

THE DANISH PARLIAMENT AS AN ACTOR OF DENMARK'S FOREIGN POLICY TOWARDS THE EU AND RUSSIA: A COMPARATIVE ANALYSIS

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Received 20 March 2019
doi: 10.5922/2079-8555-2020-1-5
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The growing number of participants in foreign policy decision-making calls for a study of the forces affecting the behaviour of states in the international arena. In contemporary states, parliaments are increasingly challenging the exclusive prerogatives of executive power in foreign and defence policy. Many experts stress that the powers of the Danish Parliament in these fields are among the most considerable in the world. The question is, however, whether these powers are exercised in the same manner towards different states and regions. This article aims to find out how the Danish Parliament contributes to the country's foreign policy towards the EU and Russia. The concentric circles model is employed to assess the level of the Danish Parliament's participation in the foreign policy of the Kingdom of Denmark in different regions of the world. The study conducts a comparative analysis of the evidence of the Parliament's influence on Denmark's relations with the EU, the EFTA, and Russia. The findings lead one to conclude that the Danish Parliament's participation in the country's foreign policy towards EU bodies is highly institutionalised and coherent, which can be explained by close integration of Danish political elites into European ones as well as by European processes being clear and predictable for Danish parliamentarians. The participation of the Parliament in Danish–Russian relations is less systematic and structured since the Danish Parliament sometimes lacks diplomatic experience and resources to influence more complex and ambiguous relations with the Russian Federation.

Keywords:

concentric circles model, the Kingdom of Denmark, the Danish Parliament, EU, Danish-Russian relations

Introduction

In the contemporary world, parliaments are relatively independent participants in international relations, as they have broad powers in supervising the implementation of foreign policy by the government. Additionally, they can effectively influence the foreign policy of states through several means (various

To cite this article: Grigoreva, O.V., Plyusnin, N.O. 2020, The Danish Parliament as an actor of Denmark's foreign policy towards the EU and Russia: a comparative analysis, *Balt. Reg.*, Vol. 12, no 1, p. 68–84.
doi: 10.5922/2078-8555-2020-1-5.

forms of parliamentary diplomacy: visits of parliamentary delegations, participation in interparliamentary bodies, etc.).

The Scandinavian parliaments, along with the British and US ones, are those who most fully exercise their rights in scrutinising foreign policy of the government. The parliaments of these states have created the most effective mechanisms to participate in the foreign policy decision-making process and to supervise its conduct and implementation as compared to many other legislative bodies of other states.

The Kingdom of Denmark, where these mechanisms were formed relatively earlier than in other countries, is also unique since the powers of the Danish Parliament in foreign policy are regulated by the Constitutional Act.

Russian researchers (see Maxim A. Isaev [1], Maria A. Mogunova [2]) tend to consider the Parliament's influence on the formation of foreign policy in the context of the overall analysis of parliamentary functioning, noting how consistent the parliament-government interaction in different spheres is.

Danish political thought went through two stages of development in the study of the Parliament's participation in foreign policy formation. Academic researchers of the second half of the 20th century (Bramsen [3], Jørgen A. Jensen [4], Ross [5], Sjøqvist [6], Sørensen [7], Zahle [8]) carried out a historical and legal analysis of the Parliament's participation in foreign policy, identifying the stages of a gradual increase in the MPs' powers in this area. Modern researchers, first of all, evaluate the effectiveness of the Parliament as an actor of Danish foreign policy. Yet, most of the cases studied are devoted to the activities of the European Affairs Committee (see, for example, Arter [9], Henrik Jensen [10], Christensen [11], Laursen [12], Riis [13], Sousa [14], Fich [15], Holzacker [16]).

Political scientists of other countries, studying the features of parliamentary control over foreign policy, give considerable prominence to the activities of the European Affairs Committee of the Danish Parliament as one of the paradigmatic cases (see Mendel [17], Travers [18]).

Generally speaking, the subject is sufficiently studied in the academic literature, but none of the studies we reviewed present any description of Parliament's areas of interest in international relations. There are also no comparative studies of parliamentary participation in the implementation of foreign policy decisions towards different regions, which would help to identify the specific features of such involvement in the context of one or more areas.

Precisely this type of research, in our opinion, will allow us to more fully understand the characteristics of the parliament-government interaction in the foreign policy area, as well as provide a more objective and detailed assessment of the specific features of the Danish legislature in the sphere of international politics. By applying the concentric circles model to figure out the Parliament's regions of interest, we seek to conduct a more diversified study of the international activities of the Danish Parliament.

The Parliament's participation in the formation and implementation of the foreign policy of the Kingdom of Denmark can be considered from two perspec-

tives: the Parliament's activities in the clear and understandable (from Danish politicians' view) legal framework of cooperation with the EU institutions, as well as ad hoc activities, where the Parliament acts under the national strategy of foreign policy. The participation of the Parliament in the Danish-Russian relations can be attributed to ad hoc activities.

Thus, this article aims to identify the specific features of the Danish Parliament's participation in the foreign policy of the Kingdom of Denmark towards the EU and Russia.

