

How to Evaluate the European Parliament and Its Members

by Olivier Costa

Since the first direct election of the European Parliament (EP) in June 1979, substantial research has been devoted to quantifying the election's contribution to the Union's democratization. In this respect, the EP's representativeness has always been a key factor. Various studies have analyzed the degree to which the EP "reflects" European citizens in terms of socio-professional stratification, ideological tendencies and even relations with European integration.¹ This research is implicitly based on the premise that a representative institution must mirror the society that it is called upon to represent. However, it is possible to support another concept of representation—one which corresponds to many Member States' political traditions. From this alternative vantage point, Parliamentary assemblies are not expected to perfectly reflect the population, but to be able to efficiently defend the general interest, or the sum of all individual interests. If political representation is understood in such terms, the extent to which an assembly sociologically and politically resembles its electors is less important than the nature of the ideas supported by its members and how efficiently such support is expressed. In concrete terms, the idea is that the elected official most qualified to represent a category of the population (whether youth, bakers, or hunters) does not have to originate from this category, but merely act as a spokesperson whose identity matters less than his(her) talent. This concept is in line with the professionalization of politics observed in all contemporary democracies. Obviously, elected officials are not like other people; they have specific skills related to special socio-professional profiles. This is notably the case with MEPs, who must deliberate on very technical issues, and do so in a highly expert fashion in order to properly interact with the Council, the Commission and all of the organized interests in Brussels, while also making headway in an environment in which international experience and linguistic abilities significantly matter.

These two ways of approaching representation (as a mirror and as a brokerage instrument) are not mutually exclusive. It can be assumed that it is important and useful for a representative assembly, in order to ensure the legitimacy of its action as a representative body, to be dually representative: in other words, able to both defend the interests of its

¹ Jean Blondel, Richard Sinnott and Palle Svensson, *People and Parliament in the European Union: Participation, Democracy, and Legitimacy* (Oxford: Clarendon Press, 1998) and Richard S. Katz, Bernhard Wessels (dir.), *The European Parliament, the National Parliaments, and European Integration* (Oxford: Oxford University Press, 1999).

citizens and embody the population in all of its diversity by welcoming into its ranks a certain number of women, young people, visible minorities and elected officials from civil society.

In taking into consideration this dual dimension of political representation, it becomes obvious that the EP's contribution to the Union's legitimization and democratization can be assessed just as effectively by a study of its action as it can be by that of its composition. However, there is little reliable data on this subject. Although a great deal of research describes how the EP functions, and strives, in particular, to identify the logistics of its voting procedures, few studies have focused on this body's activities and their impact on how the Union as a whole actually works. Some media focus on the MEPs' activities and try to classify them according to various criteria. On the eve of the European elections, there were abundant articles in the press attributing "good" and "bad" points to the outgoing MEPs. Such crude treatment, however, often introduces a specific notion about representation which is neither substantiated nor justified. As an alternative to this duly defective approach, this paper proposes to examine the prerequisites of a somewhat objective assessment of MEP activity, as well as that of the EP in general.

I. Challenges and pitfalls of MEP activity

The public opinion of MEPs is not particularly favourable. In Brussels, as in the Member States, they are often reproached for their inadequate involvement in the Assembly's deliberations because of their limited interest in European issues, mandate "accumulation" (particularly in the case of France), dilettantism or presumed opportunism. So far, these criticisms have been largely based upon MEP attendance rates in plenary session. Several MEP and private citizen Internet websites sponsored by media groups are now offering more detailed quantitative data on Members' activities. How credible are they?

A. Partial and problematic studies

While some media merely reproduce the data on the deputies' plenary session attendance rates—data which the EP is now providing—others add other activity indicators such as the number of reports written, questions asked, voting participation rate in plenary sessions, etc. The Internet website Europa Agora (which no longer seems active) once offered the most ambitious study on the "commitment" of the 78 French MEPs elected for the 2004-2006 period. Some Master's students from Grenoble's Institut d'Etudes Politiques de

Grenoble, under Henri Oberdorff's direction, created an indicator based upon the following data: the Members' attendance rate, the number of interventions in plenary sessions, the number of questions addressed to the Commission, offices held (Parliamentary committee Chair or Vice-Chair, policy groups or interparliamentary delegations, Vice-President of the EP, Committee Coordinator), and the number of reports written. All of these elements were weighted with a factor of 1 to 4 and added together to attain a score and earn an overall ranking among the 78 French MEPs. In the perspective of the June 2009 European elections, many media provided again similar information and ranking. Among them, the website "www.parlorama.eu", edited by a former parliamentary assistant of the EP, gained much attention from the media; it was closed within 24 hours, due to many complaints of MEPs.

