

Published in: K. Auel and T. Christiansen (eds.), 'After Lisbon: National Parliaments in the European Union', special issue of *West European Politics* 38:2, 282–304

To Scrutinise Or Not To Scrutinise? Explaining Variation in European Activities Within National Parliaments

Katrin Auel, Olivier Rozenberg, Angela Tacea

Abstract

There is an on-going debate in the literature as to whether national parliaments can and actually do play an active role in EU policy-making. The main reason for this persistent disagreement is based on the lack of comparative empirical data on parliamentary behaviour in EU affairs. The article aims to contribute to this debate by presenting the first comparative quantitative data on European affairs activities of national parliaments and by explaining the empirical variation. The development of a unique dataset including all 27 national parliaments allows us to test a series of explanatory variables for the level of parliamentary activity both at the committee and at the plenary level. Our analysis shows that institutional strength in EU affairs plays an important role. Overall, however, EU activities can be better explained with a mix of institutional capacities and motivational incentives. The specific combinations vary for different types of activities.

Keywords

National Parliaments / European Union / Europeanisation / Scrutiny / Accountability

Acknowledgments

The research for this article has been conducted as part of the OPAL (Observatory of Parliaments after Lisbon) research consortium and was funded by the ANR. We also thank our OPAL partners at the Universities of Cambridge, Cologne and Maastricht, the coders who have supported us with the data collection, and the anonymous reviewers as well as Flora Chanvriil-Ligneel, Martial Foucault, Peter Grand, Simon Otjes, Jan Rovny and Nicolas Sauger for their helpful advice. All errors remain our own.

Over the last years, the role of national parliaments has advanced to one of the most salient questions in the general debate over the democratic legitimacy of the EU. Yet, as outlined in more detail in the introduction to this volume, there is still little agreement in the by now broad literature whether national parliaments can and do actually play an active role in

European policy-making. On the one hand, national parliaments have certainly undergone a profound process of formal Europeanisation and are now generally in a much better position to become involved in EU affairs (Winzen 2013). This adaptation has also followed roughly similar institutional patterns. National parliaments have all established specialised committees – the European Affairs Committees (EACs) – and they have obtained extended rights to be informed about and to give their views on European legislative proposals. These similarities can largely be understood as the result of a ‘transnational learning process’ (Karlas 2011: 258). Differences do remain, however. For example, some parliaments are famous for mandating their ministers in the Council, while others can do little more than express an opinion.

On the other hand, we know little about what parliaments actually do in EU affairs given the lack of detailed comparative empirical data on their involvement in EU politics. The academic debate has so far mainly focused on explaining variation in institutional adaptation and used the institutional provisions, at least implicitly, as a proxy for actual legislative behaviour in EU affairs. Even though this research generated important results, it needs to be completed by explaining why parliaments act rather than why they *are able to* act. National parliaments are complex institutions, made up of individuals faced with a number of different opportunities, constraints and incentives. Institutional capacities are thus not necessarily automatically translated into behaviour.

The paper therefore aims at outlining and explaining the empirical variation regarding parliamentary EU activities. It draws on a unique and rich quantitative data set of various types of activities in all lower chambersⁱ across the EU over three years (2010 to 2012). Our general assumption is that European activities depend on both the institutional capacities of

the parliaments and MPs' motivation to act. In addition, we expect that both institutional strength and motivations have a varying impact on different types of activities: activities related to the influencing and scrutiny function, such as mandates or resolutions, are more likely to depend on institutional capacities, while (electoral) incentives can be expected to be more important for activities relating to the communication function such as plenary debates. The paper is organised as follows: The first section presents our data on different types of activities and discusses the literature on the institutional adaptation of national parliaments in EU affairs. This literature puts emphasis on two major factors to explain institutional variation: the institutional strength of parliament independent of EU affairs as well as public and elite Euroscepticism. Drawing on this literature, we then develop explanations for parliamentary activity in EU affairs. After providing an overview over the data for our dependent and independent variables in section five, section six presents the regression models used to test the hypotheses and the discussion of our findings. The last section concludes.

Dealing with EU Politics from the Backbenches

Fighting back: Parliamentary Activities in EU Affairs

Parliaments are multi-taskers that fulfil a variety of functions. Although both classic (Bagehot 2009 [1867]) and modern catalogues (e.g. Pakenham 1970, Norton 1990,) have identified a large number of parliamentary functions, most agree on four fundamental ones: (s)election of the government, legislation (which includes both policy-formulation and giving final assent to collectively binding decisions), oversight (scrutiny and control) and communication. Within EU affairs, these functions are not all equally important. Parliaments do, of course select the

government, but they rarely do so with regard to EU politics. In addition, national parliaments have delegated part of their legislative function, both in terms of policy-formulation and giving final assent, to the European level. To compensate for this loss of legislative competences, they have developed provisions to scrutinise and influence their government's EU policy. In addition, they now also have, albeit limited, opportunities to influence policy-making directly at the EU level through the Early Warning System and the political Dialogue.ⁱⁱScrutiny and influence are therefore generally considered the most important functions in parliament. However, the communication function of parliaments remains just as important in EU affairs as it is in domestic politics. By communicating EU issues to their citizens, national parliaments are in a unique position to ensure that people are more connected with 'Europe' by making the EU more visibly present in national politics and more accessible to and for their national public.

Accordingly, we focus our analysis on four main types of activities: mandates and/or resolutions (depending on the type of scrutiny system), EAC meetings, plenary debates and the number of opinions submitted to the European Commission within the Political Dialogue. While mandates and resolutions as well as opinions capture the policy influencing function with regard to both, their own government and the European level, time spent in EAC meetings captures the 'working' aspect of national parliaments that relates to scrutiny and developing expertise in EU affairs. Plenary debates, finally, measure the extent to which parliaments fulfil their communication function. We excluded reasoned opinions sent within the Early Warning System from the analysis as they are a fairly new instrument, established only with the Treaty of Lisbon, where parliaments may not yet have established routines to the same extent as for other types of activities.

Before presenting our data in table 1, two caveats need to be addressed. First, the data does omit other activities, especially activities of the specialised standing committees as well as more informal means of influence and control. This omission is due to unavailable data. While the standing committees are involved in EU affairs in many parliaments, it is impossible to obtain data on the share of committee time spent on scrutinising and debating EU issues compared to domestic issues. The omission of more informal means of influence and control is, unfortunately, part of the trade-off between large and small N studies. Investigating informal strategies not only relies on qualitative data sources, but is also difficult to quantify.

