

**Master in
Parliamentary procedures and
legislative drafting
(EUPADRA)**



Course Syllabus
Academic Year 2017/18

Course Title: The European Parliament in the “Composite” European Constitution

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Course description

The course will focus on the European Parliament in the context of the European Union, whose structure is shaped in part by EU law, especially the Treaties, and in part by national constitutional provisions, but also in the day-to-day pragmatic evolution of the Institutions.

The course will start with an historical institutional and legal overview of the evolution of the European Parliament since the first steps of the Joint Parliamentary Assembly of the European Coal and Steel Community's. It will then move on to look at the role of the European Parliament before and after the first direct elections of 1979, through the various Treaty changes, until the regime defined by the Treaty of Lisbon.

The course will continue analyzing the role and influence of the of the elected European Parliament in its relation with the Council and the Commission, with a special attention to the approval and the tenure of the European Commission, also in the light of the 2014 *Spitzenkandidaten* exercise. By the same token attention will be devoted to the European Parliament's scrutiny and oversight of EU intergovernmental institutions, whose political importance has increased in the aftermath of the financial and the refugee crises.

Finally, the course will examine three concrete areas of influence of the European Parliament: the EU budget, the protection of fundamental rights and of the rule of law, and international agreements concluded by the EU.

At least two guest lectures involving visiting professors are to be organized in the framework of this course.

Assessment

Students will be asked to pass a written exam in class based on open questions.

Textbook

R. Corbett, F. Jacobs, D. Neville, *The European Parliament*, 9th ed., London, John Harper, 2016

Course Structure

	Topic and suggested bibliography
Class 1	<p>At the origins of the European Parliament: the Common Assembly of the European Coal and Steel Community and its evolution under EC Treaties (until direct election)</p> <p>Readings:</p> <ul style="list-style-type: none"> - B. Rittberger, <i>Building Europe's Parliament: Democratic Representation Beyond the Nation-State</i>, Oxford, OUP, 2007, pp. 73-113. - R. Corbett, F. Jacobs, D. Neville, <i>The European Parliament</i>, 9th ed., London, John Harper, 2016, chapter 1.
Class 2	<p>The position of the European Parliament in the European institutional architecture (I): from the direct election to the Treaty of Lisbon</p> <p>Readings:</p> <ul style="list-style-type: none"> - R. Corbett, F. Jacobs, M. Shackleton, <i>The European Parliament</i>, 9th ed., London, John Harper, 2016, chapter 18. - P. Roca, A. Rasmussen and P. Ponzano, <i>Part II</i>, in Y. Mény (eds.), <i>Building Parliament: 50 Years of European Parliament History</i>, Luxembourg: Office for Official Publications of the European Communities, 2009, pp. 158-222.
Class 3	<p>The position of the European Parliament in the European institutional architecture (II): from the Treaty of Lisbon onwards</p> <p>Readings:</p> <ul style="list-style-type: none"> - R. Corbett, F. Jacobs, D. Neville, <i>The European Parliament</i>, 9th ed., London, John Harper, 2016, chapter 12. - C. Reh, A. Héritier, E. Bressanelli, C. Koop, <i>The informal politics of legislation explaining secluded decision making in the European Union</i>, in <i>Comparative Political Studies</i> 46 (9), pp. 1112-1142
Class 4	<p>The election(s) of the European Parliament: the evolution of its role regarding the Commission, in particular the appointment and mandate of the European Commission before and after the <i>Spitzenkandidaten</i> exercise.</p> <p>Readings:</p> <ul style="list-style-type: none"> - R. Corbett, F. Jacobs, D. Neville, <i>The European Parliament</i>, 9th ed., London, John Harper, 2016, chapters 2, 4, 14 - M. Goldoni, The representativeness of EU law-making: Lessons from the <i>Spitzenkandidaten</i> experiment, in C. Fasone, D. Fromage and Z. Lefkofridi (eds), <i>Parliaments, public opinion and parliamentary elections in Europe</i>, EUI Working Paper, MWP 2015/18, pp. 7-20.

Class 5	<p>The European Parliament's oversight of EU intergovernmental institutions</p> <p>Readings:</p> <ul style="list-style-type: none"> - R. Corbett, F. Jacobs, D. Neville, <i>The European Parliament</i>, 9th ed., London, John Harper, 2016, chapter 15 - S. Fabbrini, <i>Which European Union? European after the Euro Crisis</i>, Cambridge, Cambridge University Press, 2015, chapters 5 and 6. <p>Or</p> <ul style="list-style-type: none"> - Uwe Puetter, <i>The European Council and the Council: New intergovernmentalism and institutional change</i>, Oxford, OUP, 2014, chapters 2 and 5.
Class 6	<p>The European Parliament as a budgetary and discharge authority</p> <p>Readings:</p> <ul style="list-style-type: none"> - R. Corbett, F. Jacobs, D. Neville, <i>The European Parliament</i>, 9th ed., London, John Harper, 2016, chapter 13. - A. De Feo, <i>A history of budgetary powers and politics in the EU : the role of the European Parliament</i>. Part I and II, Luxembourg, Publications Office of the European Union, 2015. <p>Or</p> <p>C. Fasone and N. Lupo, <i>The Union Budget and the Budgetary Procedure</i>, in R. Schütze and T. Tridimas (eds), <i>Oxford Principles of European Union Law</i>, Oxford, OUP (forthcoming).</p>
Class 7	<p>The European Parliament as a protector of the rule of law and of human rights</p> <p>Readings:</p> <ul style="list-style-type: none"> - F. Benoît-Rohmer, <i>Part III</i>, in Y. Mény (eds.), <i>Building Parliament: 50 Years of European Parliament History</i>, Luxembourg: Office for Official Publications of the European Communities, 2009, pp. 227-286. - M. Bonelli, <i>Safeguarding Values in The European Union: The European Parliament, Article 7 and Hungary</i>, in <i>LUISS SOG Working Paper Series</i>, SOG-WP28/2015 - European Parliament resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights (2015/2254(INL))
Class 8	<p>The European Parliament on EU international agreements</p> <p>Readings:</p> <ul style="list-style-type: none"> - C. Eckes, <i>How the European Parliament's participation in international relations affects the deep tissue of the EU's power structures</i>, (2014) 12 (4) <i>International Journal of Constitutional Law</i>, pp. 904-929. - M. Romaniello, <i>The international role of the European Parliament: The SWIFT Affair and the 're-assessed' European institutional balance of power</i>, in <i>Perspectives on federalism</i>, vol. 5, issue 1, 2013, pp. 97-121. - European Parliament resolution of 5 April 2017 on negotiations with the

	United Kingdom following its notification that it intends to withdraw from the European Union (2017/2593(RSP))
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Other suggested readings

O. Costa, *Le Parlement européenne, assemblée délibérante*, Bruxelles, Editions ULB, 2001.

A. Kreppel, *The European Parliament and Supranational Party System: A Study in Institutional Development*, Cambridge, Cambridge University Press, 2002.

A. Manzella and N. Lupo, *Parlamento europeo (voce)*, in S. Cassese (ed), *Dizionario di diritto pubblico*, vol. V, Milano, Giuffrè, 2006, pp. 4112-4124.

D. Judge and D. Earnshaw, *The European Parliament*, 2nd ed., Basingstoke, Palgrave MacMillan, 2008.

N. Yordanova, *Organising the European Parliament: the role of committees and their legislative influence*, Colchester, ECPR Press, 2013.

N. Brack, *L'Euroscepticisme au sein du parlement européen : Stratégies d'une opposition anti-système au coeur des institutions*, Larcier, 2014.