

THE EUROPEAN PARLIAMENT: EMERGENCE, EVOLUTION, NEWS

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Abstract

The **European Union (EU)** is a political and economic union of 28 member states that are located primarily in Europe. The **European Parliament** (abbreviated EP) is a legislative institution of the European Union (EU) elected by direct election every five years. Together with the Council of the European Union (the Council) and the European Commission, it exercises the legislative power of the EU. The theme of the European Parliament is a topical one and it gained the attention of all social categories. Regardless of their status, adults, young people, pensioners and students are unconsciously influenced by the European law. In the activity of the European Parliament there are also positive things, such as the financing of highways, the possibility of studying abroad and the acknowledgement of studies in all the countries of the European Union, the free movement and the right to work all over the Union, the concern regarding the protection of the environment etc., which highlight the special significance of this institution. Of course, there are also drawbacks, regarding the activity of this institution. Here, one can enumerate: the poor pay conditions and the price differences of certain goods or services among EU member states. The purpose of this article is to emphasize the fact that although each EU country obeys its own national laws, it also has to comply with the laws of the EU institutions.

Keywords: *European parliament, institution, treaty, European union, laws.*

1. INTRODUCTION

The **European Union (EU)** is a political and economic union of 28 member states that are located primarily in Europe. Each member state is party to the founding treaties of the union and thereby subject to the privileges and obligations of membership. The member states of the EU (as of October 2019) are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania,

Slovakia, Slovenia, Spain, Sweden, United Kingdom.

The EU has developed an internal single market through a standardised system of laws that apply in all member states in those matters, and only those matters, where members have agreed to act as one. EU policies aim to ensure the free movement of people, goods, services and capital within the internal market, enact legislation in justice and home affairs and maintain common policies on trade, agriculture, fisheries and regional development. For travelling within the Schengen Area, passport controls have been abolished, a monetary union was established in 1999 which came into full force in 2002 and it is composed of 19 EU member states which use the euro currency.

The **institutions of the European Union** are the seven principal decision-making bodies of the European Union (EU). They are, as listed in Article 13 of the Treaty on European Union:

- European Parliament
- European Council (of Heads of Government)
- Council of the European Union (of national Ministers, a Council for each area of responsibility)
- European Commission,
- Court of Justice of the European Union,
- European Central Bank and
- Court of Auditors.

The **European Parliament (EP)** is the legislative branch of the European Union and one of its seven institutions. Together with the Council of the European Union, it adopts European legislation, normally on a proposal from the European Commission. It represents the second-largest democratic electorate in the world (after the Parliament of India) and the largest

trans-national democratic electorate in the world (375 million eligible voters in 2009).

Like the other institutions, The Parliament was not designed in its current form when it first met on 10 September 1952. One of the oldest common institutions, it began as the *Common Assembly* of the European Coal and Steel Community (ECSC). It was a consultative assembly of 78 appointed parliamentarians drawn from the national parliaments of member states, having no legislative powers.

The Parliament is the "first institution" of the EU (mentioned first in the treaties, having ceremonial precedence over all authority at the European level), and shares equal legislative and budgetary powers with the Council (except in a few areas where the special legislative procedures apply).

The European Parliament has three places of work - Brussels (Belgium), Luxembourg City (Luxembourg) and Strasbourg (France). Luxembourg City is home to the administrative offices (the "General Secretariat"). Meetings of the whole Parliament ("plenary sessions") take place in Strasbourg and in Brussels. Committee meetings are held in Brussels (BRAND & WIELAARD, 2009; THE GUARDIAN, n.d.).

2. THE EMERGENCE OF THE EUROPEAN PARLIAMENT

The idea of a union between peoples, European nations, the creation of a European Parliament emerged centuries ago (XVII centuries), being treated and developed by philosophers, writers, kings, emperors, historians, lawyers, politicians and scientists.

In the history of political Europe there have been different organs, forums that have had the role of adopting laws as well as that of the most important public law decisions in a state. Forums have also been referred to as legislative assembly, national assembly, state assembly, parliament, or have given specific names to a single state or geographical area (e.g. "Duma" in Russia, "Sejm" in Poland, "Riksdag" in Scandinavian countries).

The first signs of the parliament can be found in the antiquity of the Greek democracies and then in Rome, where the Senate played an

important role in the ruling of the empire. In Athens there was a direct democracy, when taking decisions of public interest, all citizens could take part directly. The fortress was led by a Council (Boule) and the People's Assembly (Ekklesia). In Germany, the Imperial Assembly began its activity with the participation of the nobles and the representatives of the cities at national level. In England, thanks to Simon de Munfold, in 1265 the first Parliament was convened, receiving the name of the "model parliament". In Italy, the exercise of democracy became more and more difficult and because of this, the members of the popular assemblies elected their representatives who took part in the senate or in the council. In Spain, the institution of representatives' meetings was called "cortes." In the 13th century, the Cortes of Castilla decided on the issues of the inheritance of the throne, the expenses of the royal court, participated in the legislative activity and had control powers over the government (LĂCĂTUȘ & PUȘCAȘ, 2004).

3. THE EVOLUTION OF THE EUROPEAN PARLIAMENT

Starting with each new treaty, the Parliament is gaining more and more democratic, supervisory and legislative powers. These treaties are: the Treaty of Maastricht, the Treaty of Nice, the Treaty of Lisbon.