Second, simply measuring the level of activity reveals little about the *impact* of parliamentary involvement, i.e. whether more active parliaments succeed in controlling and influencing their governments effectively. Since the actual impact of parliamentary activity in terms of influence is extremely difficult to measure, we can only capture what parliaments do, but not whether they are actually successful.

-Table 1 about here-

As table 1 shows, European activities are far from being marginal in parliaments. On average, their EACs met once a working week for more than one hour, and chambers issue about 50 European statements per year: 39 addressed to the government and ten to the European Commission. Yet parliaments differ greatly when it comes to EU activities. The number of resolutions passed by individual parliaments ranges from 0 to 220 per year over the three years. Similarly, the duration of plenary debates spent on EU issues ranges from 0 to over 112 hours, the number of opinions from 0 to 197.ⁱⁱⁱ

That parliaments not only differ regarding their overall level of activity in EU affairs, but also tend to emphasise different activities, is shown in table 2 that presents the correlation coefficients between the four types of activity (see also Auel et al. 2015). For example, parliaments that spend long hours scrutinising EU affairs in the EAC are not systematically as active when it comes to debating EU issues in the plenary. The only somewhat stronger correlation can be found between resolutions/mandates and political Dialogue opinions. Indeed, a number of parliaments tend to forward their resolutions simultaneously to the government and the European Commission. Overall, however, the results suggest that the emphasis on different parliamentary functions varies.

-Table 2 about here-

Assessing the gap between rules and behaviour

The last two decades have seen the development of a large and rich body of literature on the cross-national variation regarding the institutional capacities of national parliaments in EU affairs. Despite the diversity of the methods employed and the data used, the studies have generated rather converging results. Most of them agree on the importance of two factors: domestic institutional strength and Euroscepticism. The former has been measured with different variables such as the overall institutional strength of parliaments prior to and independent of integration or the power balance in legislative-executive relations (Bergman 1997, 2000; Dimitrakopoulos 2001; Karlas 2011, 2012; Martin 2000; Maurer and Wessels 2001; Raunio 2005; Saalfeld 2005). The main argument is ‘that the overall strength of the legislature “spills over” to European affairs, with stronger control of the government in

domestic matters producing also tighter cabinet scrutiny in European affairs' (Raunio 2009: 330, FN 11). However, the literature has also indicated that domestic institutional strength is more likely to lead to tighter scrutiny procedures in EU affairs where MPs or parliamentary party groups (PPGs) have additional incentives. The second factor therefore draws on motivation-based explanations and can be summarised under the heading of public and/or elite opinion, including the degree of public support for the EU in the member state and/or the existence of anti-European parties (Bergman 1997, 2000; Raunio and Wiberg 2000, Raunio 2005, Winzen 2013). As Raunio has shown for the EU-15, the power of parliament independent of integration was the only necessary condition (for the CEE see Karlas 2011), whereas the combination of having a powerful parliament and a Eurosceptic electorate were sufficient conditions for producing tighter procedures for the control of the government in EU matters.

As argued in the introduction, however, much of the literature so far is based on the, mainly implicit, assumption that the resulting parliamentary scrutiny provisions equal legislative scrutiny behaviour. This is rather surprising, given that the literature has clearly established that additional incentives are important to explain the very development of these provisions. In part, using institutional rights as a proxy for actual scrutiny activity is, of course, due to the previous lack of comparative empirical data on parliamentary activities in EU affairs. As a result, studies have mainly focused on comparing institutional provisions, where data is more easily accessible. Yet a number of studies have pointed out that national parliaments do not always make use of their institutional rights (e.g. Auel 2007, Pollack and Slominski 2003, Saalfeld 2003). In fact, parliaments are famous for not systematically doing what they are allowed to: 'what is remarkable about the legislatures is not their power to say no to government but rather their reluctance to employ that power' (Norton 1998: 192).

In a first step, we therefore investigated whether there is a systematic relationship between parliamentary strength in EU affairs (measured by the OPAL score of formal rights, see Auel et al. 2015 and below) and our different types of activities. As figure 1 illustrates, stronger parliaments do tend to be more active, but this is far from being systematic. Institutional strength matters most for mandates/resolutions, but the relationship is weaker for plenary debates or time spent in EAC meetings – and it is non-existent for opinions sent within the Political Dialogue. This not only suggests that institutional strength cannot simply be taken as a proxy for actual parliamentary activity, but also that taking MPs motivations into account as well may provide overall better explanations for legislative behaviour.

-Figure 1 about here-

In the following, we develop our theoretical framework based on the discussions and findings above. We first develop general hypotheses on the impact of both institutional and motivational factors on parliamentary activity in EU affairs and then discuss our assumptions on the variation in the impact of different types of factors on different types of activities.

Why are they fighting back? Explaining parliamentary activities in EU affairs

To understand why some national parliaments are more active than others in EU affairs, we develop a set of hypotheses based on agency theory and the principal-agent model, which have served as the conceptual framework for several important studies analysing parliamentary control in EU affairs (e.g. Bergman 2000; Strøm 2003; Saalfeld 2005; Winzen 2012). The underlying general assumption is that members of parliament (MPs) (or

parliamentary party groups (PPGs)) as principals delegate EU affairs to their agents, the government, and then can employ various means of control to prevent agency loss. This raises two fundamental questions: First, what are the institutional (legal and formal) means of national parliaments to exercise this control or, in other words, what are their *capacities* for control and influence? The second question is whether MPs or PPGs have the necessary political will or motivation to exercise control. The paper therefore develops hypotheses on both, assumptions about the impact of institutional factors (H1 to H3) and about factors that impact the motivation of actors to become involved in EU affairs (H4 and 5). Finally, it also takes the fact into account that the EU was hit by the eurozone crisis during our period of investigation (H6).

Institutional Capacities

Based on the literature and the findings above, we expect formal institutional rights to have a significant (albeit not necessarily dominant) impact on the level of parliamentary activity in EU affairs. MPs and PPGs can, of course, also find ways to compensate for a lack of formal rights through other, and possibly more informal, strategies (Auel and Benz 2005). Yet it can clearly be expected that institutional provisions enshrined in the Constitution, ordinary legislation or standing orders provide institutional opportunities and thus facilitate the involvement of parliaments in EU affairs.

H1: The stronger the institutional prerogatives of national parliaments in EU affairs, the greater their level of activity in EU affairs.

