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Division of seats in the European Parliament

ABSTRACT

The European Parliament is one of the most important institutions of the European Union. One of its main tasks is to represent the citizens of the European Union. The representation power of a state depends on its population. Unfortunately the number of inhabitants of states is distinguished by wide dispersion and the most popular methods based on the simple proportionality cannot be used in the European Parliament seats allotment. Therefore, different from proportional method is used – “the degressive proportionality method”.

KEYWORDS: degressive proportionality, democracy, European Parliament, fair division.

INTRODUCTION

Joining the European Union in 2004 Poland on the one hand took on an obligation to obey law and regulations of the Union but on the other hand it gained an opportunity to influence their shape and to co-decide on issues which were vital for the

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member states. One of the most important institutions in which the representatives of Polish citizens sit on is the European Parliament. The power of their opinion depends largely on the number of seats that are allotted to the Members of the European Parliament from different states. Historically the way the seats are divided is subordinated as a rule to one fundamental principle that is the principle of proportion. Among a lot of methods which are used in practice of such a division, algorithms based on priority functions are the most popular. Among others such familiar methods as the Adams', D'Hondt's or Sainte-Lague's methods belong to them. Their main idea is the sequential allotting of subsequent seats in order to allocate all seats according to the accepted principle of just representatives. However, the proportional methods do not work if the number of inhabitants of individual units is distinguished by wide dispersion. It is characteristic of the member states of the European Union. If for example the D'Hondt's method was used while dividing the seats in European Parliament, then Malta and Luxembourg would not have any representative. Because of that to solve this problem different from proportional methods of seats allotment are sought.

THE HISTORY OF THE EUROPEAN PARLIAMENT

The origins of the European Parliament as one of the European Union institutions go back to the beginnings of the Union itself. In 1952 a treaty was signed in Paris establishing the European Coal and Steel Community in which four institutions were formed, including the Common Assembly. Next treaties, among others the Treaty of Rome and the Merger Treaty, establishing the European Community extended its role and gave it another functions and competence. In the Single European Act from 1986 it was given an official name of the European Parlia-

ment which the assembly had been using since 1962 and which has been used till now.

Nowadays the European Parliament together with the Council of the European Union, the European Commission, the Court of Justice and the Court of Auditors is one of the most important institutions of the Union. Its main task is to represent the citizens of the European Union and it fulfils three basic functions. The first one is to pass – in a lot of cases co deciding with the Council – legal instruments of the European law. The next to democratically supervise the institutions of the union, especially the European Commission. Among others the Parliament can reject or approve the candidature of commissioners and dismiss the Commission based on the vote of censure. The third is supervising the Union's budget. Together with the Council the Parliament approves the Union's budget and its full acceptance is impossible without the signature of the Parliament president¹.

At first the Members of the European Parliament were chosen by the parliaments of the member states. From 1979 they have been elected in universal, direct elections in every state according to their own elections statute. From the first term of the European Parliament the number of its Members has increased by 658 people from 78 in 1952 to 736 in 2009².

THE HISTORY OF THE EUROPEAN PARLIAMENT COMPOSITION

The composition of the European Parliament was decided in the session of the Council of the European Union in Brussels in 1976 for the first universal, direct parliamentary elections in 1979. According to the composition bigger states (France, the Federal Republic of Germany, Italy and Great Britain) were giv-

¹ <http://europa.eu>.

² „Historia i Uprawnienia Parlamentu Europejskiego”.

en 81 seats each, whereas smaller ones got: the Netherlands (25 seats), Belgium (24), Denmark (16), Ireland (15), Luxembourg (6). Dividing the seats for the smaller countries no mathematical rule was used, but a rule according to which the number of Members was proportional to the population of a state they represented, yet larger than the share of that population in the sum of all citizens of the European Economic Community.

The first changes in the composition of the Parliament were in 1981 when Greece joined the European Community, then in 1986 after the integration of Spain and Portugal. For new members new seats were created using the same rule according to which the seats were allotted in 1979. As a result Greece and Portugal got 24 seats each and Spain 60.

The next modification took place before the elections in 1994. In the session of the Council of Europe in 1992 after putting forward by the Parliament a proposal to consider the unification of Germany, new composition was established increasing the number of Members to 567. Therefore, the member states obtained extra seats: Germany – 18, Sweden – 22, Italy and Austria – 21, Finland – 16, the Netherlands and Great Britain – 6, Spain – 4, Belgium, Greece and Portugal – 1. At the same time a rule was determined on which grounds the seats were given: every state got 6 seats. Additionally every state which was inhabited from 1 to 25 million people got one seat for its 500 thousand inhabitants. Then every state having between 25 and 60 million got one seat for one million inhabitants. Finally the countries with the population over 60 million obtained one seat for every 2 million people. A similar rule was signed in the Amsterdam Treaty together with the upper limitation of the total number of Members of the European Parliament up to 700. Therefore the first precise rule of establishing the composition did not consist in proportionality rule, that is the representing by every Member the same number of electors. Such a solution resulted of course

in significant differences in the population among the member states.