The theoretical basis of the study is the concept of institutional isomorphism, presented in the works of American scientists DiMaggio and Powell [19]. Institutional normative isomorphism describes the mechanism of the Parliament's interaction with pan-European supranational institutions, since the Danish MPs' understanding of the functioning and decision-making procedures in the EU, which is institutionally and idiomatically similar to those in the Kingdom itself, has led to the professionalisation of parliamentary institutions responsible for the control of the European policy. Mimetic isomorphism is used by the Parliament in those cases when an area or region concerned is not a priority for the legislature's international activities, as a result of which the MPs can allow themselves to act within the framework of the government foreign policy strategy, imitating the institutional mechanisms of the Cabinet.

Finally, the influence of the Danish Parliament on the formation of a diplomatic course towards the Russian Federation seems to be the most compelling case. Danish-Russian relations are some of the most ambiguous in the Northern region since the political and ideological contradictions that emerged during the Cold War and persist until now are invariably opposed by the strong historical and cultural ties.

Political and Legal Framework for the Danish Parliament's Participation in the Foreign Policy of the Kingdom of Denmark

During the development of parliamentarism in the 20th century, the Danish Parliament was assigned relatively broad powers in the field of foreign and defence policy. It can be explained by the following reason: the monarch's prerogatives in the area concerned were almost entirely vested in the Cabinet, whose legitimacy relied on the support of MPs and whose tenure in power depended directly on the Parliament. As Mogunova puts it [2, p. 191].

[I]n comparison with the parliaments of several other bourgeois countries, the parliaments of the Scandinavian states managed to establish significantly more effective forms of control over the activities of the executive branch in these [foreign policy and defence] spheres.

Therefore, it is necessary to consider the political and legal framework for the Danish Parliament's participation in the foreign policy that has developed until now.

An important difference between the Foreign Policy Committee and other standing committees of the Danish Parliament, as well as similar committees of

other states' legislatures, is that its role and duties are stipulated in the Constitutional Act of Denmark. The Committee's functioning is regulated not by the Standing Orders of the Parliament, but by a specific law — the Foreign Policy Committee Act No. 54, dated March 03, 1954. Paragraph 2 of the Act establishes that “*the Government must consult the Committee in matters of major importance to foreign policy*”, as well as constantly inform the Committee members about all foreign policy decisions and actions, including those that are kept secret (according to paragraph 4, all Committee members are obliged to sign non-disclosure documents)¹.

As noted by Mendel, quoting from the work of Ross “*The Study of State Law*” (*Statsretlige studier*), the Committee is “*an independent organ that acts in the place of the [Danish Parliament]*” and “*has a semi-autonomous status*” [17, p. 55].

Besides, there are two other standing committees in the Danish Parliament — the Foreign Affairs Committee and the European Affairs Committee, the latter playing a significant role in foreign policy decision-making.

In the process of parliamentary activity development, the need to create a “parliamentary counterpart” of the Foreign Policy Committee was recognised, which, unlike the former, would participate in debates on bills and daily work of the Parliament. This is how the Foreign Affairs Committee was created, which, in addition, was assigned scrutiny functions over the governmental actions in the field of aid and development policies². Thus, the Foreign Affairs Committee is not much different from similar standing committees of parliaments in other countries, since it is not a direct participant in the decision-making process, in contrast to the Foreign Policy Committee. Nevertheless, the Foreign Affairs Committee cannot be ignored when analysing the participation of the Parliament in external affairs.

The European Affairs Committee (formerly the Market Relations Committee), which was created in 1961, following section 2 of para. 6 of Denmark's Accession to the European Community Act no. 447 dated October 11, 1972 (with the amendment of 1984, 1986, 1993, 1998, 2001 and 2008) gives the government a “negotiating mandate,” i. e., the Cabinet must obtain parliamentary permission to take certain measures required from Denmark to conduct a coherent policy within the EU³. The government has the right to conduct any policy within the European Union as long as it is approved by the Committee. However, in the Report of the Market Relations Committee published on March 29, 1973, it was

¹ Lov om Det udenrigspolitiske Nævn // *Retsinformation*. URL: <https://www.retsinformation.dk/Forms/R0710.aspx?id=72035> (access date: 14.05.2019).

² Forretningsorden for Folketinget 2018 // *Folketinget*. URL: <https://www.ft.dk/da/dokumenter/bestil-publikationer/publikationer/forretningsorden/forretningsorden-for-folketinget> (access date: 14.05.2019).

³ Lov om Danmarks tiltrædelse af De europæiske Fællesskaber (Tiltrædelsesloven) // *Retsinformation*. URL: <https://www.retsinformation.dk/forms/R0710.aspx?id=72060> (access date: 14.05.2019).

noted that “both the [Danish Parliament’s] influence and the government’s negotiating freedom should be considered and respected” [17, p. 59]. Therefore, the report proclaimed that the basis of the parliament-government interaction within the European policy formation was cooperation, not confrontation.