Since constitutionally strong parliaments developed tighter scrutiny provisions on EU matters, we can expect strong parliaments to be generally more active on EU issues as well. Although there is little agreement within legislative studies on how to define and measure parliamentary strength (Sieberer 2011), there is no doubt that the direct influence over policy making is essential to it. Given that EU norms greatly affect, directly or indirectly, domestic legislative agendas, it seems therefore plausible to assume that legislatures with greater general policy-influencing power will also be more active regarding EU issues.

H2: The greater the institutional power of national parliaments in domestic affairs, the greater their level of activity in EU affairs.

The third assumption addresses the broader institutional context. Parliaments are embedded in complex political systems where their formal institutional power is only one factor impacting the overall balance of power in executive–legislative relations. Thus, we take into account Lijphart’s famous conceptualisation of consensus vs. majoritarian systems, which, in its first ‘executives-parties dimension’ (Lijphart 2012: 3), embraces the nature of the party system, the type and stability of the government and electoral rules as decisive factors. According to Lijphart, the aim of a consensus system is to ‘share, disperse and limit power in a variety of ways’ (2012: 2). We assume that within such an institutional setting, MPs and PPGs are more able to control the government in EU affairs. One aspect of consensus democracies in particular supports this view: due to the larger number of parties, governments are more likely to be formed by coalitions. As a result, majority MPs have to ‘police the bargain’ (Martin and Vanberg 2004, see also Saalfeld 2005) - i.e. to control what ministers from other coalition PPGs are actually doing - while supporting their ‘own’ ministers vis-à-vis the other coalition partners.

H3: The greater the degree of consensus orientation of the political system, the more active national parliaments are in EU affairs.

Motivational incentives

The remaining hypotheses deal with MPs' motivations for using their prerogatives in EU affairs. As outlined above, the literature has emphasised that even domestically strong parliaments generally need additional incentives to develop strong institutional scrutiny rights. One of the important characteristics of the chain of delegation in parliamentary systems is that MPs are both, principals of the government and agents of their voters or citizens (Strøm 2003). As a result, an investigation of the preferences and incentives of MPs to become involved in EU affairs needs to take both 'roles' of MPs into account. As agents, MPs' most important preference is to secure the continuation of the delegation relationship, i.e. to be re-elected. As principals, the most important preference of MPs is to induce their agent (the government) to act in accordance with their policy interests, i.e. to minimise agency loss. We can thus assume that the motivation of MPs/PPGs to use institutional opportunities, i.e. to engage in parliamentary scrutiny of EU affairs depends on a) voters expectations and b) incentives that impact their motivation to exert policy influence (see also Saalfeld 2005).

Regarding voter expectations, we test the established hypothesis advanced by previous research, namely that opposition to the EU within public opinion creates an electoral incentive for MPs to control their government.

H4: The stronger the opposition to EU integration/membership in public opinion, the more active parliaments are in EU affairs.

In addition, the literature has suggested that the presence of Eurosceptic parliamentary party groups within parliament has had a positive impact on the development of tighter scrutiny procedures (e.g. Raunio and Wiberg 2000, Winzen et al. 2014). Accordingly, we assume that they also have an incentive to make use of these institutional capacities for both electoral and policy impact reasons: in general, Eurosceptic MPs can be assumed to be more interested in controlling the government in EU matters. Governing parties, however, generally tend to support their governments, at least publicly (Auel 2007), and thus to exert control through more informal means. As a result, we expect parliamentary Euroscepticism to have the greatest impact on formal activities, where we find strong anti-EU parties in parliament or a large difference in the position on EU integration between the governing and the opposition parties.

H5: The stronger the opposition to EU integration/membership within parliament, the more active parliaments are in EU affairs.

Finally, we also need to take into account that the time period under investigation (2010 to 2012) was by no means business as usual in the EU due to the eurozone crisis. In fact, as Auel and Höing (2015) have shown, national parliaments have been rather active when it comes to scrutinizing the crisis management at the EU level. This is not surprising, given the high stakes - especially for countries within the eurozone that had to shoulder large financial guarantees for the European Financial Stability Facility or the European Stability Mechanism, guarantees that may severely limit their future financial room of manoeuvre. We therefore

expect that the level of integration in the Economic and Monetary Union (EMU), and especially the status as donor countries within the eurozone, will have a positive impact on EU activities.^{iv}

H6: The more integrated their countries are in the EMU, the more active parliaments are in EU affairs

Different means of fighting back: Parliamentary communication vs. policy influence

The hypotheses developed above address the factors we expect to impact parliamentary activity more generally. However, as outlined, different types of activities relate to different types of parliament functions, and we can assume that institutional capacities as well as motivational incentives vary in how they impact the fulfilment of such functions. Above, we distinguished between activities serving the influencing and scrutiny function (resolutions/mandates, opinions, time spent in the EAC), on the one hand, and the function of communication and public accountability (plenary debates) on the other. With regard to the former, we expect much of the parliamentary scrutiny activity to depend on institutional capacities to scrutinise and influence the government effectively. Parliaments dominated by the executive that lack strong information and oversight rights or an effective infrastructure to deal with EU affairs are less likely to become involved in EU politics. In addition, resolutions or mandates are instruments that require a parliamentary majority. As a result, incentives to ‘police the bargain’ between governing parties are more likely to have an impact than conflicts between the governing and the opposition parties over EU integration. The same is true for anti-EU parties who are often found at the fringes of the parties system and too small to exert influence on their own.

HI: The impact of institutional factors on EU activity will be stronger for activities relating to the influencing function of parliaments.

Plenary debates, in contrast, serve precisely the function of communicating EU issues to the electorate. They are more likely to gain media attention and thus to reach a larger audience. As a result, conflicts between the governing and opposition parties over EU issues can have a greater impact in the plenary than in deliberations behind (often closed) doors of committees. Plenary debates provide opposition parties, and anti-EU parties in particular, an opportunity to sharpen their electoral profile by attacking the government parties over their EU policies. Finally, the politicisation of EU affairs through the eurozone crisis (see, for example, Puntsher Riekmann and Wydra 2013) also seems to have had an impact, especially on the debating activity of national parliaments: while crisis-related parliamentary statements accounted for only little over 10 per cent of all statements on EU matters on average, debates on crisis-related issues made up over 40 per cent of all EU debates (Auel and Höing 2015). We therefore also expect the level of EMU integration to have an impact on plenary debates.

III: The impact of motivational incentives on EU activity will be stronger for activities relating to the communication function.

Figure 2 provides a synthesised overview over our conceptual framework.

