

Yes, the European Parliament is different from Westminster – and British leaders never bothered to explain how

*In this edited extract from his book, **Fiction, Fact and Future: The Essence of EU Democracy**, former MEP **James Elles** says that the EU's structure is often unfamiliar to Britons – something which is not helped by the failure of British leaders to explain it. They have also actively discouraged links between MEPs and MPs.*

The unwillingness of British leaders to explain the nature of EU institutions and the political implications of EU membership is well established. It is impossible to recall any major speech by a British Prime Minister from 1973 onwards explaining the EU institutions and the implications of shared sovereignty for the origin of many of the laws we apply today in our country. Indeed, one of the most remarkable comments during the 2016 referendum campaign period was the claim by Michael Gove that the European Parliament was a mock parliament.



MEPs vote on the 2020 investment budget, October 2019. Photo: [European Parliament](#) via a [CC BY 4.0 licence](#). © European Union 2019 – Source: EP

Much of the problem for Britons seeking to understand the EU institutions lies in their different structure of governance compared to that in most member states (which is typically that of government versus opposition). In the EU, the structure is much more similar to that of the US, with a separation of the executive and the legislature.

The EU treaties also insist on a separation of powers. Thus commissioners – members of the European Commission – are forbidden to stand for election for the European Parliament, but like their US counterparts they have to go through open hearings in the European Parliament before being given confirmation to take office. Although not directly elected, the European Commission President has to be voted in by an absolute majority of newly elected MEPs before formally entering office after being chosen by EU leaders in the European Council, by a qualified majority vote.

The European Council is composed of the elected heads of government of the member states, overseen by an appointed President. The treaties dictate that the European Council has no legislative function, but provides impetus for the development of the EU and defines its political directions and priorities. Governments are also in the Council of the European Union, sharing powers with the European Parliament in making decisions on new laws proposed by the European Commission. As John McCormick put it in his book, *Why Europe Matters: The Case for the European Union*:

So while we can say that the EU is more than a conventional international organisation, and while there has been much pooling or sharing of policy responsibilities, the EU falls some way short of being a federal United States of Europe, and – most importantly – there is direct or indirect accountability to European voters all along the way. That Brussels has accumulated independent powers and has the ability to make decisions without the input of national governments or their representatives is one of the enduring fictions about Europe. When Nigel Farage charged in 2012 that the outcome of the next election in Britain was moot because ‘we are not governed from Westminster, we are governed from Brussels’, it was an overstatement bordering on the delirious.

When the UK first joined the EEC, the European Parliament (or Assembly) was appointed by the governments of the member states. It was only in June 1979 that the first direct elections to the European Parliament took place. MEPs are elected under national electoral systems, but these have to observe certain common principles established in EU law, notably proportional representation. In some member states, voters can only vote for a list of candidates, with no possibility of changing the order of those candidates (closed list); in others, voters can express their preference for one or more of the candidates (preferential voting). Instead of a list system, some member states achieve the latter possibility of preferential voting by using the single transferable vote. Britain opted for the first of these options, a closed list system.

Each member state has its own structure for scrutiny of EU legislation as well as its own rules about who is involved in such a process. The Belgian case is the most advanced in that it allows for EU legislation to be scrutinised by an equal number of MEPs alongside national parliamentarians, whereas there has been no involvement of MEPs in the UK case. National parliaments in other member states such as Ireland, Germany and Holland have regular close links with their MEPs.

Strangely, the British political class under Blair and then Cameron invested little time in understanding how the EU institutions worked, not even making significant efforts to ensure that the UK had satisfactory representation in the institutions themselves. Boris Johnson raised this fact during the referendum campaign when he quoted that under 4% of the Eurocrats were of British nationality – not a Brussels problem, more the result of a lack of interest from the UK government side. Furthermore, no time was spent cultivating links of a parliamentary nature across Europe. Quite the contrary. The more the European Parliament grew in activity, power and influence, the less they were prepared to bring British MEPs into British political life.

The European Parliamentary Elections Act in 1999 introduced changes that created large regions, which did not help in retaining contact with individual voters. Instead of having distinct constituencies for individuals to act as parliamentarians, the UK was divided into large regions of which most British citizens found they had little knowledge or understanding. So in the South East, for example, 10 seats were allocated for a total number of voters around 10 million. Proportional representation appeals to many for its ability in theory to treat everyone fairly, but my experience of working with a constituency system first (from 1984 to 1999) and then a proportional one (from 1999 to 2014) made me definitely favour the direct constituency-based link.

One noticeable difference between the UK and other countries which had national list systems was the difference in the nature of parliamentarians. Many continental countries would include in their MEP lists senior former national politicians – such as Leo Tindemans, Belgian Prime Minister from 1974 to 1978 – providing enormous political experience to the European Parliament. Rarely if ever did former senior UK politicians get selected, not least because of the difficulty of getting selected on the UK’s bizarre regional list system. At least Blair ensured that Labour MEPs had a vote in deciding the leader of the Labour Party along with MPs. Conservatives did not even have that involvement in the party.

No frameworks were built within the Conservative Party for MEPs to consult or work with their colleagues in the House of Commons. My experience was that pleasantries were maintained at a local level, but at a national level our knowledge, our experience and our continental friendships counted for nothing. Worse was that nothing was done at a national level within the Commons to keep MPs abreast of developments in European issues. Yes, formal meetings took place at the European Parliament for specific committees, but no provision was made to have either formal or informal links between British MEPs and MPs. Even worse was to come when the passes allowing MEPs access to the two Houses of Parliament were removed between 2004 and 2014 (over the period of two EP mandates). The lack of access made it difficult to maintain friendships with MPs. It was only thanks to the House of Lords, by independent decision, that MEPs retained a means of access to the Houses of Parliament. While the British public might have assumed that MPs and MEPs were working together in their common interest, nothing could have been further from the truth. Misperceptions of this type have been rife in the UK.

However, by all parameters, the European Parliament of elected MEPs has growing powers and is not a sideshow. The fact that since 2009 it has jointly exercised legislative and budgetary functions with the Council of the European Union is significant. It cannot be said to be a mock parliament, as Gove suggested. That attitude is symptomatic of many British politicians who have never made any effort to understand the 'new' institutions in which this country has been involved as an EU member for over 40 years. It simply did not seem to matter to them.

During the period of our EU membership, the popular press has often taken up issues – real or imaginary – in which the EU has been seen to be intrusive into British lives. Some MPs have been consistently vocal in expressing their resistance to such proposals. The wave of such protest has grown since the Maastricht Treaty was signed. MEPs have had little visible role to play, and national leaders have neither encouraged them to become more visible nor enabled this by including them, even if on several occasions MEPs' actions have helped to maintain British interests. Those with the most publicity were MEPs such as Nigel Farage who were being handsomely paid by the institution they were trying to destroy, but doing little parliamentary work to assist their constituents.

The perceived absence of accountability of the EU institutions struck a strong chord with the British public during the 2016 referendum. However, it was not that this accountability did not exist, but rather that the British political class refused to admit its existence.

This post represents the views of the author and not those of the Brexit blog, nor LSE.

[Fiction, Fact and Future: The Essence of EU Democracy](#) is published by Haus Publishing.