Another amendments were decided in the Treaty of Nice. It changed the limitation of the number of the Members of Parliament up to 732 and guaranteed their constant number and the balanced distribution after the accession of new states to the European Union. As a result Spain lost 10 seats, France, Italy and Great Britain – 9, the Netherlands – 4, Austria and Sweden – 3, Denmark, Finland and Ireland – 2, Greece and Portugal – 1.

In 2007 Bulgaria and Romania joined the European Union. To avoid another loss of seats by individual states their number was increased for the time before the elections in 2009 giving Romania 35 seats and Bulgaria 18³. The changes in the composition of the European Parliament within the years are presented in table 1.

Table 1a. The composition of the European Parliament during the first, second and third term.

Member state	1979-1984		1984-1989		1989-1994	
	Beginning of term	End of term	Beginning of term	End of term	Beginning of term	End of term
1	2	3	4	5	6	7
Germany	81	81	81	81	81	81
France	81	81	81	81	81	81
United Kingdom	81	81	81	81	81	81
Italy	81	81	81	81	81	81
Netherlands	25	25	25	25	25	25
Belgium	24	24	24	24	24	24
Denmark	16	16	16	16	16	16
Ireland	15	15	15	15	15	15

³ A. Lamassoure, A. Severin „Report on composition of the European Parliament”.

1	2	3	4	5	6	7
Luxembourg	6	6	6	6	6	6
Greece		24	24	24	24	24
Spain				60	60	60
Portugal				24	24	24
Sweden						
Austria						
Finland						
Poland						
Czech Republic						
Hungary						
Slovakia						
Lithuania						
Latvia						
Slovenia						
Estonia						
Cyprus						
Malta						
Romania						
Bulgaria						
TOTAL	410	434	434	518	518	518

Source: own study.

Table 1b. The composition of the European Parliament during the fourth, fifth, sixth and seventh term.

Member state	1994–1999		1999-2004		2004-2009		2009-2014
	Begin-ning of term	End of term	Begin-ning of term	End of term	Begin-ning of term	End of term	Begin-ning of term
1	2	3	4	5	6	7	8
Germany	99	99	99	99	99	99	99
France	87	87	87	87	78	78	72
United Kingdom	87	87	87	87	78	78	72

1	2	3	4	5	6	7	8
Italy	87	87	87	87	78	78	72
Netherlands	31	31	31	31	27	27	25
Belgium	25	25	25	25	24	24	22
Denmark	16	16	16	16	14	14	13
Ireland	15	15	15	15	13	13	12
Luxembourg	6	6	6	6	6	6	6
Greece	25	25	25	25	24	24	22
Spain	64	64	64	64	54	54	50
Portugal	25	25	25	25	24	24	22
Sweden		22	22	22	19	19	18
Austria		21	21	21	18	18	17
Finland		16	16	16	14	14	13
Poland				54	54	54	50
Czech Republic				24	24	24	22
Hungary				24	24	24	22
Slovakia				14	14	14	13
Lithuania				13	13	13	12
Latvia				9	9	9	8
Slovenia				7	7	7	7
Estonia				6	6	6	6
Cyprus				6	6	6	6
Malta				5	5	5	5
Romania						35	33
Bulgaria						18	17
TOTAL	567	626	626	788	732	785	736

Source: own study.

BINDING AT THE MOMENT METHODS OF ESTABLISHING THE COMPOSITION OF THE EUROPEAN PARLIAMENT

Significant differences in the composition of the European Parliament during the several dozen years of its existence

caused that it was decided to determine “a just, comprehensible and lasting system for the distribution of seats in the European Parliament”⁴. The new rule which aim is the improvement of Members of Parliament’s allotment was signed in the Treaty establishing a Constitution for Europe and then in the Lisbon Treaty.

According to Article 9a, Section 2 of the Lisbon Treaty:

*“The European Parliament shall be composed of representatives of the Union’s citizens. They shall not exceed seven hundred and fifty in number, plus the President. Representation of citizens shall be progressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats”*⁵.