-Figure 2 about here-

Data

Dependent variables

Our dependent variables consist of the number of resolutions or mandates, the time spent in EAC meetings, the time spent on debating EU issues on the plenary as well as the number of opinions sent within the political Dialogue – each by parliament (lower houses only) and year. Data on resolutions and mandates, debates and opinions was collected in the context of the OPAL research project, using parliamentary websites, the European Commission’s website for the relation with national parliaments (the so called Political Dialogue)^v and IPEX^{vi} as sources.^{vii} In addition, coders requested and confirmed data with parliamentary information offices directly. Data on the number and duration of EAC meetings, as well as on the average length of EU plenary debates was collected by sending out a questionnaire to the EACs of all chambers.^{viii}

Independent Variables

Institutional Strength in EU affairs: With regard to measuring the institutional strength of national parliaments in EU affairs, we draw on the OPAL score of institutional strength (Auel et al. 2015). It measures parliamentary strength in EU affairs based on eleven indicators organised along three dimensions: access to information (access to documents, explanatory memorandum, ex ante reports on Councils), parliamentary infrastructure (type of EAC, role of standing committees, share of MPs involved) as well as oversight and influence rights

(binding character of the opinions, reserve, scope, ex post reports on Councils). Figure 3 provides the scores for all 27 parliaments.

-Figure 3 about here-

Domestic strength of the legislature: We decided to assess the domestic strength with the strength of the committee system. As indicated by a number of converging studies over the last decades (for an overview, see Martin 2014), committees appear to constitute one of the most relevant proxy for capturing the degree of independence of a given legislature vis-à-vis the government. Inspired by Karlas (2012), we draw on two different measures of committee strength, Martin and Depauw (2009) and Yläoutinen and Hallerberg (2009). The two measures were normalised and aggregated into a single score. Data on Cyprus are missing for this variable. Therefore we tested the model for 26 parliaments.

Consensus vs. majority democracy: We used an updated and complete time-variant proxy for Lijphart's (2012) first dimension 'parties-executives' developed by Armingeon and al. (2013), which focuses on the core elements of political systems (government, legislatures, parties and electoral rules).

Public Euroscepticism: To measure public Euroscepticism, we used Eurobarometer data on the percentage of citizens who stated that they tend not to trust the European Union.^{ix}

Opposition to EU integration within parliament is captured by two different variables. To measure the strength of *Anti-EU parties* within parliaments, we calculated the seat share of all Eurosceptic parties for each parliament based on the Chapel Hill 2010 data set (Bakker et al.

2012).^xTo capture the *opposition to EU integration* more broadly, we calculated the average Chapel Hill scores for the governing and the opposition parties and then subtracted the latter from the former. Thus, the greater the resulting value, the larger the gap between the governing and the opposition parties' position on EU integration.

EMU involvement, finally, is captured by a variable that assigns the value 1 for participation in the Treaty on Stability, Coordination and Governance (TSCG), the Euro Plus Pact (EUPP), the eurozone as well as for EFSF/ESM donor status. This takes into account that participation in different EMU treaties (TSCG, EUPP) varies within non-eurozone countries, while eurozone countries can be distinguished according to donor and debtor status. Values range from 0 to 4 (see also Auel and Höing 2015).

Table 3 provides an overview over the independent variables.

-Table 3 about here-

Results

To test the hypotheses developed above, we ran a linear regression analysis using STATA version 13. Standard estimation methods of linear regression analysis do not account for the fact that our observations are nested within parliaments. Consequently, we use a clustered standard error technique (Primo et al. 2007), which allows us to adjust for clustering at the parliament level and to avoid overstating the statistical significance of coefficient estimates. Variables were introduced in two sets. We ran a regression with the institutional variables first

and then with whole model. The results of the regressions are reported in tables 4 and 5 below.

-Tables 4 and 5 about here-

Discussion

As expected, formal rights in EU affairs (H1) do have an impact on activity related to resolutions, EACs meetings or plenary debates. The effect is also considerable. An increase of 0.1 on the scale of institutional strength (ranging from 0 to 1), which corresponds, for example, to the difference in strength between the Dutch *Tweede Kamer* and the, less powerful, French *Assemblée Nationale*, will increase the number of resolutions by 17.4. The only exceptions are the political Dialogue opinions, where the predictor has no impact. This result is not too surprising, however, given that all parliaments have the same formal rights regarding the participation in the political Dialogue. The political impact of resolutions or mandates, in contrast, largely depends on formal rules, in particular on rules concerning their legally binding character.

Regarding the domestic rights of the parliament (H2) - using the strength of the standing committees as a proxy for the general influence of the parliament – we find little evidence that domestically strong parliaments are especially active in EU affairs. We confirmed this somewhat unexpected result by using alternative ways of measuring domestic parliamentary strength, such as Woldendorp et al.'s (2000) index of constitutional balance or the Fish and Kroenig's (2009) score of institutional strength. The domestic strength of parliaments may thus play an indirect role as strong parliaments are generally among the most powerful in EU

affairs^{xi}, but it is not directly reflected in the level of activities in EU affairs. This may partly result from our quantitative assessment of the activities: domestically strong parliaments may not be especially more active, but they may indeed be much more *influential* in EU affairs. We can expect, for instance, that governments are more willing to anticipate and accommodate parliamentary views when parliaments are constitutionally powerful, which may reduce the need to issue formal resolutions or mandates. Similarly, demanding accountability provisions regarding, for example, the participation of the head of government in European Council meetings (systematic organisation of hearings, personal presence of the PM, no advance notice of the questions, questions and answers rather than long statements...), may reduce the need to spend hours in the EAC on that issue (Wessels and Rozenberg 2012). An exception to the above is the degree of consensus orientation of the political system (H3), but it plays a role in the case of resolutions only. This means that where a political system is generally organised to limit the ability of the government (or governing party leaders) to impose decisions, parliaments do indeed tend to be more active policy-influencers in EU affairs.

Regarding MPs motivations to become involved in EU affairs, we distinguished between electoral and policy incentives. Regarding the former (H4), public opinion on the EU does have a positive impact on resolutions, but it is relatively weak. A one per cent increase in public Euroscepticism will only increase the number of resolutions issued by about 1. In turn, opposition to EU integration within parliament – i.e. the share of anti-EU parties and conflicts between governing and opposition parties over the EU (H5), impact the duration of plenary debates only and again weakly. Here, a one per cent increase in the share of Eurosceptic parties will lead to an increase of debates by about one hour. Taken together, these results suggest that Euroscepticism, both in public opinion and among political elites, constitutes a

limited incentive for engaging in EU affairs. This is, again, a rather unexpected result given past analyses of the Europeanisation of national parliaments. In part, the weak relation between Euroscepticism and EU activities in parliament may be explained by the often depoliticised way of addressing EU issues in parliaments (Auel and Raunio 2014). When it comes to the scrutiny of specific EU documents and decisions or to the general search for consensus in EACs or standing committees, many Eurosceptic MPs seem to choose the ‘exit’ rather than the ‘voice’ option, to echo Hirschman’s (1970) famous categories.