A few words should be said about the Defence Committee. This standing Committee performs supervisory functions in relation to the Ministry of Defence and Ministry of Foreign Affairs of the Kingdom in the field of defence policy, as well as takes part in the debates on draft laws and budget items related to the competence of the Committee⁴.

We have figured out the following forms of the Parliament’s participation in the foreign policy of the Kingdom of Denmark:

firstly, the expression of “consent” to the conclusion of international treaties and agreements by the government;

secondly, the “parliamentary question” (*spørgsel*) — “hour of questions” (*spørgetime*), “questions asked on Wednesdays” (*onsdagsspørgsmål*), “§ 20-questions” (*§ 20-spørgsmål*), “questions to ministers” (*ministerspørgsmål*);

thirdly, a parliamentary request (*forespørgsel*);

fourth, interpellation;

fifthly, a vote of no confidence or impeachment to the Minister of Foreign Affairs;

sixth, a parliamentary investigation;

seventh, the functioning of standing and special committees;

eighth, the election of delegates to certain intergovernmental organisations;

ninth, parliamentary delegations and interparliamentary exchanges [1, p. 192–194].

To conclude, the Parliament has fairly broad political and legal powers to participate in the formation of the foreign policy of the Kingdom. However, the Government traditionally retains a leading position in the process of formulating the goals and objectives of external relations of Denmark. The forms of the Parliament’s participation in Denmark’s foreign policy can be divided into two groups: forms of control over the Cabinet’s foreign policy and types of involvement in the country’s foreign policy. The latter group is of particular interest since it is a direct expression of the diplomatic course of the Parliament towards a specific state.

Concentric Circles Model of the Danish Parliament’s Diplomacy

The concentric circles model, introduced to social sciences by Burgess [20], has been applied by many scholars to analyse foreign policy and decision-making process, for example, by Barber [21], Kalniņš [22], Landsberg [23] and others.

The Danish Parliament’s areas of interest in foreign policy can be represented,

⁴ Forretningsorden for Folketinget 2018 // *Folketinget*. URL: <https://www.ft.dk/da/dokumenter/bestil-publikationer/publikationer/forretningsorden/forretningsorden-for-folketinget> (access date: 14.05.2019).

as shown in the Figure. The model was built, taking into account the following factors: territorial proximity, which largely determines the maturity of relations; and the level of economic turnover and the significance of relations. Moreover, a degree of institutionalisation of regional policies formation in the Parliament and the intensity of inter-parliamentary ties were considered as well. The farther the concentric circle is from the centre, the more complex and ambiguous (from the MPs' view) relations can be built. The latter will primarily be expressed by a much wider variety of opinions on the region presented in the Parliament and by vague and woolly wordings. Moreover, the farther the concentric circle denoting a particular sphere of interest is, the more the Parliament will rely on the Cabinet in matters of building relationships. The closer to the centre, the more independent role the Parliament will try to play, complementing the Cabinet's foreign policy or to a large extent determining its vector.

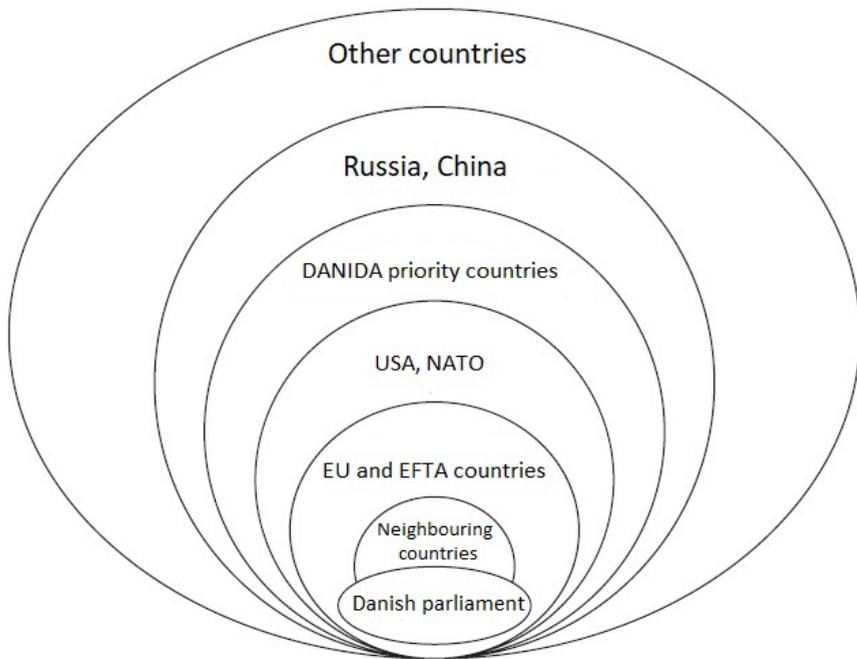


Fig. Concentric Circles of the Danish Parliament's Diplomacy

Neighbouring countries (Norway, Sweden, Germany) traditionally play a significant role in the foreign policy of the Danish Parliament. The institutionalisation of Nordic cooperation did begin with the creation of an inter-parliamentary body at the instigation of Denmark — the Nordic Council in 1952⁵. The Nordic Council of Ministers was established in 1971. As for Germany, the Danish Parliament mainly maintains ties with Schleswig-Holstein: in 2016, the federal state

⁵ The History of the Nordic Council // *The Nordic Council*. URL: <https://www.norden.org/en/information/history-nordic-council> (access date: 14.05.2019).

took part in the work of the Nordic Council as a visiting observer. In essence, two observers and two parliamentary delegates representing the Danish minority in the Landtag were sent to the Council⁶.