The formulations were not, however, formally specified. Instead of that some rules were determined which should characterize in that sense proper seats division. The first one is the principle of efficiency, which limits the number of Members of Parliament to 750. The limitation of their number is natural, because a large number of policy-makers is not good for rationality and action speed. The second called the principle of national representation and motivation of voters emphasizes the fact that every state should have a specific, minimum number of its representatives. Thanks to this there is also a mobilization effect to take part in representatives’ elections. The most important from the point of view of rejecting the rules of proportional division is the principle of European solidarity. According to it in order to guarantee less populated states appropriate representation, the states with a greater number of people get fewer seats than in case of using the rule of simple proportionality.

⁴ A. Lamassoure, A. Severin A. Lamassoure, A. Severin „Report on composition of the European Parliament”

⁵ „The Treaty of Lisbon”

The next two rules practically clarify the last one. The principle of relative proportionality means that the bigger the state, the higher the ratio of the number of people of this state to the number of seats it has, whereas the principle of fair distribution determines the limits exemptions to the rules of proportionality and decides that the states with larger population cannot have less seats than the states with fewer citizens.

The last principle, the principle of the justified flexibility allows some amendments of seats division. According to it minor changes in the seats division can be introduced if the other principles are obeyed and the aim of modification is the most equitable division of seats possible. The lack of a precise definition of the concept of justice of division is noticeable in this formulation. Two numerical indices defined in order to check if the established composition of Parliament in the best way reflects the population structure of the European Union can be some help in this respect. The first one is a ratio of population figure to the number of Members of Parliament of a given country and the second the quotient of the share of population of a given country in the population of the whole European Union and the ratio of the number of Members of Parliaments of this country to the total number of Members⁶. Writing it down in a form of formulas we obtain:

$$\frac{l_i}{p_i}, \quad (1)$$

$$\frac{l_i}{L} : \frac{p_i}{P}, \quad (2)$$

where l_i is the population of the i country, L – the population of the European Union states, p_i – the number of seats of a country and P – the number of all seats.

⁶ A. Lamassoure, A. Severin A. Lamassoure, A. Severin „Report on composition of the European Parliament“

According to the adopted assumptions a Member of Parliament coming from the state with larger population should represent a larger number of citizens than a Member of Parliament from a smaller state. Therefore the ratio has to be the larger the more populated the state is. The second index should decrease together with the increase of the population of the country.

It is easy to notice that both coefficients are practically equivalent in content. The value of one is a scaled value of the second

$$\frac{l_i}{L} : \frac{p_i}{P} = \frac{l_i}{p_i} \cdot \frac{P}{L},$$

and in practical applications only one of them can be used.

Presented coefficients are by and large the only precise elements specifying and clarifying the rules of seats allotment in the European Parliament. In spite of defining a degressively proportional rule and signing it in such an important document, a precise formula or an algorithm specifying its application were not given. According to A. Lamassour and A. Severin – the rapporteurs of the session on the composition of the European Parliament in 2007 – the analyses of different suggestions of mathematical formulas were conducted. However, it was acknowledged that every formula is a consequent of some political reasons and as a result it would favour some countries at the other expense. As a solution of the problem the continuation of the rule from 1992 or its modification were taken into consideration. It was found, however, that it is not fully just because it is most advantageous for the countries with an average population density. Therefore the division of seats in the Parliament is negotiated by the member states every single time⁷.

⁷ A. Lamassoure, A. Severin A. Lamassoure, A. Severin „Report on composition of the European Parliament”

PRESENT COMPOSITION OF THE EUROPEAN PARLIAMENT

In spite of propositions to introduce the changes and to sign them in the Lisbon Treaty the present composition of the European Parliament was not chosen according to the principle of digressive proportionality. The Lisbon Treaty came into life on 1 December 2009 and the Article 9a did not go into effect during the elections in June 2009. The division of seats in the Parliament in its seventh term remained therefore almost unchanged in comparison with the division signed in the Nice Treaty. The only change was to allot two extra seats for the Czech Republic and Hungary and *ipso facto* to determine that the number of Members of Parliament was 736.

The division of seats in the European Parliament during its term in the years 2009-2014 is presented in table 2.

Table 2. The composition of the European Parliament in the years 2009-2014.