This brings us to the final aspect, the impact of the eurozone crisis (H6). Our findings indicate that the parliaments of member states more integrated into the EMU, and thus especially the eurozone members with donor status regarding the EFSF and ESM, tended to spend more time debating EU issues in the plenary. Given the fact that between 2010 and 2012, the eurozone crisis, the future of the common currency and the control over domestic deficits were highly topical issues, these parliaments were thus clearly willing to poke the famous ‘sleeping giant’ (von der Eijk and Franklin 2004). On the other activities, in contrast, EMU integration had no effect. This reflects the results of Auel and Höing (2015) who found that the crisis had a great impact on plenary debates, especially in donor countries, while the crisis management was dealt with more as ‘business as usual’ regarding resolutions or political Dialogue opinions.

Turning to the comparison of explanatory patterns for different types of activities (HI and HII), our expectation that they follow different logics is only partly confirmed. Institutional factors do impact the adoption of resolutions more strongly than plenary debates. With the exception of political Dialogue opinions, however, the institutional strength of a parliament in EU affairs has a decisive impact on all types of activities, be they related to the influencing or

the communication function. At the same time, the motivational factors affect activities differently: public Euroscepticism increases only the number of resolutions, and MPs' Euroscepticism only the duration of floor debates.

Thus, we have indeed a fairly clear idea of why mandates and resolutions are adopted on EU issues.^{xiii} The limited increase in the R^2 from .476 to .566 after introducing the predictors related to motivational incentives indicates that motivational incentives do matter, but that resolutions are first and foremost driven by the institutional capabilities. In contrast, we are able to explain less than 20 per cent of the variation regarding the duration of floor debates when we take only institutional variables into account; but the explanatory power more than doubles to over 41 per cent in the complete model. This indicates that how much time was spent on debating EU issues in the plenary also depends both on parliamentary Euroscepticism and on the salience of the eurozone crisis. Yet it is the strength of anti-EU parties that matters (albeit weakly), rather than the more general conflict over EU issues between governing and opposition parties. Again, the eurozone crisis could be an important reason: opposition parties may have been under pressure to agree with crisis-related measures both for reasons of time pressure and their 'entrapment in the European rescue discourse' (Puntscher Riekman and Wydra 2013: 579).

While our final two hypotheses (HI and HII) are partly, and only partly, confirmed in the case of resolutions and floor debates, this is not the case for the two other types of activities that we largely fail to explain. For both the time spent in EAC meetings and the number of political Dialogue opinions we can explain only about 16 per cent of the variation. Regarding EACs, the institutional strength of the legislatures on EU issues is the only variable that has an impact. This does confirm our assumption about the importance of institutional capacities

for the level of activities related to scrutiny and influence. But it still raises the question why other variables have no impact at all and why the overall explanatory value of our model is so limited. Two reasons can be brought forward: First, despite the similarity in name, EACs differ from one parliament to another on many dimensions: size, existence of sub-committees, political profile of the members, responsibilities, openness and relations to the standing committees. This last aspect is especially significant as some EACs are the main bodies responsible for conducting the parliament's EU business while others are mainly 'clearing houses' in charge of selecting important EU documents for standing committees and acting as the coordinating body. Therefore it may be difficult to identify common explanations for EAC activities simply because the term 'EAC' refers to very different kinds of bodies. Second, like any other type of parliamentary body, in parliament, EAC organisation depends on general rules, routines and capacities that are un-related to the EU dimension, such as general meeting schedules for committees, the length of parliamentary sessions or whether the EAC can meet during parliamentary recesses. We therefore need further analyses that take both such patterns and the differences in the type of EACs into account.

Regarding the opinions sent within the political Dialogue with the European Commission, none of the variables we identified were significant at the 95 per cent level. Overall, it seems that parliamentary engagement in the political Dialogue with the European Commission follows a rather different logic than other EU activities. What we can infer from the results is that the opinions are neither an instrument used mainly by strong parliaments to extend their influence to the EU level nor mainly by weak parliaments to compensate for their lack of influence at the domestic level. One explanation could be that the system is still relatively new. As illustrated by a comparison of two parliaments that make very active use of the instrument, namely the Portuguese Assembleia and the Swedish Riksdag, the rationale for

sending opinions also seems to vary greatly between parliaments: from a purely bureaucratic notification on the result of the subsidiarity check to the submission of a fairly comprehensive assessment of the Commission proposals. Another factor may be how effective and useful MPs believe the political Dialogue to be in term of policy influence. As shown by a recent COSAC report, a majority of parliaments feel that it ‘could be strengthened or enhanced and advanced a number of ways of improving it. In general, parliaments/chambers would welcome more prompt and substantive responses by the Commission to concerns raised by them’ (COSAC 2012: 1). Finally, as those opinions, in contrast to resolutions, are addressed to a body that is external to the domestic political game, they may, in fact, be neglected by MPs and largely delegated to clerks.

Conclusion

This paper shed light on different European activities within the lower houses of the national parliaments of the EU. It showed that the formal Europeanisation of national legislatures over the last decades has not been vain. While we can still find a few ‘scrutiny laggards’, many chambers are now rather actively involved in EU affairs, and this is all the more the case where they have obtained stronger formal rights regarding their access to information or their ability to issue resolutions and mandates, and have established an effective infrastructure to deal with EU matters. Formal rights appear to constitute crucial preconditions especially for activities related to the functions of scrutiny and influence, such as issuing resolutions on EU draft legislation or mandating their government’s negotiation position. Yet our findings show that European activities do not only result from institutional opportunities but also from electoral and policy considerations. In the specific context of the economic crisis, this has

been especially the case for EU plenary debates, and thus for a more public activity related to the communication function.

If we compare the explanatory variables for the development of institutional capacities emphasised in the literature on national parliaments in the EU and our results for their actual EU activities, we find both similarities and differences. The findings converge with regard to the fact that it is a mix of institutional and motivational factors that provides an overall better explanation for both dynamics than purely institutional ones. Yet we find differences with regard to the types of institutional and motivational factors that play a role: The *domestic* strength of the parliaments impacts European activities only indirectly, through their formal prerogatives in EU affairs. Domestically strong parliaments are not systematically among the most active, possibly because they do not need to be very active to be influential. Similarly, public Euroscepticism, one of the main factors identified for institutional adaptation, only plays a limited role regarding parliaments' activity. For parliamentary activities related to the communication function, in particular, we found parliamentary Euroscepticism and especially the salience of the eurozone crisis to be more important. In addition, our findings suggest that some parliamentary provisions are embedded in general institutional rules and routines and therefore largely independent of on-going, parliamentary or public, controversies about the EU. This seems to be especially the case for EACs meetings that we largely fail to explain.

