

The political accountability of EU agencies: learning from the US experience

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PROPOSITIONS

belonging to the PhD dissertation

The Political Accountability of EU Agencies: Learning from the US Experience

by Miroslava Scholten, to be defended on 3 April 2014

1. The independence of regulatory agencies reduces the number of accountability channels and mechanisms, but it does not necessarily create accountability problems.
2. The distinction between executive and discretionary, legislative and non-legislative powers made by the highest courts in the EU and US are vague in theory and ignored in practice.
3. Judged against elections, the democratic legitimacy of independent regulatory agencies (IRAs) will always be problematic; this does not mean, however, that IRAs are democratically illegitimate by definition.
4. Acceptance of governing authority is based largely on the understanding of the authority's actions.
5. A thoughtful design of a system makes a great contribution to the system's proper functioning and to the achievement of the desired results. For a political accountability system, this means imposing reasoning, analytical, feedback, and follow-up obligations on both accountability forums and actors.
6. In the area of constitutional law, which is at least in part 'unwritten', facts often times set up norms. Hence, legal analysis without empirical data is incomplete.
7. The discipline of comparative law does not aim at a poll of solutions adopted in different countries. It has the different and inestimable value of sharpening our focus on the weight of competing considerations (Lord Steyn, *McFarlane v. Tayside Health Board* (2000 SC (HL) 15)).
8. The valorisation of academic research pushes academics to spend most of their research time and effort on looking for grant possibilities and preparing their proposals, rather than doing research.
9. No problem can be solved from the same level of consciousness that created it (Albert Einstein), which is why a PhD research project takes years.
10. Doing a PhD is very similar to being pregnant: an exciting beginning, the most enjoyable middle part, and the everlasting final stretch with everybody asking 'And?', especially when you are a bit overdue.
11. If you are a pre-doc before getting a PhD and a post-doc afterwards, that means you are only a 'doc' for an infinitely small amount of time (Jorge Cham, PhD comics 8/20/2010).