It should be unequivocally stated that, although the goal of helping the public to learn more about the work done by European MEPs and of acknowledging the most deserving among them seems praiseworthy, the proposed findings are subject to caution. Regular EP observers will be surprised to see the "dunce caps" assigned by Europa Agora or Parlorama to some of the most competent and active French MEPs, including Jean-Louis Bourlanges (ranked 67th by Europa Agora) and Michel Rocard (65th), according to their 2006 scores. Those given top rankings are unquestionably highly committed officials; similarly those trailing at the bottom of the graph have done little to justify their mandate. In our opinion, however, all the other rankings poorly reflect reality. It is scarcely surprising that Messrs. J.-L. Bourlanges and Rocard have since both resigned from their European mandate for reasons which include a certain weariness with the political and media world's ingratitude towards those MEPs most dedicated to keeping the EP running smoothly.

In broader terms, the studies aimed at ranking MEPs, which are often brought up by the best performers and denounced by the others, raise the three main problems which result from any attempt to quantitatively assess EP representatives' activities.

1. The first problem is methodological, since findings are findings are usually treated very cavalierly. Without going into great detail, a high premium is often placed on the attendance rate or on the deputies' most "striking" activities; those known for frequently asking questions or taking the floor during plenary sessions thus attain better scores, even if they exert little concrete influence on the work performed by the Assembly. Deputies whose activities are on a more even keel (in terms of number of questions, reports and amount of responsibilities) often receive a lower "score." Some studies (such as the one published by Europa Agora) claim to assess the "importance" of the Parliamentary committees on which

the deputies sit. But can it be said that an elected official fully devoted to the activities of what is considered a “minor” committee is less deserving than another who is a virtual member of two committees identified as “important”? This label is also extremely subjective. For example, European deputies are known to fight for seats on the European Parliament Committee on Foreign Affairs (AFET), even though its formal powers are very limited and it does not intervene in legislative procedure. Similarly, the Committee on Constitutional Affairs (AFCO) has always been highly valued by the most experienced MEPs, even though it does not have any more legislative power. Conversely, committees of a more technical, and thus less appealing, nature have a very intense legislative activity. Which should be considered “important”?

2. A second problem is the lack of an accurate description of the protocol used to determine these rankings. Delivering rough hit parades of the “best” elected officials to the media and to the public without any explanation of the method or selections made, hardly helps anyone gain more insight into the Assembly’s activities or the European Union’s political system. MEPs are very well aware of the negative impact that the publication of incomplete or unreliable data can have on their professional image. On 14 January 2009, the EP adopted a resolution calling for the launch of an extraordinary action plan “*to ensure that more and easily accessible information is made available on its website, on (...) MEPs’ activities, participation in and attendance at Parliamentary work,*”² notably in Parliamentary committees.

3. Lastly, the lack of serious thought about the function and goals of European representation is the leading problem encountered in any attempt to assess the MEPs’ activities, starting with the fact that the MEPs’ mandates are still dually undefined. It should be recalled that, from a political theory perspective, the issue of Parliamentary representation is aporetic; it necessarily entails “metaphysical” choices and value judgments—the only basis on which to define a “representative chamber,” the duties of an elected official, or what interests need to be defended.³ Secondly, and more specifically, neither the treaties, nor Court of Justice case law, nor national rules on the election of MEPs, nor even the EP’s Rules of Procedure or resolutions define the mandate of MEPs. Neither is its exercise subject to the

² European Parliament resolution of 14 January 2009 on public access to European Parliament, Council and Commission documents (application of Regulation (EC) No. 1049/2001) (2007/2154[INI]).