The USA and NATO are important directions in the foreign policy of the Parliament, but it is worth remarking that cooperation has an intergovernmental rather than inter-parliamentary character. The Danish Parliament often plays the role of the supervisory authority, ensuring that the Cabinet does not sacrifice Danish interests and sovereignty to build a special relationship with its transatlantic partner.

Aid and assistance to developing countries are the key areas of activity of the Ministry for Foreign Affairs since it is seen as an area where the Kingdom can take the lead among all states of the world. The Parliament again plays a more supervisory role, approving the budget of aid programmes. Also, as already noted, one of the main functions of the Foreign Affairs Committee is to oversee Danish policy issues in the field of development assistance.

The recent special relations with China are related mainly to the desire to enlist the support of one of the most influential players on the world stage in the Arctic region. Opposing China to Russia and the United States and getting Chinese backing against these great powers, in exchange Denmark facilitates China's penetration into the Arctic region both through cooperation in Greenland and through the support of the PRC in international organisations dealing with Arctic issues. Yet, the Parliament is more likely to keep up with the Cabinet by holding meetings with Chinese representatives. However, it is still too early to talk about the specific viewpoint of the Parliament on Danish-Chinese relations.

The effectiveness of the Danish Parliament in shaping foreign policy towards the EU, EFTA and the Russian Federation deserves special attention. These regions were not chosen by chance: building relationships with them has always played a significant role in Danish foreign policy, not only the Parliament but also the Cabinet may see it as a tough business. However, while in the case of the EU and EFTA, the Parliament rather successfully influences the determination of the general course, in the case of the Russian Federation the legislature is very cautious and sometimes indecisive.

Specific Features of the Danish Parliament's Participation in Danish-EU and Danish-EFTA Relations

The Danish Parliament occupies one of the key positions in the system of relations between the Kingdom and the bodies of the European Union, EFTA and the Council of Europe. Over the years, the European Affairs Committee has developed effective mechanisms for influencing the government's European policy, by expressing its position on important issues.

Such high efficiency and coherence of the Committee's work can be explained by the following reasons: the efficiency and flexibility of the mandate system, the

⁶ Beobachterstatus für das Land Schleswig-Holstein im Nordischen Rat//*Schleswig-Holsteinischer Landtag*. URL: www.landtag.ltsh.de/infotehek/wahl18/drucks/4800/drucksache-18-4839.pdf (access date: 14.05.2019).

coalitional nature of cabinets, centralized decision-making in the Parliament on EU-EFTA relations, the high integration of Danish political elites into pan-European ones, clear understanding by Danish MPs of how the EU functions and how the decisions are made in Brussels.

The mandate system described above, over the years, has truly justified its high efficiency and ability to adapt to changing conditions. Such an arrangement allows the Parliament to successfully play the role of a policy shaper and claim the part of one of the decision-making agents in pan-European institutions [11]. In the early 1990s, there was a popular joke in Brussels: “There are 13 members in the European Communities — 12 member states and the Danish European Communities Committee” [15]. Despite the grotesque nature of this statement and ongoing complication and expansion of the EU institutions, the Danish model of foreign policy formation towards the EU and the EFTA is still recognized as one of the exemplary ones [18].

One cannot help but agree with the opinion of Strøm about the influence of the coalitional nature of the Danish cabinets on the decision-making process. The Kingdom of Denmark is a parliamentary democracy, where after competitive elections the winning coalition forms a cabinet. The Parliament’s support for the governmental policy is of great importance to cabinet members [24]. This means, among other things, that the cabinet as a whole and the Ministry of Foreign Affairs, in particular, will never come to the Parliament with a proposal that has no majority support. Therefore, a kind of “self-censorship” occurs even at the stage of development of foreign policy. In addition, the coalitional nature of the cabinet opens up the possibility for all parties to express their opinion at any stage of decision-making, thereby exerting some influence on it.

Centralised decision making, on the one hand, consolidates all parliamentary influence on the decision-making process in European politics in the hands of 29 members of the European Affairs Committee. On the other hand, the broad representation of all parties in the Committee allows it to reflect the full range of opinions. Moreover, a limited number of participants in the process can speed up and somewhat simplify the formation of a joint Parliament’s advice on policy issues regarding the EU and EFTA.