Member state	Population	Number of seats in the European Parliament	Share of population of a country in the population of the European Union	Share of number of seats to the total number of seats
1	2	3	4	5
Germany	82 437 995	99	16.72%	13.45%
France	62 998 773	72	12.78%	9.78%
United Kingdom	60 393 100	72	12.25%	9.78%
Italy	58 751 711	72	11.92%	9.78%
Spain	43 758 250	50	8.88%	6.79%
Poland	38 157 055	50	7.74%	6.79%
Romania	21 610 213	33	4.38%	4.48%
Netherlands	16 334 210	25	3.31%	3.40%
Greece	11 125 179	22	2.26%	2.99%
Portugal	10 569 592	22	2.14%	2.99%
Belgium	10 511 382	22	2.13%	2.99%

1	2	3	4	5
Czech Republic	10 251 079	22	2.08%	2.99%
Hungary	10 076 581	22	2.04%	2.99%
Sweden	9 047 752	18	1.84%	2.45%
Austria	8 265 925	17	1.68%	2.31%
Bulgaria	7 718 750	17	1.57%	2.31%
Denmark	5 427 459	13	1.10%	1.77%
Slovakia	5 389 180	13	1.09%	1.77%
Finland	5 255 580	13	1.07%	1.77%
Ireland	4 209 019	12	0.85%	1.63%
Lithuania	3 403 284	12	0.69%	1.63%
Latvia	2 294 590	8	0.47%	1.09%
Slovenia	2 003 358	7	0.41%	0.95%
Estonia	1 344 684	6	0.27%	0.82%
Cyprus	766 414	6	0.16%	0.82%
Luxembourg	469 086	6	0.10%	0.82%
Malta	405 006	5	0.08%	0.68%
TOTAL	492 975 207	736	100.00%	100.00%

Source: own study.

The delay in adopting the Lisbon Treaty caused that the practical application of the principle of digressive proportionality was postponed. However, this rule was developed in 2007 together with the proposed division of seats for the years 2009-2014. The data which concerned the population in 2006 were used in it. The project which was unrealized in practice is presented in table 3.

Table 3. Proposed composition of the European Parliament in the years 2009-2014 (data on population from 2006).

Member state	Population	Number of seats in the European Parliament	Share of population of a country in the population of the European Union	Share of number of seats to the total number of seats	Ratio Population/ Members of Parliament	Ratio Share of population/ Share of seats
1	2	3	4	5	6	7
Germany	82 437 995	96	16.72%	12.80%	858 729	0.77
France	62 998 773	74	12.78%	9.87%	851 335	0.77
United Kingdom	60 393 100	73	12.25%	9.73%	827 303	0.79
Italy	58 751 711	72	11.92%	9.60%	815 996	0.81
Spain	43 758 250	54	8.88%	7.20%	810 338	0.81
Poland	38 157 055	51	7.74%	6.80%	748 178	0.88
Romania	21 610 213	33	4.38%	4.40%	654 855	1.00
Netherlands	16 334 210	26	3.31%	3.47%	628 239	1.05
Greece	11 125 179	22	2.26%	2.93%	505 690	1.30
Portugal	10 569 592	22	2.14%	2.93%	480 436	1.37
Belgium	10 511 382	22	2.13%	2.93%	477 790	1.38
Czech Republic	10 251 079	22	2.08%	2.93%	465 958	1.41
Hungary	10 076 581	22	2.04%	2.93%	458 026	1.44
Sweden	9 047 752	20	1.84%	2.67%	452 388	1.45
Austria	8 265 925	19	1.68%	2.53%	435 049	1.51
Bulgaria	7 718 750	18	1.57%	2.40%	428 819	1.53
Denmark	5 427 459	13	1.10%	1.73%	417 497	1.57
Slovakia	5 389 180	13	1.09%	1.73%	414 552	1.59
Finland	5 255 580	13	1.07%	1.73%	404 275	1.63
Ireland	4 209 019	12	0.85%	1.60%	350 752	1.87
Lithuania	3 403 284	12	0.69%	1.60%	283 607	2.32
Latvia	2 294 590	9	0.47%	1.20%	254 954	2.58
Slovenia	2 003 358	8	0.41%	1.07%	250 420	2.62
Estonia	1 344 684	6	0.27%	0.80%	224 114	2.93

1	2	3	4	5	6	7
Cyprus	766 414	6	0.16%	0.80%	127 736	5.15
Luxembourg	469 086	6	0.10%	0.80%	78 181	8.41
Malta	405 006	6	0.08%	0.80%	67 501	9.74
TOTAL	492 975207	750	100.00%	100.00%		1.00

Source: own study.