³ Hanna Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967).

ethical standards customarily imposed within the EP. In concrete terms, nothing indicates (aside from the imperative mandate proscription) whether MEPs must represent their electors, their constituencies' nationals, their fellow citizens, their party supporters, their native countries, or Europeans as a whole.⁴ Neither are they prohibited from devoting their terms to defending the interests of a particular population group (youths, farmers, the disabled, women or consumers).

Some sharply contrasting representational "styles" have therefore emerged within the EP, undoubtedly determined by the extent of each MEP's level of commitment, but also, and more significantly, by factors such as their political experience, professional skills, national parliament culture, other mandates and duties, media access, political convictions, main interest areas, or their influence within their political group. MEPs' behaviour is also influenced by the opportunities presented to them, or the constraints they encounter in exercising their mandates. Eurosceptic deputies will thus find it difficult to assume greater responsibilities within the EP and, at the same time, will tend to mainly devote themselves to denouncing the failings of European integration. Their "commitment" to EP activities will thus be quantitatively limited and mainly of a tributary nature; yet they will continue to respectfully serving the mandate entrusted to them by their electorate, who would not wish them to confine themselves to keeping the EP's daily operations running smoothly and to promoting its compromise-oriented approach. Fiercely Eurosceptical deputies might even argue that by totally abstaining from the EP's work, they are fulfilling the mandate vested in them and honouring their commitment to resist European integration. Leading national politicians elected to the EP will, for their part, be much more solicited than their peers to take part in the Assembly's external activities (in the media, in national political institutions, within their parties, in public meetings, etc.) and therefore will be less present and active in Strasbourg and Brussels. Does that mean that the EP has to deprive itself of the contribution of experienced and influential politicians?

Any attempt to quantify the EP members' level of activity would require imposing a vision of the European mandate. Most often it is a "centralized" vision, totally focused on activities within the EP, which is advocated. However, the MEPs' mandate should not be restricted to their activities in Strasbourg and Brussels: as elected representatives, they must also perform a mediation function that requires their presence on-site. The electorate is well-

⁴ Olivier Costa, "Les députés européens entre allégeances multiples et logique d'institution," in *Revue d'Intégration Européenne/Journal of European Integration*, Vol. 24, No. 2, 2002.

aware of this: in a poll conducted during the run-up to the June 2009 elections,⁵ the electors surveyed stated that the most important aspects of an MEP's duties are "direct contact with the citizens in their constituency" (53%) and "regular presence in Strasbourg plenary sessions" (44%). The apparent contradiction of these responses clearly reflects the multi-dimensional nature of the European mandate. Elected officials actively involved in debating EU matters and policies with the widest range of contacts at the local, regional, national and European levels do not directly contribute to Parliamentary work, yet they are exercising their mandate and participating in the Assembly's representative role.

There is no denying that some MEPs exercise their mandate more seriously than others, or that, in the case of French deputies, some multiple office holders have a sketchy attendance record in Brussels and Strasbourg. No matter how evident that may be, it seems unfair to publicly stigmatize those deputies who opt for a specific "Parliamentary role", or for a mandate model that includes other forums and arenas than the EP's bodies. As far as internal activities are concerned, it should be borne in mind that all Parliamentary assemblies consist of members who fulfil different roles and are expected to become experts in their field. This is particularly true of the EP, an assembly which demands highly specialized deputies because of the technical nature of its activities and the constraints of supranational deliberations. That is why it would seem just as pointless to designate the "best" MEP as it would the "best" musician in a philharmonic orchestra.

B. Preliminary remarks on assessing MEP activities

The various studies and rankings pertaining to MEP activities and attendance rates have the merit of fuelling public debate on their work. Yet they also pose a problem inasmuch as some tend to treat the studies as accurate—a quality that cannot be substantiated unless three prerequisites are met.

⁵ A telephone poll conducted on 25 and 26 February 2009 by Institut CSA on behalf of Europanova, on a sampling of 962 people aged 18 or above, using the quota method (sex, age, occupation). For more information, visit www.euractiv.fr.

The first is that it provides a presentation, commentary and in-depth justification of the selected method and criteria so as to clarify the choices made by the authors and expand the scope of the notes or proposed ranking index.