There is no doubt that the Danish elites are highly integrated into the pan-European ones, as Denmark became a member of the Communities during the first expansion and over the years was able to build close ties with pan-European authorities. However, in this regard, one significant point should be noted regarding contacts between the Danish deputies of the European Parliament and the MPs of the Danish Parliament. Christensen notes that, unlike many EU member states, Denmark is characterised by rather weak ties between MPs of the pan-European and national parliaments [11]. If representatives of parties comprising the cabinet coalition might receive some instructions and recommendations from Copenhagen, representatives of opposition parties in most cases are left to their own devices and are not controlled in any way [11]. This specific feature can be once again

explained by the centralisation of decision-making regarding policies towards the EU and EFTA in the European Affairs Committee. In the current system, the MPs in Copenhagen can more effectively protect the interests of Denmark within the EU than the deputies in Strasbourg.

Let us consider two cases from the recent past that exemplifies the features discussed above.

In December 2009, the Italian government appealed to the EU Council to provide additional subsidies to Italian farmers in excess of the EU norms⁷. The Danish government was ready to support Italy, if not by voting for, then by abstaining, which, given the unanimous positive opinion of other members, would allow Italy to get extra support. However, the European Affairs Committee was categorically against the subsidies, arguing that it was a violation of the market competition rules as one of the EU priorities. The Committee issued a mandate to the Cabinet representative only to vote against the decision. When the voting took place, Denmark, along with Germany, Sweden and the Netherlands, voted against the subsidies. It is no coincidence that in the Juncker European Commission (2014–2019) the Commissioner for Competition was Margrethe Vestager, the representative of Denmark⁸.

The Danish chairmanship of the Committee of Ministers of the Council of Europe took place in November 2017 – May 2018 in close cooperation between the Cabinet and the Parliament. The Danish Parliament was the responsible body for conducting PACE sessions in January and April 2018, and together with the Danish Ministry for Foreign Affairs held a Conference on the private and family life of LGBTI persons on March 2, 2018⁹.

Thus, even the cases from the recent past presented here may indicate a high degree of the Parliament's participation in Danish foreign policy within the framework of pan-European institutions and the existence of effective mechanisms to influence foreign policy decisions towards the EU and EFTA.

Specific Features of the Danish Parliament's Participation in Danish-Russian Relations

The end of the Cold War and the disappearance of bloc confrontation as the basis for the development of the bipolar system created a rather complicated world system in which the Danish Parliament needed to find its place. Many experts

⁷ Danmark nægter italienske landmænd støtte // *Berlingske Tidende*. URL: <https://www.berlingske.dk/virksomheder/danmark-naegter-italienske-landmaend-stoette> (access date: 14.05.2019).

⁸ Kommissærerne // *The European Commission*. URL: https://ec.europa.eu/commission/commissioners/2014-2019_da (access date: 14.05.2019).

⁹ Calendar of activities during the Danish chairmanship // *Committee of Ministers of the Council of Europe*. URL: <https://rm.coe.int/-priorities-the-danish-chairmanship-of-the-committee-of-ministers-of-t/pdf/1680767c64> (access date: 14.05.2019).

and politicians in Denmark shared their confidence in overcoming all contradictions and returning to *l'Entente cordiale*, which determined Russian-Danish relations in the 15th — beginning of the 20th centuries. The signing of Declaration of Basic Relations in 1993, the year of the 500th anniversary of the Treaty of Love and Brotherhood between the Danish Kingdom and the United Moscow Dutchy, was meant to symbolise a turning point in bilateral relations¹⁰. Yet, further developments have shown that relationships could not be built within the framework of one model. Speaking of issues concerning cooperation in the Arctic region, Denmark seeks to build the negotiation process with the Russian Federation on the principles of equal partnership.

In contrast, in the field of security and defence, the Russian Federation remains a great power and Denmark — a small power in the minds of Danish politicians. For a while, the Danish Parliament sought to become an ambassador for peace in relations between the two states. However, the lack of experience and resources for multi-way diplomatic manoeuvres forces the Parliament to support the position of the Cabinet fully, and sometimes even insist on stricter measures against the Russian Federation, which is a more straightforward and more understandable diplomatic course.

One of the most relevant cases illustrating how the informal agreements and status quo described above works in the foreign policy decision-making process regarding Russia is the case of issuing permission to lay a section of the Nord Stream-2 gas pipeline in Danish territorial waters near the island of Bornholm.

Among the central events taking place in the process was the adoption of the Act Amendmending the Continental Shelf Act dated December 5, 2017, no. 1401, which vested the Cabinet with the right to reject projects for the construction of networks and pipelines in the territorial waters of Denmark, if it contradicts foreign policy, as well as security and defence policy¹¹. The Act was later included in the Consolidated Act on the Provisions of the Continental Shelf and Several Pipelines in the Territorial Waters Act dated September 21, 2018, no. 1189, issued by the Danish Ministry for Energy, Utilities and Climate¹². Thus, the Danish Parliament created a legal framework allowing the Cabinet to reject the Nord Stream-2 project. At the same time, this does not mean that the Parliament issued a mandate only to decide against the gas pipeline (as was the case with the decision on subsidies to the Italian government). Hereafter we would like to present

¹⁰ Deklaratsiya ob osnovakh otnoshenij mezhdru Rossijskoj Federatsiej i Korolevstvom Daniya «Eshhe 500 let druzhby i mira» (prinyata v g. Kopenhagene 04.11.1993 g.) [Declaration of Basic Relations between the Russian Federation and the Kingdom of Denmark “500 more years of Love and Brotherhood” (signed in Copenhagen 04.11.1993)] // GARANT. URL: <http://base.garant.ru/2564471/> (access date: 14.05.2019).

