Preface

Institutions determine the choices of actors, the sequence of moves, as well as the information they control, different institutional structures will produce different strategies of the actors, and different outcomes of their interactions. Consequently, one can study institutions in order to see how they are systematically associated with specific outcomes. The study can be historical, (on the basis of a formal or informal model) or empirical (association of observed frequencies or patterns of interaction among different actors).

The laws of the European Union are increasingly penetrating traditional areas of state competencies. Laws relating to policing and intelligence sharing, environment, migration, asylum are to name a few of them. Who makes these laws, how are issues prioritized, what role the European Parliament plays in this process are important questions that need to be addressed. This study focuses on the powers and functions and composition of the European Parliament. In the process it tries to address some important questions. The primary activity of parliaments is to legislate, how active is the parliament in the law making process? How crucially is the parliament handicapped by its inability to initiate legislation?

In the European Parliament as mentioned in the previous section elected representatives do not sit as national legislators but in political groupings of similar affiliation. Does this enhance the supranational credentials of the EU in real terms? Can we talk in terms of a post-national phase? Does the source of democratic deficit lie in the European parliament and its working or in EU's institutional structure on the whole? The first chapter examines the institutional evolution of the European Parliament since its inception in 1957, and particularly since it began its metamorphosis in earnest in the 1970s. It will focus on the EP's increasing control over the EU budget since 1975 and the ability to delay, amend, and even veto legislation. Today the EP deserves to be considered a “transformative” legislature capable of significantly impacting the decision-making and policy processes of the European Union.
The second chapter will review procedures of lawmaking of the European Union and analyze the new challenges to it especially in the light of enlargement. It will especially focus on the co-decision procedure and assess how crucially this has ‘enabled’ the European Parliament to play an effective role in formulating and shaping European law and EU agenda.

The third chapter deals with the bulk of the Parliament’s work are done by the Committees. How the Committees function will be the focus of this chapter. It will also study the working of the Parliament through the pattern of voting behaviour of the people. Why this procedure adopted and what are its implications vis-a-vis the Parliament’s efficiency and power.

The fourth chapter discusses on the interface of the European Parliament, the Commission and the Council. It will study the dynamics of their relations and its impact on the Parliament.

This study focuses on the shortcomings of the European Parliament in terms of its formal power and functions and their implementation. It will also focus on what the Parliament is going to be like once the Reform Treaty is passed. The co-decision procedure allows decision-making power to be shared equally between the Parliament and the Council. In the years after Maastricht the European Parliament’s power has further strengthened and expanded. The co-decision procedure for instance now applies to an increasing number of areas. The Amsterdam Treaty extended the co-decision procedure from 15 areas to 38, the Nice Treaty from 38 to 43. Since European Parliament is where the supranational and federal element of the EU is reflected and the Council is where the national interests reign it would be worthwhile to investigate what this means in terms of European Union’s supranational character.

Ironically, institutions and institutional changes have also been at the heart of many of the problems the European Union has had and of several of its most serious setbacks. This was true in the 1960’s when an institutional crisis almost shipwrecked the Community in
its infancy; and it is true now with the rejection of the Constitutional Treaty by the referendums in France and the Netherlands in 2005. Why should this be so?

Firstly because European governments and the leaders of European institutions have done a poor job of explaining to their peoples the relevance of institutions and institutional change to the achievement of the broad objectives of peace and prosperity to which everyone subscribes; and they have done an even worse job of explaining the work of those institutions in a comprehensible and politically appealing manner. But secondly because there has been an unresolved tension between those who pursue institutional change as part of a grand design to create some sort of a federal Europe and those who accept institutional change where it is functionally necessary to achieve agreed policy objectives but who do not subscribe to those grand designs. Over the years the European Parliament has established a track record of responsible behavior in examining, amending and sometimes rejecting European legislation. It plays a crucial role in monitoring the EU budget and in scrutinizing the actions of the European Commission. Deputies now work in tandem with the Council of Ministers to make laws on issues as diverse as accounting standards, waste disposal and the limits of stem-cell research. If deputies and the Council cannot reach agreement on the provisions of a new law the Parliament can veto legislation.

The study incorporates a wide range of European Union and other institutional sources including translated works in the field of institutional development. It refers to biological works and memories of leading political leaders, party members, academicians, journalists, institutional experts and their published interviews. The finding of reports, documents, summary records of meeting and reference papers submitted by states and non-governmental organizations such as European Union reports, European Council reports, reports of European Parliament, European Commission reports and reports of the organization for Security and Cooperation in Europe, etc. In addition, many websites have been helpful in providing information about the issues and debates about sovereignty, democracy, human rights, and policies on institutional evolutions.