A second prerequisite is that it integrates indicators based upon qualitative measures. Can equal weight be assigned to the formulation of a key report (a budget or legislative text as significant as the REACH regulation or the Bolkestein directive) and to that of a report on a routine, minor, or codification text, or even a report on an EP initiative of no binding nature? How can the work done by a deputy who chairs a group or committee, or by the Vice-President of the EP be adequately taken into account? A purely quantitative approach would cause the public to anticipate that elected officials might try to artificially boost their rating, for example by writing—or commissioning someone else to write—many questions or generate purely formal reports. Monitoring MEP activity can serve its purpose (to better inform the electorate and to induce members to fully exercise their mandate) only if the selected indicators reflect the actual involvement of the MEPs in the assembly's tasks.

The third prerequisite is that it strives to identify Parliamentary roles. Although it does not seem feasible to make an overall judgment about elected officials' activities, it is possible to identify a few "ideal types" (the prophet, the legislator, the controller, the follower, the EP spokesperson, the advocate, the regulatory specialist, the compromise negotiator, etc.) and to build some *ad hoc* quantitative indicators. Based upon the latter, it would be possible to determine to what extent parliamentarians are successfully fulfilling one or several of these roles.

Ideally, one final prerequisite would be a debate on the type of parliamentary representation the Union needs. Should the EP be a regulating body? A policy-making body? A democratic forum? A mediator responsible for improving the relations between the Union and its citizens? An advocate of Union values on the global scene? Each of these approaches can be pursued as long as the role of the assembly and its members' mandates are in concordance. So far, these issues have scarcely been debated, inside or outside of the Convention and the last IGCs, because of the national, cultural and partisan divisions with which they are associated and the uncertainties surrounding the nature, missions and goals of the European Union. Building an indicator of MEP activity inevitably entails choosing sides in this debate. The same would apply to any attempt to assess the EP's overall influence.

2. Assessing the European Parliament's influence: A difficult task

If assessing the deputies' individual activities raises numerous methodological and standard-related problems, evaluating EP activity is no less complex. A number of authors start from the vantage point that, as far as the traditional functions of parliaments or the institutional logic of the Union are concerned, what really matters is that the EP be as active as possible in legislative, budget and oversight matters. What, then, is one to think of the gradual pacification of the inter-institutional relations which characterized budgetary procedures in the 1980s and 1990s, and which is now expanding to include legislative activities?⁶ Is it the EP's mission to negotiate compromises with its counterparts and to promote informal dialogue, or must it remain combative? Is this trend the sign of an abnegation, or of the Union's parliamentarization? The opinions of EP actors and observers on these issues diverge according to their vision of what the Union should be, the role of the elected assemblies and how much conflictuality they feel there should be in politics. For our part, we advocate broaching relations between institutions in a strictly descriptive and analytical way, thereby excluding any value judgment as to the Union's institutional dynamics.

This is no simpler from a methodological vantage point. This will be shown through an introductory review of existing studies of EP activities, while pointing out their limitations. Then we will explore available options for improving upon them.

A. Limitations of existing studies

The only point in scientific literature upon which there is a consensus is the statement that the EP is an institution which plays a key role in the European Union's policy-making. From a comparative viewpoint, it is therefore deemed to be a very powerful Parliament.⁷ Apart from this overall view opinions differ as to the EP's exact influence in its various sectors of Community competency (legislative, budget and oversight functions). In addition, existing literature virtually does not consider its global impact on the functioning of the EU,

⁶ See the previous report of the Observatoire des institutions européennes: Renaud Dehouze, Florence Deloche-Gaudez, Olivier Duhamel (dir.), *Elargissement : comment l'Europe s'adapte* (Paris: Presses de Sciences po, 2006), "Evaluer l'Europe" coll.

⁷ Among others, see: Roger M. Scully, "MEPs and the Building of a 'Parliamentary Europe,'" *Journal of Legislative Studies*, 4 (1), (1998): 92–108; Simon Hix, Abdul G. Noury, Gérard Roland, *Democratic Politics in the European Parliament* (Cambridge: Cambridge University Press, 2007; David Earnshaw, David Judge, *The European Parliament*, 2nd ed. (Basingstoke: Palgrave MacMillan, 2007), 229.

notably through the role that it plays in the emergence and supervision of a European public space.⁸

Research on the EP's legislative activities has declined both in terms of quantity and quality compared to that focusing on its partisan dynamics. However, both approaches do share quantitative tropism and reflect, for the most part, a rather narrow rational choice paradigm.