¹¹ Lov om ændring af lov om kontinentalsoklen // *Retsinformation*. URL: <https://www.retsinformation.dk/forms/R0710.aspx?id=195148> (access date: 14.05.2019).

¹² Bekendtgørelse af lov om kontinentalsoklen og visse rørledningsanlæg på søterritoriet // *Retsinformation*. URL: <https://www.retsinformation.dk/Forms/R0710.aspx?id=202937> (access date: 14.05.2019).

our analysis of the process of adopting the bill in the Parliament, as it reflects the full range of political contradictions regarding the issue, which explains why Denmark has not yet taken a positive or negative decision.

The bill was introduced to the Parliament on October 4, 2017¹⁵. On October 12, 2017, the draft was reviewed in its first reading. All Danish factions represented in the Parliament supported the bill¹⁴. Yet, as the debate proceeded, the parties divided into two groups. The first group of parties (Venstre, the Danish People's Party — hereinafter referred to as the DPP, the Conservative People's Party — hereinafter the CPP) insisted on the universal value of the draft law protecting Danish interests and filling the gap in the legislation of the Kingdom. Nord Stream-2 was characterized by representatives of these parties as one of many cases covered by the bill; moreover, these three parties refused to recognize the pipeline as the main reason for adopting amendments¹⁵. The second group of parties (the Social Democrats — hereinafter the SD, the Liberal Alliance, Unity List — The Red-Greens — hereinafter the Red-Green Alliance, The Alternative, the Danish Social Liberal Party — hereinafter the Radical Left, the Socialist People's Party — hereinafter the SPP) insisted that the adoption of the bill was aimed primarily at shaping the future of the Nord Stream-2 project in the Danish territorial waters, "*the elephant in the room that cannot be overlooked*", as Nick Hækkerup, the SD representative and then deputy chairman of the Foreign Policy Committee, put it in his speech¹⁶.

Moreover, representatives of the Red-Green Alliance and The Alternative party directly expressed their negative attitude to the gas pipeline project: if the former motivated it with considerations of geopolitics and counteracting Russian expansion, the latter insisted on the negative environmental impact of the gas pipeline¹⁷. Representatives of the Radical Left and the SPP expressed extreme scepticism of party members regarding Nord Stream-2. In addition to that, the representative of the Liberal Alliance described Russia as a source of threats to the EU. Therefore the Nord Stream-2 project should be discussed at the level of pan-European bodies (which generally corresponded to the rhetoric of the Lars Løkke Rasmussen Cabinet, in which the then chairman of the Liberal Alliance,

¹⁵ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. Lovforslag som fremsat.//*Folketinget*. URL: https://www.ft.dk/samling/20171/lovforslag/L43/som_fremsat.htm (access date: 14.05.2019).

¹⁴ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. 1. Behandling//*Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/L43/BEH1-6/forhandling.htm> (access date: 14.05.2019).

¹⁵ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. 1. Behandling//*Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/L43/BEH1-6/forhandling.htm> (access date: 14.05.2019).

¹⁶ Ibid.

¹⁷ Ibid.

Anders Samuelsen, was Minister of Foreign Affairs)¹⁸. Regarding the position of the SD, an interesting paradox can be noted: Nick Hækkerup sought a direct answer from each speaker regarding the attitude of the party they represented to the gas pipeline project. However, he did not express the position of his own party neither in his speech nor after the question of Ida Auken, the representative of the Radical Left¹⁹.

One can figure out the following trend: parties whose members comprise the Cabinet the Rasmussen Cabinet (except for the Liberal Alliance) and DPP that supports the Cabinet are incredibly cautious in evaluating the Nord Stream-2 project, preferring to bypass this issue. The Liberal Alliance as a government party and the SD, the largest opposition party, are more open in their attitude to the gas pipeline project, but they do not express their position unambiguously. Other opposition parties openly declare that they are against Nord Stream-2. Still, the bill is supported by all factions according to different considerations.

At the stage of the second reading in the Climate, Energy and Utilities Committee, the MPs' questions and the answers to them by the Minister for Climate, Energy and Utilities Lars Lilleholt (Venstre) are of primary interest. Out of the six MPs' questions from the Committee, five were asked by Søren Rasmussen, a member of the Red-Green Alliance, which was perhaps the most fierce opponent of the Nord Stream-2 project. Four questions related to the degree of independence and autonomy of the Cabinet as a whole and the Ministry of Foreign Affairs in particular in deciding whether to approve or reject a pipeline project in territorial waters, as well as the Parliament's ability to influence this decision²⁰. The fifth question of Rasmussen is whether it is true that the Danish Parliament was able to reject the Nord Stream project in 2009 based on political reasons.²¹ It can be noted that in contemporary Danish political discourse the situation around Nord Stream in 2009, during the years of Lars Løkke Rasmussen's first premiership term, is often compared with the time when Denmark permitted to lay a gas pipeline in its territorial waters. The answers of the minister can be summarized as follows: the Cabinet and the Ministry of Foreign Affairs will be autonomous in making decisions; however, the opinion of the Foreign Policy Committee and the experts involved in the process will be taken into account²².

