces a significant number of challenges. It has been elevated to an equal level with the Council as regards to adopting EU law, hence becoming co-legislator through the ordinary legislative procedure. However, the citizens of Europe still perceive the Parliament as a distant institution with no real attachment and no close links to the member states and their citizens. More crucially, the Parliament has also become a new arena for those who are opposed to the EU project and further integration, therefore increasing its legislative powers may prove to be even more difficult. In addition to the limitations and challenges previously discussed in this study, there are parliamentary representatives with a particular manifesto who want the EU project to disintegrate. The rise of Eurosceptic MEPs who have been elected in recent European elections presents fresh challenges to the Parliament's external status and internal operations, in contrast with an institution which has long been viewed as promoting an ever stronger Union.

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