For many years, most of the research done on the EP's legislative activities was based upon a statistical analysis of the number of amendments accepted by the Commission and the Council. These data were the most readily available and the EP's services used them to assess the impact of the implementation of the “cooperation” procedure provided for by the Single European Act (1987). Since the 1950s, the specific nature of relations between the EP and the Commission, which are not conditioned by partisan logic, has induced deputies to amend most of the proposals for a Directive or Regulation which were submitted to them. The initial consultation procedure left the EP with only marginal influence, totally dependent upon the good will of the Commission and of the Council. The cooperation procedure rules have allowed the EP to greatly enhance its influence. Provided that it had the support of the Commission and that of at least one Member State, the Assembly could impose its amendments. As of the end of the 1980s, the EP's statistical influence on policy-making, as measured by the accepted amendment rate, was thus much higher than that of the Member States' national parliaments. According to the European Parliament services, during the period 1987 to 1997, 54% of Parliamentary amendments were accepted by the Commission at first reading and 41% of them by the Council. At second reading, these figures total 43 and 21%, respectively.

The implementation of the “co-decision” procedure provided for by the Treaty of Maastricht (November 1993) was considered, within the EP, as a great boost to its legislative influence. This new procedure strengthened the EP's ability to create a balance of power with the Commission and with the Council, and offered the prospect of a direct dialogue with the latter. A certain number of researchers—proponents of a rational choice paradigm indifferent to the actors' viewpoints, the findings of institutionalist analyses, and the qualitative impact of political phenomena—nonetheless dismissed these conclusions. Amy Kreppel and George

⁸ Olivier Costa, *Le Parlement européen, assemblée délibérante* (Brussels: Éditions de l'Université de Bruxelles, 2001).

Tsebelis thus popularized the idea that the co-decision procedure would have led to a weakening of the EP's influence.⁹

Following the entry into force of the Treaty of Maastricht, the EP acquired more sophisticated tools with which to monitor legislative activity. The data of the EP Legislative Observatory ("ŒIL") has systematically monitored the evolution of parliamentary amendments, proposing an impact index for each text. The EP delegation's annual reports to the Conciliation Committee have also provided accurate assessments of the Assembly's legislative activities and of its influence. Lastly, the co-decision procedure has also been studied from the perspective of the rules governing the adoption (at first, second and third reading) or rejection of the texts.

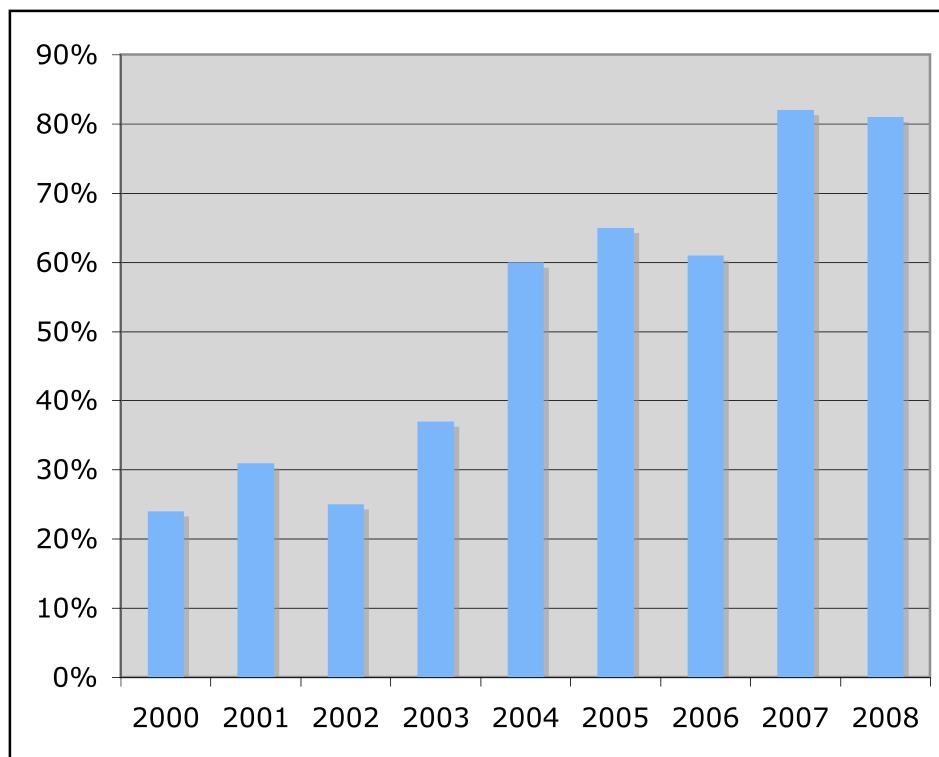
Overall, the EP's ability to impose its amendments has been strengthened, despite the predictions and initial analyses by supporters of rational choice and the games theory. During the period preceding the co-decision procedure reform provided for by the Treaty of Amsterdam (November 1993 to May 1999), there was also a significant increase in the number of amendments resulting from a compromise between the EP and the Council. This development was the product of the two institutions' common desire to make the co-decision procedure less conflictual and to promote compromise—as they had done for the budgetary procedure ten years earlier. For example, the EP made certain not to resubmit, at second reading, amendments which had been partially taken into account in the Council's common position. The latter, rather than announce the acceptance or rejection of the EP amendments, formed the habit of also indicating the amendments on which it was prepared to open negotiations. During the 1993-1999 period, 40% of the texts adopted by co-decision were the subject of a conciliation procedure. On that occasion, 63% of the accepted amendments represented EP positions.

