Democratic accountability and parliamentary control in foreign and security policy - general introduction

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European Parliament
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Legitimacy and Accountability

- Minimum requirement for democratic legitimacy in EU external relations (Sjursen 2011, Raube and Wouters 2018):
  - Autonomy (the affected of the action must be authors the action)
  - Accountability (decision-makers must be held accountable)

- Input, throughput and output legitimacy (V. Schmidt 2013):
  - governing by the people
  - governing with the people
  - governing for the people
Legitimacy and Accountability

Internal and External Input-, Throughput- and Output- Legitimacy in EU Foreign Policy

Multi-lateral

Bi-lateral

Input
Throughput
Output

External

Internal

EU

MS

Raube, Tonra and Sjursen (forthcoming 2018)
Legitimacy and Accountability

Internal and External Input-, Throughput- and Output- Legitimacy in EU Foreign Policy

Raube, Tonra and Sjursen (forthcoming 2018)
## Influence

### Decision-making stages

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Influence of parliaments
Influence, accountability and legitimation?

• **Authority, ability and attitude** (Hänggi and Born 2004, 2005; Huff 2015)

• Contextual sources **elevating or sidelining parliaments** and generating **effects on parliaments** (Mello and Peters 2018)
Parliaments in CSDP

Parliamentary Functions

- Controllers and Scrutinizers
- Decision Makers and Legislators
- Parliamentary Diplomats
Parliaments in CSDP

- **Parliamentary Control**: power to sanction (i.e. budgetary powers, legislative powers, war powers)
- **Parliamentary Scrutiny**: softer means of accountability (Wouters and Raube 2012)
- **Decisions Maker and Legislator** (Raube 2012)
- **Parliamentary Diplomats** (Jancic and Stavridis 2016)

Scrutiny *might not include the ultimate power to sanction*, but in such cases parliaments remain far from non-influential. Parliaments may use the power of the public to scrutinise executive acts, to legitimize or de-legitimize them in public. In fact, it may also be the case that governments seek to be scrutinised by parliaments in order to legitimise their actions publicly. (Wouters and Raube 2012)
Parliaments in CSDP

European Parliament

• Roland Bieber claimed that **EP parliamentary involvement** is necessary to preserve the self-sustainability of the EU’s foreign policy-making system (1990)

• European Parliament has however **not been able to win many formal control powers** in CFSP/ CSDP

• **Symbolic** Parliament **without Power?**
Parliaments in CSDP

EP’s Institutional Roles in CFSP/CSDP

- Controller and Scrutinizer
- Decision-Maker and Legislator
- Parliamentary Diplomat

EP I

EP II

EP III

Post-Lisbon
Parliaments in CSDP

<table>
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<th>Decision-making stages</th>
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<tr>
<td><strong>Pre-decision</strong></td>
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<tr>
<td>Problem-formulation</td>
<td>The EP’s identifies a problem that is subsequently enters into the policy-making process or instigates institutional reform. The EP’s definition of a problem or issue becomes guiding to the policy-making process or the standard for institutional reform.</td>
</tr>
<tr>
<td>Agenda-setting</td>
<td>The EP’s concerns become part of the EU’s CFSP agenda. The EP’s concerns receive more/earlier attention than other issues on the CFSP agenda.</td>
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<tr>
<td><strong>Decision-making</strong></td>
<td></td>
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<tr>
<td>Participation in decision-making</td>
<td>The EP rejects (parts of) a policy or procedure that it does not agree to. The EP amends (parts of) a policy or procedure that it does not agree to.</td>
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<tr>
<td><strong>Post-decision</strong></td>
<td></td>
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<tr>
<td>Implementation</td>
<td>The EP’s suggestions for how to implement a certain policy or procedure are (partly) incorporated by the EU executives.</td>
</tr>
<tr>
<td>Evaluation</td>
<td>The EP’s evaluation of a policy or procedure leads to the change of given policy or procedure.</td>
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Parliaments in CSDP

- Variation of legislative, budgetary and oversight powers (Dietrich, Marshall and Hummels 2010)

  - Ex-ante veto powers vs. No ex-ante veto powers
  - Newly-won vs. lately-lost powers
  - A trend towards de-parliamentarization
  - Formal vs. informal powers: parliamentarization

- Formal powers do not always render care (Schade 2018)

- Democratic Peace Theory stands (Wagner 2018)
  - But: Role of strong governments (Auerswald 1999)
  - Military alliances become important (external) factors, sometimes trumping institutional constraints (Wagner 2018)
Parliaments in CSDP

• Towards a Parliamentarization of CSDP?
  • The overall impact (influence and legitimation) of parliaments dependent on parliamentarization (Crum 2006; Raube 2012)
    • National Parliaments: Extended parliamentary consent despite “de-parliamentarized” systems? (Peters and Wagner 2011)
    • European Parliament: Growing parliamentary influence in the shadow of non-formalized powers? (Crum 2006; Rittberger 2003)
Parliaments in CSDP

- **Inter-parliamentary Cooperation in the EU** as enhancing democratic accountability (Wouters/ Raube 2016; Raube/ Wouters and Mütüler-Bac 2019)?
- Exchange of information and added-value for democratic accountability
- **IPC CFSDP/CSDP:**
  “…shall provide a framework for the exchange of information and best practices in the area of CFSP/CSDP to enable national parliaments and the European Parliament to be fully informed when carrying out their respective roles in this policy area.” (Rules of Procedure, 1.1)
- Which Role for **Parliamentary Diplomacy**?
Conclusions

- Parliamentary roles are shaped and alternated unevenly (from one policy to another) and fragmented (from one level of the EU polity to another) in EU external relations.

- This fragmentation of parliamentary roles across policies leads to questions about the kind of legitimacy which currently ‘fuels’ EU external relations in general and CFSP/CSDP more specifically.

- Parliamentarization of CSDP
  - Impact on influence and legitimation through parliaments.

- Democratic (parliamentary) deficit possible unless further institutionalization.