The Treaty on European Union (Maastricht Treaty) was signed in Maastricht on February 7, 1992, but entered into force on November 1, 1993. This treaty responds to five essential objectives:

- strengthening the democratic legitimacy of the institutions;
- increasing the efficiency of the institutions;
- introduction of an economic and monetary union;
- development of the social dimension of the Community;
- establishing a common foreign and security policy.

Following the Maastricht Treaty, the Parliament acquires new powers:

- The co-decision procedure, based on the cooperation procedure (previously established by the Single European Act), with two new provisions: an institutional conciliation committee was officially included in the disputes between the Parliament and the Council and secondly, the Parliament had the right to reject, by well-determined procedural conditions, the proposal of the Council, generating the non-entry into force of the respective norm.
- extending the cooperation procedure to all areas in which the Council regulates by qualified majority
- recognition of the Parliament's petitioning and control powers
- the responsibility of the Central Bank to prepare an annual report to Parliament
- the Parliament's right to be consulted on the election of the President of the European Commission
- the Parliament's privilege to bring other institutions before the Courts of Justice if the prerogatives and competences are loaded
- The Treaty of Nice was signed on February 26, 2001 and entered into force after the ratification process ended: February 1, 2003.
- the role of co-legislator of the European Parliament was strengthened, the co-decision procedure to be applied in the following areas: fight against discrimination, economic and social cohesion, visas, asylum, immigration;
- the areas in which Parliament can refer to the Court of Justice of the European Communities have been extended;
- In the Council of the European Union, two voting procedures are used: unanimity and qualified majority, each state being assigned a certain number of votes, depending on its population (Romania having 14 votes, out of a total of 345);
- dedicates the militarization of the European Union, with the Member States agreeing to equip and train a reaction force of 60,000 people;

The Treaty of Lisbon (initially known as the Reform Treaty) was signed on December 13, 2007 and entered into force on December 1, 2009. It was elaborated as a result of the need to respond

to a deepening of the integration of the European construction, the end of the Cold War, the rupture of the border between the democratic political regime and the communist one. This treaty provides the Parliament with four major decision-making powers:

- The right of the European Parliament to increase or reduce community expenditure without the approval of the Council.
- Redistribution between budgetary sectors.
- Rejecting the annual or supplementary budget.
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The most important provisions of the treaty are the following:

- The European Union will have legal personality (until now only the European Commission had);
- The position of the President of the European Council will be transformed into a permanent one, with a term of two and a half years;
- The position of Union Minister of Foreign Affairs, with the official name of High Representative of the Union for the Common Foreign and Security Policy, will be established;
- The number of commissioners will be reduced by one third;
- The voting method in the Council will be modified. However, the rules established in the Nice Treaty remain in force until 2014.

The Treaty of Lisbon amends the Treaty on the European Union and the EC Treaties, currently in force, without replacing them. The treaty will provide the Union with the legal framework and legal instruments needed to meet future challenges and the citizens' expectations (FABIAN et al., 2007).

4. THE EUROPEAN PARLIAMENT TODAY

Today the European Parliament is the most important public legislative authority and one of the sovereignty holders. The Parliament does not have powers only in the field of laws or budgets, but also exercises control over the exercise of the attributes of the other institutions.

The parliament is composed of 751 members, which is the second largest democratic electorate

in the world. Starting with 1979, it is elected directly, every 5 years, through general, free and secret elections. Although the European Parliament has the legislative power that the Council and the Commission do not have, it does not have formal control over the legislative initiative, as most of the national parliaments of the members of the Union have.

Table 1. Number of parliamentary mandates (EUROPA, n.d.)

STATE	Number of parliamentary mandates
Germany	
United Kingdom	96
France	73
Italy	74
Spain	73
Poland	54
Romania	51
The Netherlands	32
Greece	26
Czech Republic	21
Belgium	21
Hungary	21
Portugal	21
Sweden	20
Bulgaria	17
Austria	18
Slovakia	13
Denmark	13
Finland	13
Ireland	11
Lithuania	11
Latvia	8
Slovenia	8
Slovenia	6
Estonia	6
Cyprus	6
Luxembourg	6
Malta	
TOTAL	751

The European Parliament has three official offices - Brussels (Belgium), Luxembourg and Strasbourg (France). Luxembourg is the seat of administrative offices (the General Secretariat).

Parliament meetings (plenary sessions) take place in Strasbourg and Brussels. Commission meetings are held in Brussels.

The decisions taken by the parliament based on the state power are mandatory, and should be treated as the highest form of manifestation according to the state will. The European Parliament is also an institution that has powers not only in the field of laws or budgets, but also exercises control over the fulfilment of the attributes of the other institutions, for example the European Commission.

Currently, the Parliament plays the role of co-legislator in almost all areas in which the European Union legislates. The Parliament also supervises the work of the Commission and adopts the budget of the European Union. Beyond these official powers, the Parliament closely cooperates with the national parliaments of the EU countries (CORBETT et al., 2007).

5. CONCLUSIONS

According to the treaties ratified in the relevant legislation, the European Parliament should act both in Europe and in the world in favour of human rights, freedom and democracy. In order to respect human rights, the economic and trade agreements signed by the European Union with third countries should be supervised by the European Members.

The debated issue was the appearance of the Parliament as an institution, presenting its evolution over time up to the present day. Starting with each new treaty, the Parliament gains more and more democratic, supervisory and legislative powers. This aspect is proven by the evolution of the following treaties: the Treaty of Lisbon, the Treaty of Amsterdam and the Treaty of Nice.

Nowadays, the European Parliament is the most important public legislative authority and one of the sovereignty holders. It does not have powers only in the field of laws or budgets, but it also exercises control over the attributes of other European institutions.

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