The entry into force of the Treaty of Amsterdam (in May 1999) expanded the scope of the co-decision procedure and introduced changes in the procedure which kept the EP and the Council on equal footing. The revised co-decision procedure notably permitted acts to be adopted at first reading on the basis of the EP's proposal. The EP's services produced a rising number of analyses on the impact of the EP's amendments. Scientific literature, however, became scarcer because of the methodological complications caused by the adoption of texts

⁹ Amy Kreppel, "Procedure and Influence: An Empirical Analysis of EP Influence under the Co-decision and Cooperation Procedures," presentation at the American Political Studies Association Conference in Washington, DC, 2000; George Tsebelis, "Veto Players and Law Production in Parliamentary Democracies: An Empirical Analysis," *The American Political Science Review* 93 (3) (1999): 591–608; George Tsebelis and Geoffrey Garrett, "The Institutional Foundations of Intergovernmentalism and Supranationalism in the European Union," *International Organization* 55 (2) (2001): 357–90.

in the early stages of the decision-making process. As shown in the previous report of the Observatory of European Institutions (OIE),¹⁰ the period after the entry into force of the Treaty of Amsterdam was characterized by widespread use of the legislative dialogue between the EP, the Commission and the Council, allowing for the adoption of an increasing number of texts at first reading (see Graph 1 below).¹¹ While this practice suggests a lack of parliamentary amendments, it does not imply that there was a lack of EP influence on the adopted texts. Moreover, the Council had formed the habit, as of the late 1990s, of accepting a maximum of minor amendments now deemed insignificant, notably almost all of those dealing with language and wording matters, in order to artificially inflate the EP statistics.

Graph 1. Proposals Adopted at First Reading



Source: Secretariat-General of the European Commission

As a result, a number of authors abandoned this field of research, or were compelled to acknowledge that the amendments were not all of equal importance.¹² Some works attempted to incorporate more qualitative indicators into the quantitative analysis, notably data

¹⁰ Olivier Costa, “Parlement européen et élargissement : entre fantasme et réalité,” in Renaud Dehouze et al., *op. cit.*

¹¹ On this point, see the chapter by Giuseppe Ciavolini Azzi in this work, particularly Table 2 which shows the path followed by texts adopted under the co-decision procedure between 2000 and 2008.

