

European Community



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INFORMATION NOTE

THE CASE FOR A DIRECTLY ELECTED EUROPEAN PARLIAMENT

Could Bring a "More Dynamic Phase of EC Development"

The following is extracted from a speech by Christopher Tugendhat (*),
EC Commissioner responsible for the Budget, in London on 4 November 1977:

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The argument for establishing a directly elected European Parliament rests essentially on two propositions. First, that the Community has now reached a stage of development where its activities significantly affect the lives of all its citizens, and that those citizens therefore have a clear right to expect that the main decision-making institutions of the Community - the Commission and the Council of Ministers - be made more fully accountable to them. And, second, that, in practice, only a directly elected European Parliament can realistically aspire to secure this important extension of democracy...

Opposing Arguments

For the most part, the opponents of direct elections have not overtly challenged the contention that the Community's citizens have a right to participate more fully in its decision-making procedures. Rather, they have argued that the creation of a directly elected Parliament is not the correct way of achieving this objective. For, they allege, such a supra-national body would deprive existing national parliaments of a large measure of their legitimate influence and authority. They therefore recommend instead that greater democratic control be achieved by reforming the procedures of national parliaments, so that these bodies themselves are able more closely to scrutinize, and more substantially to influence, Community legislation...

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(*) Mr. Tugendhat is a former British Conservative Member of Parliament.

Making Council Corporately Responsible

But what the opponents of direct elections fail to recognize are the severe limitations which must necessarily circumscribe the effectiveness of any attempt to impose greater democratic control over the Council of Ministers and the Commission exclusively through the agency of national constitutional machinery, however much that machinery is improved.

The British House of Commons, the French Assemblée Nationale, the German Bundestag, and their counterparts in the other member states can, and should, check and guide the actions of their individual national ministers when negotiating in the nine-member Council of Ministers. What these bodies cannot do is to question and influence the Council as a whole about the policies for which its members are collectively responsible.

National parliaments necessarily have constitutional powers over a Minister only in his capacity as a member of a national government... They cannot force the Council as a corporate body to explain why it reached particular decisions, which sections of society within the Community will gain or lose, or how those decisions fit in with other European policy objectives. Only a supranational body organized on a Community basis can hope to perform the vitally necessary task of forcing the Council to explain and justify its corporate acts.

No Encroachment on National Parliaments

Just because this is so, the effect of the European Parliament properly discharging this function will not be to encroach upon the legitimate preserves of national parliaments, but rather to secure an extension of democratic influence which otherwise could not take place. The powers and responsibilities of the national parliaments on the one hand, and the European Parliament on the other, should be complementary and not in opposition to each other...

Drawbacks of Nomination System

But if there is a clear need for a supranational representative body to whom the Commission and the Council are responsible, is it really necessary, it is sometimes asked, for that body to be directly elected? Isn't the advantage of the present system of having Euro-MPs nominated by national parliaments from among their own members that it ensures a close and harmonious working relationship between the two tiers of parliamentary activity? Wouldn't it be possible to retain the existing method of selection and, if necessary, to increase the effectiveness of the present European Parliament simply by conferring upon it more extensive constitutional powers?...

The crucial point is not that there are a number of ways in which a close relationship between national and European MPs can be preserved, but that the merits of the nomination system in this respect are more than offset by its serious drawbacks in others, which at present greatly handicap the European Parliament - and would continue to do so whatever additional formal powers were conferred upon it.

One difficulty, which is inevitable when European MPs are also members of their national legislatures, is that they lack the time to give their European responsibilities the undivided attention which they require. Despite the impressive conscientiousness and dedication of European MPs, the need also to fulfil domestic parliamentary obligations has undoubtedly substantially reduced their ability to influence Community policy...

An even more important deficiency of the nomination system is that a parliament based on selection rather than direct election cannot claim - whoever the selectors and the selected - to be fully democratic. This is not just a theoretical point. In practice, nomination has prevented the European public from accepting their Parliament as fully legitimate. And the consequent failure of Parliament to win enthusiastic public support has been another important factor restricting its capacity to make itself felt.

For one thing, Parliament's conspicuous lack of popular backing has inevitably affected the attitude towards it of the executive authorities it is supposed to check. But perhaps an even more important impediment has been the inhibiting effect that consciousness of the absence of outside support has had upon the attitudes of European MPs themselves. It is often not realized that the European Parliament already has, in some respects, quite extensive formal powers.

Admittedly some of these, for example the power to reject the Budget completely, are not as significant as they appear, because they are too extreme for their use to be justified, except in the rarest circumstances. But there can be little doubt that European MPs have also been restrained from exercising in practice the power which they possess in theory by an understandable lack of moral confidence. Only the introduction of direct elections, by hugely increasing the European public's identification with its Parliament, can give European MPs sufficient conviction of the rightness of their cause to inspire them to assert their rights with maximum vigour.

A Prerequisite of Further Progress

The greater democratic control of the Council and the Commission, which direct elections will make possible, is a major reason for proceeding with them. But another point which should be emphasized is that in achieving this political advance, direct elections will almost certainly also bring in their wake other important gains for Europe's citizens.

At present one of the main reasons why the Community is so signally failing to bring to the people of Europe many of the benefits which it is potentially capable of conferring is that its institutions are having to work in an atmosphere of intense public suspicion and distrust, arising largely from the widespread belief that those responsible for formulating Community policy are either too bureaucratically isolated on the one hand, or too susceptible to organized vested interests on the other. By increasing public identification with the European Parliament and, at the same time, increasing the Parliament's significance, direct elections should do much to allay understandable anxieties of this kind.

Once the public is satisfied that Community policy will always be fully and publicly thrashed out, and to some extent, decided in a forum possessing the legitimacy which direct elections alone can confer, it will be willing much more easily to repose its trust in the Community and all its works. On the basis of that trust, it will be possible for the Community to enter an entirely new and much more dynamic phase of development, bringing major benefits in a whole range of policy areas where at present little progress seems possible...

Difficulties a Directly Elected Parliament Must Surmount

The benefits which a directly elected Parliament can bring will not be achieved without difficulty. The new Parliament will consist of 410 members and will include people from many different national backgrounds, some of whom will have experience of their national legislatures, some of whom will not. In these circumstances, the Parliament can hope to be effective only if it resolves two substantial problems. First, it will need swiftly to devise efficient procedures to facilitate both the work of its plenary sessions and of its committees. The procedures employed by the existing Parliament will provide it with only limited guidance on how to do this - for the problems of a body consisting of only 198 members, which sits much less frequently than will a directly elected Parliament, are both different and less formidable.

Secondly, the Parliament will need to find a way of ensuring that it does not speak with too many voices. Little moral authority will be at the disposal of a body which is divided by a welter of conflicting factional or national viewpoints. If it is to command attention and respect, a directly elected Parliament will have to be capable of formulating a coherent and widely agreed view of how the Community should develop, and of the policies which it should pursue.

Proposed European Democratic Union

One precondition of achieving this will be a reduction in the number of political groups at present sitting separately from each other in the European Parliament, and the emergence of a better organized party system.

As a Conservative I am particularly concerned to see the development of closer cooperation between the parties of the Centre-right; and I welcome the proposed formation of the European Democratic Union - an organization bringing together European Centre-Right parties in countries both within and without the Community - which, it is now hoped, will be formally inaugurated shortly.