To conclude, our results on EU activities in parliaments also shed light on their institutional adaptation to the EU. It has been demonstrated that institutional reforms do have consequences regarding different types of parliamentary activities. MPs are rational animals who are all the more willing to become involved in EU affairs if they have the institutional means at their disposal to do so. This suggests, however, that the level of activity will most

likely also depend on the *effectiveness* of the respective instruments, for example whether resolutions actually do have an impact on the government's EU position and on EU policies, whether EU debates do reach the citizens and whether the European Commission does take opinions sent by national parliaments into account. This impact could also provide the missing link that accounts – together with endogenous institutional routines – for the variations that we were not able to explain in our model. Assessing the impact of parliamentary activities comprehensively and comparatively thus constitutes an ambitious field of research for the future.

Notes

- i Our analysis does not include the newest member state, since Croatia only acceded in 2013.
- ii For details on the Early Warning System (EWS) - the parliamentary subsidiarity check introduced with the Lisbon Treaty – see the introduction as well as Gattermann and Heffler in this volume. The political Dialogue was introduced with the Barroso initiative in 2006 and aims at establishing a dialogue between national parliaments and the European Commission early in the policy making process and not, as in the EWS, limited to aspects of subsidiarity (see Jančić 2012).
- iii However, the numbers for the political opinions have to be viewed with some care, as they are mainly due to the activity of the Portuguese Assembleia, which adopts opinions within the political dialogue on a very large number of documents sent by the European Commission (on average over 140 opinions per year). Given that most of these opinions do not include any comments on the document - other than a statement that the Assembleia has not found a breach of the subsidiarity principle – this inflates the overall and average number of opinions for all parliaments.
- iv In comparison to MPs or citizens views on the EU, the level of involvement of a member State in the EMU can be considered as an indirect factor for the involvement of MPs in EU activity. Given the salience of the eurozone crisis during the period of investigation, it acted as an external shock that can be expected to have refocused MPs’ attention. We therefore consider this variable as a motivational incentive as well.
- v http://ec.europa.eu/dgs/secretariat_general/relations/relations_other/npa/index_en.htm
- vi IPEX (InterParliamentary EU information eXchange, <http://www.ipex.eu>) is an internet platform that provides detailed information on parliamentary scrutiny by EU document and aims at facilitating information exchanges between national parliaments.
- vii The data collection took place between May 2012 and February 2013 on the basis of a detailed codebook. The 25 coders are mostly native speakers and received training in two workshops.
- viii The return rate was 100%, although specific data was missing in a few cases, which was added through our own calculations.
- ix We used data for the question: ‘For each of the following institutions, please tell me if you tend to trust it or tend not to trust it: the European Union?’ (answers for ‘tend not to trust’ only), calculating the mean

for the 2 waves/year covering the period 2010-12 (Standard Eurobarometer Surveys 73 to 78). Data was retrieved through the interactive Eurobarometer search system, http://ec.europa.eu/public_opinion/cf/index_en.cfm. As there may be a bias linked to the wording of questions that gauge Euroscepticism, we also used an aggregate measure based on including data from three questions related to public opinion on the EU but our results remained the same.

x The Chapel Hill data is based on expert surveys; respondents were asked to assess ‘the general position on European integration that the party leadership took over the course of 2010’ on a scale from 1 = strongly opposed to 7 = strongly in favour. A party was considered as anti-EU if it had a score of 3.5 or below. Missing data (Cyprus, Luxembourg and Malta, new parties in parliaments after 2010) was added on the basis of information country experts supplied.

xi Yet it should be noted that there are no problems of collinearity between both variables in our models.

xii Results are similar when we omit the two most active parliaments, the Finnish Eduskunta and the Swedish Riksdag.

References

- Armingeon, Klaus, Romana Careja, David Weistanner, Sarah Engler, Panajotis Potolidis and Marlène Gerber (2013). *Comparative Political Data Set III 1990-2011*, Berne: University of Berne, Institute of Political Science.
- Auel, Katrin (2007). 'Democratic Accountability and National Parliaments – Re-Defining the Impact of Parliamentary Scrutiny in EU Affairs', *European Law Journal*, 13:4, 87–504.
- Auel, Katrin and Arthur Benz (2005). 'The Politics of Adaptation: Europeanisation of National Parliamentary Systems', *Journal of Legislative Studies*, 11:3-4, 372-93.
- Auel, Katrin and Tapio Raunio (2014). 'Introduction: Connecting with the Electorate? Parliamentary Communication in EU Affairs', *Journal of Legislative Studies*, 20:1, 1-12.
- Auel, Katrin and Oliver Höing (2015). 'National Parliaments and the Eurozone Crisis: Taking Ownership in Difficult Times?' *West European Politics* 38:1 (forthcoming).
- Auel, Katrin, Olivier Rozenberg and Angela Tacea (2015). 'Fighting Back? And if Yes, How? Measuring Parliamentary Strength and Activity in EU Affairs', in Claudia Heffler, Christine Neuhold, Olivier Rozenberg and Julie Smith (eds.) *The Palgrave Handbook of National Parliaments and the European Union*, London: Palgrave Macmillan (forthcoming).
- Bagehot, Walter (2009 [1867]). *The English Constitution*, Oxford: Oxford University Press.
- Bakker, Ryan, Catherine de Vries, Erica Edwards, Liesbet Hooghe, Seth Jolly, Gary Marks, Jon Polk, Jan Rovny, Marco Steenbergen, and Milada Vachudova (2012). 'Measuring party positions in Europe: The Chapel Hill expert survey trend file, 1999–2010'. *Party Politics* (published before print).
- Bergman, Torbjörn (1997). 'National parliaments and EU Affairs Committees: notes in empirical variation and competing explanations', *Journal of European Public Policy*, 4:3, 373-87.
- Bergman, Torbjörn (2000). 'The European Union as the next step of delegation and accountability', *European Journal of Political Research*, 37:3, 415-29.
- COSAC (2005): 3rd Bi-annual Report on Developments in European Union Procedures and Practices Relevant to Parliamentary Scrutiny, online: <http://www.cosac.eu/documents/bi-annual-reports-of-cosac/>.
- COSAC (2012): 17th Bi-annual Report on EU Practices and Procedures, online: <http://www.cosac.eu/documents/bi-annual-reports-of-cosac/>.
- Fish, M. Steven and Matthew Kroenig (2009). *The Handbook of National Legislatures: A Global Survey*, New York: Cambridge University Press.
- Hirschman, Albert (1970), *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*, Cambridge, MA: Harvard University Press.