¹² Amy Kreppel, “The European Parliament’s Influence Over EU Policy Outcomes,” *Journal of Common Market Studies*, 37, 3 (1999): 521–538.

concerning the substance of the amendments.¹³ Others ventured into using more qualitative approaches, tracking several texts in a given sector,¹⁴ or just a single text.¹⁵

Apart from these approaches aimed at describing the EP's influence, certain authors sought to identify the factors explaining variations on a case-by-case basis and, in particular, to understand the conditions that cause the EP to reject certain texts. D. Judge and D. Earnshaw¹⁶ suggested four variables: type of policy, the extent to which it is intergovernmental, the nature of inter-institutional relations which it fosters, and existing institutional resources. Implicitly, the authors also stressed the impact of the partisan variable (political group cohesion, the logic to coalition formation within the EP, ties with national parties).

B. What research strategy should be used in dealing with the widespread use of trialogues?

The increasing use of trialogues and informal negotiations associating the EP with proposal preparation¹⁷ poses a real hurdle for the quantitative analysis of the EP's legislative and budgetary influence. Another is the lack of a reliable indicator of the "importance" of the texts and amendments. Too little data is available for identifying the proposals which deal with policy issues or which introduce substantial changes in the rule of law in an environment of increasing standards designed to perpetuate existing policies and programmes, or to codify Community laws without changing their meaning. Similarly, the EP has no indicator with which to distinguish crucial amendments from those which are purely formal.

In such a context, research on the EP's influence faces a crossroads: it must either focus upon special cases from which only partial findings can be drawn, or be the subject of a more *global, thematic* and *comparative* approach, emphasized in this paper. Such an approach first calls for the analysis to be elevated to an inter-institutional level which would view the Union as a unique system of governance, relying upon many highly integrated actor networks,

¹³ G. Tsebelis, C. B. Jensen, A. Kalandrakis and A. Kreppel, "Legislative Procedures in the EU: An Empirical Analysis," *British Journal of Political Science*, 31, 3 (2001): 573–599.

¹⁴ David Earnshaw and David Judge, *The European Parliament* (Basingstoke: Palgrave MacMillan, 2003).

¹⁵ See mainly: M. Shackleton, "The Politics of Co-decision," *Journal of Common Market Studies*, 36, 1, (2000): 115–130; C. Burns, "Who Pays? Who Gains? How do Costs and Benefits Shape the Policy Influence in the EP?" *Journal of Common Market Studies*, 43, 3 (2005): 485–505.

¹⁶ D. Judge and D. Earnshaw, "Weak EP Influence? A Study of the Environment Committee of the EP," *Government and Opposition*, 29, 2 (1994): 262–276.

¹⁷ Henry Farrell and Adrienne Héritier, "Interorganizational Negotiation and Intraorganizational Power in Shared Decision Making. Early Agreements Under Co-decision and Their Impact on the European Parliament and Council," in *Comparative Political Studies*, Vol.27 (2004): 1184–1212.

and no longer as a mechanism comprised of three independent institutions interacting according to the terms stipulated by treaties. It is particularly important to take into account the ongoing contacts that the EP's actors have with those of the Commission and of the Council, as well as the contacts of the Union's non-institutional actors, on the fringe of the formal decision-making process. Secondly, the analysis must be thematic, because although it may be problematic to systematically determine "the importance" of legislative proposals and Parliamentary amendments, they can be identified by topic. This work has been undertaken in the OIE's database, using the coding specific to Union institutions, as well as that of the "Policy Agendas" international research project.¹⁸ This approach can be used to fine-tune the analyses and notably to determine the policies and topics which are mobilizing the MEPs and for which their influence is the most decisive. It also provides a way to guarantee the comparability of the findings with other cases. Even if the European Union remains a unique political structure, its policy making can be compared with that of other entities, whether Member States (to assess public action approaches to Europeanization), or third countries, such as the United States. In such matters, a topic code appears essential in order to record and compare the Union's policy priorities with those of its institutions.

In more concrete terms, research on the EP's influence could take one of two different directions. The first would mean pursuing the work already undertaken by the OEI on the subject of the European Union's standard-setting activities. This mainly requires analyzing co-decision trends to better measure the variations in the Union's text-adopting capacity and changes in the balance of power between the institutions. The topic coding must make it possible to refine the analysis and, in the case of the EP, to determine in which sectors it is seeking to maximize its influence and is managing to do so. This coding will make it easier to pinpoint the key issues worthy of a more qualitative study. Such an approach is all the more necessary in view of the fact that all of the reforms implemented in the EP in the last few years have been aimed at focusing the institution's resources on issues deemed to be priorities and to stop scattering its resources by deliberating on the countless, often trivial texts, submitted to it. The following table indicates, for each of the European Union's legislative production sectors, the share of texts adopted under the co-decision procedure, thus highlighting the sectors in which the Parliament's activity is most important.¹⁹

¹⁸ See www.policyagendas.org

¹⁹ As shown in the chapter written by Florence Deloche-Gaudez in this work, decision-making takes the longest in those sectors in which the co-decision procedure is most commonly used.