Regarding Nord Stream, the minister did not give a clear answer, noting that the permit was issued based on the decision by the Danish Energy Agency and

¹⁸ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. 1. Behandling//*Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/L43/BEH1-6/forhandling.htm> (access date: 14.05.2019).

¹⁹ Ibid.

²⁰ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. Spørgsmål//*Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/L43/spm.htm> (access date: 14.05.2019).

²¹ Ibid.

²² L 43 Forslag til lov om ændring af lov om kontinentalsoklen. Spørgsmål//*Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/L43/spm.htm> (access date: 14.05.2019).

after careful consultation of all interested parties. The Committee's decision dated November 23, 2017, noted that the bill was being submitted for the second reading without any amendments, and expressed the position of the members of The Alternative, the Red-Green Alliance and the Liberal Alliance regarding the protection of the environment as being a part of national security issues: if the pipeline brought harm to the ecosystem, then it harmed the security of the Kingdom. Thus, such a project had to be rejected²⁵. One can see how these parties seek to set a precedent for an expanded interpretation of the provisions of the bill to increase the legal basis for the rejection of Nord Stream-2.

Due to the absence of amendments and comments by party representatives, the text of the draft law was adopted in the second reading on November 28, 2017, and was sent for consideration in third reading²⁴.

On November 30, 2017, the draft law was passed unanimously in the third reading: 106/0, 0 abstentions²⁵. More than half of the members (90 or more) are considered as the quorum in the Danish Parliament²⁶. There were 73 members absent from the session: MPs, according to the informal inter-party pairing (*clearingsaftaler*), have the right to be absent from voting. However, the total number of absent MPs from parties that comprise the Cabinet or support it must be equal to the number of absent MPs from opposition parties²⁷. It is noteworthy that the majority of members of the Cabinet (16 out of 22 ministers), including the key ministers and the prime minister, were absent from voting²⁸.

It can be concluded that the Danish Parliament has vested the Cabinet with additional legal powers to take more decisive action on the issue of approving/rejecting the Nord Stream-2 project. However, the Cabinet is still in a stalemate: a positive or negative decision may affect relations with both the Russian Federation and Germany, the EU and the USA. The situation is complicated by the fact that the rest of the countries in whose territorial waters or EEZ the gas pipeline would be constructed had given their permissions²⁹. The Lars Løkke Rasmussen

²⁵ Betænkning over Forslag til lov om ændring af lov om kontinentalsoklen // *Folketinget*. URL: https://www.ft.dk/ripdf/samling/20171/lovforslag/143/20171_143_betaenkning.pdf (access date: 14.05.2019).

²⁴ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. 2. behandling // *Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/L43/BEH2-24/forhandling.htm> (access date: 14.05.2019).

²⁵ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. 3. behandling // *Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/L43/BEH3-26/forhandling.htm> (access date: 14.05.2019).

²⁶ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. Afstemning // *Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/143/26/17/afstemning.htm> (access date: 14.05.2019).

²⁷ L 43 Forslag til lov om ændring af lov om kontinentalsoklen. Afstemning // *Folketinget*. URL: <https://www.ft.dk/samling/20171/lovforslag/143/26/17/afstemning.htm> (access date: 14.05.2019).

²⁸ Ibid.

²⁹ Permitting Overview // *Nord Stream 2 AG*. URL: <https://www.nord-stream2.com/environment-permitting/permitting-and-consultation/> (access date: 14.05.2019).

Cabinet continues to pursue a policy that can be described using the phrase of Theresa May, “no deal is better than a bad deal”³⁰. Generally speaking, this allows Denmark to avoid conflicts with all interested parties. However, on August 10, 2018, Nord Stream 2 AG submitted a new application to the Danish Energy Agency with a description of an alternative route for laying a gas pipeline section in the Danish EEZ³¹. In this case, the Danish Government will be forced to follow only the provisions of the 1982 UN Convention on the Law of the Sea and permit/reject the project only on the basis of compliance of environmental parameters with the legislation of the country. In turn, it means that Denmark will have to issue a permit, losing in its own political game. These circumstances very much worried the previously mentioned MP Søren Rasmussen and the Red-Green Alliance he represented. The parliamentary question was sent to Minister Lilleholt, which can be paraphrased as the following, “Does Denmark have any reason to reject an alternative pipeline route to the EEZ?”³² The Minister replied that the decision would be made under the UN Convention and the rules of the Danish Energy Agency, thus, the Danish Parliament and the Cabinet will not be able to influence the decision radically³³.