- Jančić, Davor (2012), 'The Barroso Initiative: Window Dressing or Democratic Boost?', *Utrecht Law Review*, 8:1, 78-91.
- Karlas, Jan (2011). 'Parliamentary control of EU affairs in Central and Eastern Europe: explaining the variation', *Journal of European Public Policy*, 18:2, 258-73.
- Karlas, Jan (2012). 'National Parliamentary Control of EU Affairs: Institutional Design after Enlargement', *West European Politics*, 35:5, 1095-1113.
- Lijphart, Arend (2012 [1999]). *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*. New Haven, CT: Yale University Press, 2nd ed.
- Martin, Lanny W. and Georg Vanberg (2004). 'Policing the Bargain: Coalition Government and Parliamentary Scrutiny', *American Journal of Political Science*, 48:1, 13-27.
- Martin, Lisa L. (2000). *Democratic Commitments: Legislatures and International Cooperation*, Princeton: Princeton University Press.
- Martin, Shane (2014). 'Committees', in Shane Martin, Thomas Saalfeld and Kaare Strøm (eds) *The Oxford Handbook of Legislatures Studies*, Oxford: Oxford University Press, 352-68.
- Martin, Shane, and Sam Depauw (2009). 'Coalition Government and the Internal Organization of Legislatures', paper presented at the Annual APSA Meeting, Toronto, Canada, available at: <http://webpages.dcu.ie/~martins/committees1.pdf>.
- Maurer, Andreas and Wolfgang Wessels eds.) (2001). *National Parliaments on their Ways to Europe: Losers or Latecomers?*, Baden-Baden: Nomos.
- Norton, Philip (1990). *Legislatures*. Oxford, Oxford University Press.
- Norton, Philip (1998). 'Conclusion: Do Parliaments make a Difference?', in Philip Norton (ed.), *Parliaments and Governments in Western Europe*. London: Frank Cass, 190–208.
- Packenhams, Robert A. (1970), 'Legislatures and Political Development', in: Allan Kornberg und Lloyd D. Musolf (eds.): *Legislatures in Developmental Perspective*, Durham, NC: Duke University Press, 521-582.
- Pollak, Johannes and Peter Slominski (2003). 'Influencing EU Politics? The Case of the Austrian Parliament', *Journal of Common Market Studies*, 41:4, 707-29.
- Primo, David M., Matthew L. Jacobssmeier and Jeffrey Milyo (2007). 'Estimating the Impact of State Policies and Institutions with Mixed-Level Data.' *State Politics & Policy Quarterly* 7: 4, 446-459.
- Puntscher Riekmann, Sonja and Doris Wydra (2013). 'Representation in the European State of Emergency: Parliaments against Governments?', *Journal of European Integration*, 35: 5, 565-582.
- Raunio, Tapio (2005). 'Holding governments accountable in European affairs: Explaining cross-national variation.' *Journal of Legislative Studies*, 11:3-4, 319–42.

- Raunio Tapio and Matti Wiberg (2000). 'Does Support Lead to Ignorance? National Parliaments and the Legitimacy of EU Governance', *Acta Politica* 35: 2, 146-168.
- Saalfeld, Thomas (2003). 'The Bundestag: Institutional Incrementalism and Behavioural Reticence', in Kenneth Dyson and Klaus Goetz (eds.) *Germany, Europe and the Politics of Constraint*, Oxford: Oxford University Press, 73–96.
- Saalfeld, Thomas (2005). 'Delegation or Abdication? Government Backbenchers, Ministers and European Integration', *Journal of Legislative Studies*, 11:3-4, 343–71.
- Sieberer, Ulrich (2011), The Institutional Power of Western European Parliaments: A Multidimensional Analysis, *West European Politics*, 34:4, 731-54.
- Strøm, Kaare (2003). 'Parliamentary Democracy and Delegation', in Kaare Strøm et al. (eds.) *Delegation and Accountability in Parliamentary Democracies*, Oxford: Oxford University Press, 55-105.
- Van der Eijk, Cees and Mark N. Franklin (2004). 'Potential for Contestation on European Matters at National Elections in Europe', in Steenbergen, Marco R. and Gary Marks (eds.) *European Integration and Political Conflict*, Cambridge: Cambridge University Press, 32-50.
- Wessels, Wolfgang and Olivier Rozenberg (2012) 'Democratic Control in the Member States of the European Council and the Eurozone Summits', report requested by the European Parliament's Committee on Constitutional Affairs, European Parliament, Brussels, <http://www.europarl.europa.eu/studies>.
- Winzen, Thomas (2012). 'National parliamentary control of European Union affairs: a cross-national and longitudinal comparison', *West European Politics*, 35:3, 657-72.
- Winzen, Thomas (2013). 'European integration and national parliamentary oversight institutions', *European Union Politics*, 14:2, 297-323.
- Woldendorp, Jaap, Hans Keman and Ian Budge (2000). *Party Government in 48 Democracies (1945-98)*, Dordrecht: Kluwer.
- Yläoutinen, Sami, and Mark Hallerberg (2009). 'The Role of Parliamentary Committees in the Budgetary Process in the Central and Eastern European Countries', in Steffen Ganghof, Christoph Hönnige, and Christian Stecker (eds.), *Parlamente, Agendasetzung, und Vetospieler: Festschrift für Herbert Döring*. Wiesbaden: VS Verlag für Sozialwissenschaften, 147–74.

Tables and Figures

Table 1: Parliamentary activities in EU affairs (2010-2012)

	Mandates and resolutions	EAC meetings		Political dialogue opinions	EU plenary debates	
		<i>number (meetings)</i>	<i>time (hours)</i>		<i>number (debates)</i>	<i>time (hours)</i>
Absolute number	3153	3658	5590	802	1079	2104
Mean/year	38.9	44.6	69.2	9.9	13.3	26.1
Min/year	0	8	19.5	0	0	0
Max/year	220	126	154.5	197	51	112.5
Standard deviation	44.4	25.7	31.6	28.3	11.7	25.3

Note: Data for the lower houses of the 27 national parliaments in the EU. *Source:* Author's data.