Earlier ratification of the Lisbon Treaty by all member states would have changed the present composition of the Parliament. The proposal of division of seats included in Lamassour and Severin's report would meet the requirements of the principle of digressive proportionality because together with the increase of population there is the rise of ratio population/Members of Parliament. Nevertheless, the ambiguity of the rule of the division of seats raises doubts. The rapporteurs of the document themselves acknowledge that in the future one should "try to come closer to more precise guidelines that would be applied in future enlargements and thus avoid or substantially reduce the traditional political bargains based on national interests"⁸. That is why the proposed solution is temporary and nobody knows how the composition of the Parliament in its eighth term will look like.

An additional problem seems to be taking demographic changes into account. The proposal of division of seats from 2007 confronted with the demographic data from 2009 would turn out incorrect regarding the principle of digressive proportionality because coefficients reviewing the correctness of the Parliament composition would not meet fundamental assumptions of the principle. Such a situation should not be accepted taking into consideration a general principle of lawmaking, that is its permanence expressing in the stability of solutions.

⁸ A. Lamassoure, A. Severin A. Lamassoure, A. Severin „Report on composition of the European Parliament”

Table 4. Proposed composition of the European Parliament in the years 2009-2014 (data on population from 2009).

Member state	Population	Number of seats in the European Parliament	Share of population of a country in the population of the European Union	Share of number of seats to the total number of seats	Ratio Population/ Members of Parliament	Ratio Share of population/ Share of seats
1	2	3	4	5	6	7
France	64 350 759	74	12.88%	9.87%	869 605	0.77
United Kingdom	61 634 599	73	12.33%	9.73%	844 310	0.79
Italy	60 045 068	72	12.02%	9.60%	833 959	0.80
Spain	45 828 172	54	9.17%	7.60%	848 670	0.79
Poland	38 135 876	51	7.63%	6.80%	747 762	0.89
Romania	21 498 616	33	4.30%	4.40%	651 473	1.02
Netherlands	16 485 787	26	3.30%	3.47%	634 069	1.05
Greece	11 260 402	22	2.25%	2.93%	511 836	1.30
Belgium	10 750 000	22	2.15%	2.93%	488 636	1.36
Portugal	10 627 250	22	2.13%	2.93%	483 057	1.38
Czech Republic	10 467 542	22	2.09%	2.93%	475 797	1.40
Hungary	10 030 975	22	2.01%	2.93%	455 954	1.46
Sweden	9 256 347	20	1.85%	2.67%	462 817	1.44
Austria	8 355 260	19	1.67%	2.53%	439 751	1.52
Bulgaria	7 606 551	18	1.52%	2.40%	422 586	1.58
Denmark	5 511 451	13	1.10%	1.73%	423 958	1.57
Slovakia	5 412 254	13	1.08%	1.73%	416 327	1.60
Finland	5 326 314	13	1.07%	1.73%	409 716	1.63
Ireland	4 450 014	12	0.89%	1.60%	370 839	1.80
Lithuania	3 349 872	12	0.67%	1.60%	279 156	2.39
Latvia	2 261 294	9	0.45%	1.20%	251 255	2.65
Slovenia	2 032 362	8	0.41%	1.07%	254 045	2.62
Estonia	1 340 415	6	0.27%	0.80%	223 403	2.98

1	2	3	4	5	6	7
Cyprus	796 875	6	0.16%	0.80%	132 813	5.02
Luxembourg	493 500	6	0.10%	0.80%	82 250	8.10
Malta	413 609	6	0.08%	0.80%	68 935	9.67
TOTAL	499 723520	750	100.00%	100.00%		1.00

Source: own study.

CONCLUSIONS

The European Parliament, including the number of its Members and structure, evolved parallel to the development of the Union. Since 1979, when the Members of Parliament were for the first time chosen in general elections, a lot of different methods of seats allotment have been practised. It resulted among others from large differences in the population of member states, the fact which prevented from the application of the rule of simple proportionality. Therefore, every time the bigger states represented more of their citizens than the smaller states. It seems to be a good solution with such diversity of population in the European Union countries. Such a proposal was officially signed in the Lisbon Treaty under "the principle of digressive proportionality". Unfortunately an exact formula by means of which this principle could be applied was not determined. The measures checking if the applied division is in accordance with it are undoubtedly necessary, but they do not replace the knowledge of a universal algorithm. The inconveniences connected with its lack made it impossible for example to forecast the composition of the Parliament in its next term. The division of the seats for the years 2009-2014 which was proposed in the Lisbon Treaty was based on the fixed number of member states, whereas the single seats were divided on the basis of political negotiations. Therefore, it is impossible to predict how it will look like in the next years for instance on account of next enlargements of the Union

and demographic changes. Its proposal will be most probably presented around 2012. Perhaps by that time negotiation skills of politicians will have been replaced by a clear method based on an unambiguous mathematical formula.

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