Table 1. Texts Adopted under the Co-decision Procedure, by Sector

Sectors	Percentage of texts adopted under the co-decision procedure
Right of establishment and freedom to provide services	94%
Transport policy	88%
Industrial policy and internal market	77%
Science, information, education and culture	78%
Environment, consumers and health protection	74%
Freedom of movement for workers and social policy	70%
Law relating to undertakings	52%
External relations	46%
Economic and monetary policy and free movement of capital	42%
Energy	40%
General, financial and institutional matters	30%
People's Europe	25%
Agriculture	19%
Regional policy and coordination of structural instruments	22%
Area of freedom, security and justice	16%
Customs Union and free movement of goods	15%
Taxation	5%
Fisheries	0%
Competition policy	0%
Common Foreign and Security Policy	0%

Source: OIE, data for the 2002 to mid-2007 period

The second option is to return to a more comprehensive approach to how the Union functions and the EP's role within the latter. The assembly's functions are interdependent: its legislative, budget and oversight activities (adoption of declaratory resolutions, organization of political debates, intervention in the European constitutional field and in foreign policy

matters, role as a forum) are interconnected. EP influence on Union policies thus does not end with the adoption of amendments or the negotiation of compromise within the triad framework. In many fields, the EP has initiated a European-scale debate, proposed solutions and guided deliberations by introducing concepts and ideas—and doing all of this before legislative proposals are even made. According to the services of the European Commission, 95% of legislative initiatives are merely responses to external solicitations from other institutions, Member States or stakeholders. The EP's influence therefore largely exceeds its intervention in legislative procedures or its recourse to “initiating the initiation of legislation” provided for by the Treaty of Maastricht. It is playing a more global role of moderating the European public space, thus having an indirect impact on EU agenda-setting—which is still formally monopolized by the European Commission. In order to comprehend this diffuse influence, all of the EP's activities need to be taken into account by creating a more comprehensive database which will include legislative, non-legislative and oversight (questions) activities, committee activities, and plenary debates.²⁰ Topic-based coding makes it possible to identify EU priorities and to determine whether the deputies' focus on certain issues and policies may or may not affect the Union's standard-setting activities, and whether or not the EP acts in a precursory capacity in identifying issues which may mobilize European institutions at a given time.

CONCLUSION

As matters stand, it is difficult to assess the EP's influence and that of its members. The advantage for the assembly to engage in triad, rather than to give free rein to the decision-making mechanisms stipulated under the treaties, is now the subject of a discreet but steady debate within the EP. It is the continuation of one generated since the mid-1980s by the EP which involves rationalizing of its activities in order to make use of its new powers. This debate reached its climax with the implementation of the co-decision procedure and the repeated calls by the permanent members of the EP's Conciliation Committee to improve the parliamentary amendments' legal quality and to reduce their number. In the opinion of some “backbenchers,” a small minority of MEPs is now controlling the political debate by negotiating agreements with Council and Commission representatives. In their opinion, these

²⁰ It is currently being created within the framework of the Sciences Po Bordeaux research project “LEGIPAR” (“Parliamentary legitimization and democratic government in France and in the European Union”).

practices are corrupting Parliamentary representation and those who perpetuate them are deluding themselves about the benefits the EP can derive from informal negotiations with the Commission and the Council. To substantiate that theory, they point out that, even today, the Commission still tends to systematically give greater priority to Council demands than to the assembly's. Others claim that the EP lacks the necessary expertise in technical sectors, or matters such as comitology, to be able to efficiently negotiate with the Commission and the Council. In the present state of affairs, it is accurate to say that MEPs and citizens alike are compelled to take the word of EP leaders when they affirm that systematizing trialogues allows the assembly to maximize its influence upon the Union's policy making process.