On March 26, 2019, the Danish Energy Agency, while considering the application for the north-western route in the Danish EEZ, decided on the need to study the possibility of laying a pipeline in the EEZ southeast of the island³⁴. On April 17, 2019, Nord Stream 2 AG filed an appeal against the Danish Energy Agency regarding the illegality of this decision³⁵. Still, on April 15, 2019, the third application with plans to construct a pipeline southeast of Bornholm was indeed submitted³⁶. In our opinion, the Danish side will give neither a positive nor

³⁰ The government’s negotiating objectives for exiting the EU: PM speech // *UK Government*. URL: <https://www.gov.uk/government/speeches/the-governments-negotiating-objectives-for-exiting-the-eu-pm-speech> (access date: 14.05.2019).

³¹ Submission of Application and Environmental Impact Assessment for an Alternative Route in Denmark // *Nord Stream 2 AG*. URL: <https://www.nord-stream2.com/media-info/news-events/submission-of-application-and-environmental-impact-assessment-for-an-alternative-route-in-denmark-104/>(access date: 14.05.2019).

³² Svar på spm. 314 om, hvorledes miljøaspektet kan anvendes ift. en eventuel dansk afvisning af den alternative linjeføring for Nord Stream 2, fra Energi-, forsynings- og klimaministeren // *Folketinget*. URL: [https://www.eu.dk/samling/20171/kommissionsforslag/kom_\(2017\)0320/bilag/12/index.htm](https://www.eu.dk/samling/20171/kommissionsforslag/kom_(2017)0320/bilag/12/index.htm) (access date: 14.05.2019).

³³ Ibid.

³⁴ Nord Stream 2 Files Appeal Against the Decision of the Danish Energy Agency // *Nord Stream 2 AG*. URL: <https://www.nord-stream2.com/media-info/news-events/nord-stream-2-files-appeal-against-the-decision-of-the-danish-energy-agency-124/>(access date: 14.05.2019).

³⁵ Ibid.

³⁶ Approved Danish Route Stretches South-East of Bornholm // *Nord Stream 2 AG*. URL: <https://www.nord-stream2.com/permitting-denmark/south-eastern-route/> (access date: 14.05.2019).

negative answer until the election is held (the parliamentary election is scheduled for June 5, 2019)³⁷, since any decision can have an ambiguous effect on the electoral results³⁸.

Therefore, we have concluded that the Danish parliament uses more harsh rhetoric on the issue of diplomatic policy towards Russia. A multi-way foreign policy game with many combinations remains the tactic of the Cabinet, which cannot take hasty actions and is forced to stay inactive, hoping for support from the EU, the United States or for a change in the political environment which would allow for smoother and more beneficial decision-making.

Conclusion

The Danish Parliament has a relatively broad political and legal basis for participation in the formation of the Kingdom's foreign policy. However, the Cabinet traditionally retains a leading role in the process of setting goals and objectives of external relations of Denmark.

The Constitutional Act regulates the powers of the Parliament to participate in the foreign policy decision-making process and to supervise how this policy is implemented and conducted. Moreover, compared with other states of the world, Denmark has developed some of the most effective mechanisms for the MPs' participation in foreign policy formation procedures.

The forms of how the Danish Parliament is involved in international relations can be categorised as following: forms of parliamentary control over the government's foreign policy and forms of parliamentary diplomacy. MPs' delegations and inter-parliamentary exchanges, as well as the elections of delegates to international organisations, are the main examples of the Parliament's direct participation in Denmark's foreign policy. A parliamentary delegation, along with a head of state and a prime minister or member of the Cabinet, represents the state abroad, expresses the official position on a particular issue, contributes to the development of the country's image around the world. Additionally, a visit of a delegation can become one of the ways to enhance interstate cooperation and establish relations, if executive authorities are not ready for such steps.

One cannot help but highlight the role of such standing committees of the Danish Parliament as the Foreign Policy Committee and the European Affairs Committee. Unlike many similar committees in the parliaments of other states, these two committees of the Danish parliament have managed to become direct participants in the foreign policy decision-making process, which makes the role of the Parliament in Denmark's external affairs a pivotal one.

³⁷ Folketingsvalg // *Statsministeriet*. URL: http://www.stm.dk/_p_14811.html (access date: 14.05.2019).

³⁸ The hypothesis was put forward by the authors at the time of submitting the manuscript to the publisher. Further developments confirmed our assumption: on October 30, 2019, the Danish Energy Agency issued a permit for the construction of a gas pipeline, which took place almost 5 months after the election and in the context of the aggravation of Danish-American relations on the issue of Greenland (Authors' note).

Depiction of the foreign policy areas of the Danish Parliament with the help of the concentric circle model enables us to see the degree of importance of a particular part of the world for the Parliament, as well as analyse what specific features the Parliament's influence on the governmental course of action in the studied region possesses. Our study allows us to conclude that the Danish Parliament's participation in building relationships with pan-European bodies can be described as highly institutionalised and well-coordinated. We have found out that it could be explained by the integration of the Danish political elites into pan-European ones and by the clarity and predictability of European processes from Danish MPs' point of view. On the other hand, the Parliament's participation in Danish-Russian relations is less systematic and structured, since when finding themselves in more complex and controversial relations with the Russian Federation, the MPs frequently lack diplomatic experience and resources to influence relations between the two states effectively.

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