Table 2. Correlations between different types of parliamentary activities in EU affairs (2010-2012)

	Mandates resolutions	EACs meetings	Plenary debates
EACs meetings	.260*	1	
Plenary debates	.133	.041	1
Political dialogue	.340**	-.028	.007

Note: correlations based on Pearson's r , $n = 81$. *** = $p < .000$, ** = $p < .01$, * = $p < .05$ Portugal was excluded from the political dialogue opinions given its outlier status ($N=78$).

Table 3: Overview over the independent variables

Variable	Mean	Std. Dev.	Min	Max
OPAL score institutional strength EU	.510	.157	.235	.842
Committee strength	1.358	.4103	.3472	2
Consensus vs. majority system	-.0411	.9394	-2.28	1.9
Public Euroscepticism	46.64	12.06	22	80
Strength of anti-EU parties	13.66	13.89	0	48.58
Gov-Opp dissent over EU integration	.684	1.23	-2.06	2.92
EMU Involvement	2.92	1.34	0	4

Table 4: Regression analysis for institutional variables

Variables	Number of resolutions	Duration debates	Times spent in EAC meetings	Number of opinions
Institutional Strength in EU affairs	176.137*** (46.29)	57.649* (24.34)	73.313** (23.95)	-3.650 (10.48)
Domestic strength of the legislature	-0.154 (10.35)	-20.314 (16.02)	6.747 (17.13)	4.239 (3.31)
Consensus vs. majority system	10.460* (4.12)	-0.154 (6.74)	0.554 (7.72)	0.328 (1.22)
<i>Constant</i>	-50.274 (27.52)	24.736 (22.92)	21.774 (23.24)	1.283 (6.02)
R^2	0.476	0.195	0.155	0.061

Notes: Entries are coefficients with standard errors adjusted for country clusters in parentheses. N = 78, Cyprus was excluded from the entire analysis due to missing data; Portugal was excluded from the analysis of political Dialogue opinions due to its outlier status (here, N= 75). * p< .05, ** p < .01, *** p < .001.

Table 5: Regression analysis for institutional and motivation variables

Variables	Number of resolutions	Duration debates	Times spent in EAC meetings	Number of opinions
Institutional Strength in EU affairs	174.134*** (38.05)	53.268** (16.75)	72.389** (25.94)	-4.310 (9.17)
Domestic strength of the legislature	-2.671 (11.67)	-3.651 (11.50)	7.232 (23.19)	5.483 (3.44)
Consensus vs. majority system	14.614** (4.53)	-1.864 (4.88)	0.740 (8.48)	1.036 (1.42)
Public Euroscepticism	1.124* (0.44)	0.063 (0.22)	0.154 (0.44)	0.130 (0.10)
Anti EU Parties	-0.968 (0.63)	1.017** (0.35)	-0.007 (0.69)	-0.107 (0.15)
Gov-Opp Dissent	6.163 (6.50)	-4.632 (3.70)	1.633 (4.25)	-1.009 (1.75)
EMU involvement	-9.611 (8.04)	10.438* (4.13)	-0.038 (5.96)	-1.619 (1.84)
<i>Constant</i>	<i>-61.098</i> <i>(31.19)</i>	<i>-39.729</i> <i>(19.76)</i>	<i>13.361</i> <i>(50.65)</i>	<i>0.940</i> <i>(6.98)</i>
R^2	<i>0.566</i>	<i>0.413</i>	<i>0.161</i>	<i>0.160</i>

Notes: see table 4.

Figure 1: Institutional strength and level of activity in EU affairs, by type of activity (means by year for 2010-2012)

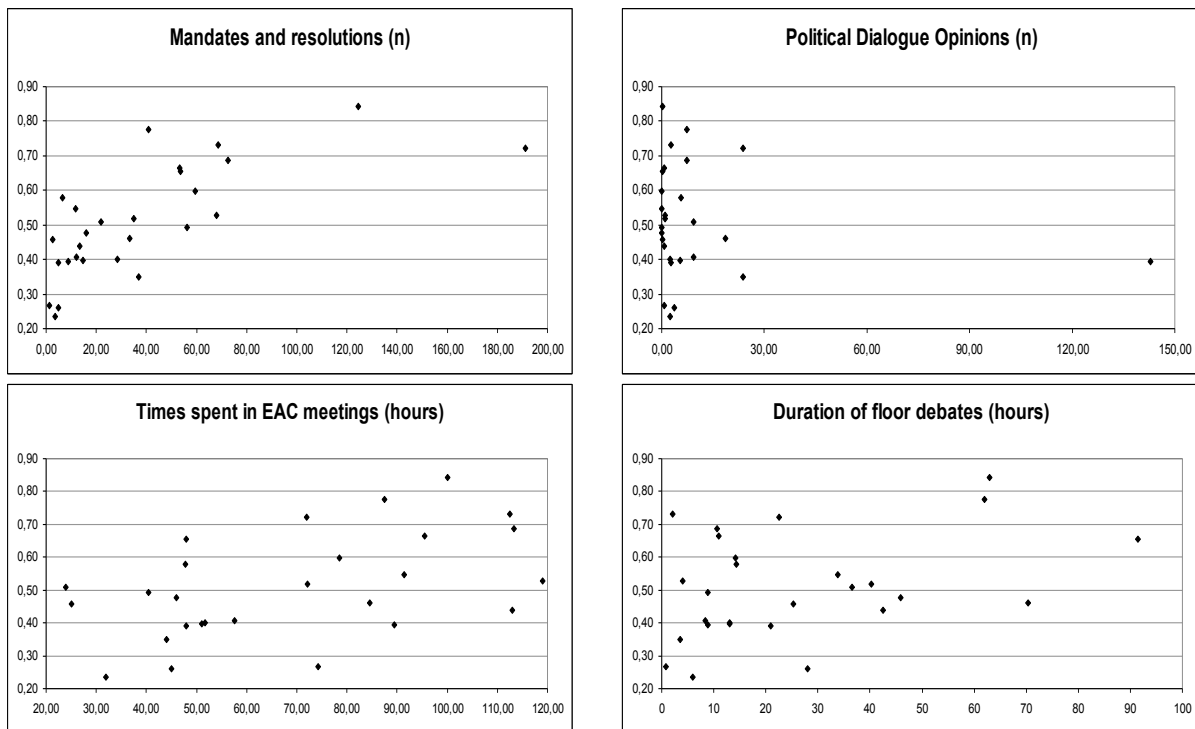


Figure 2: MPs activities in EU affairs: a conceptual framework

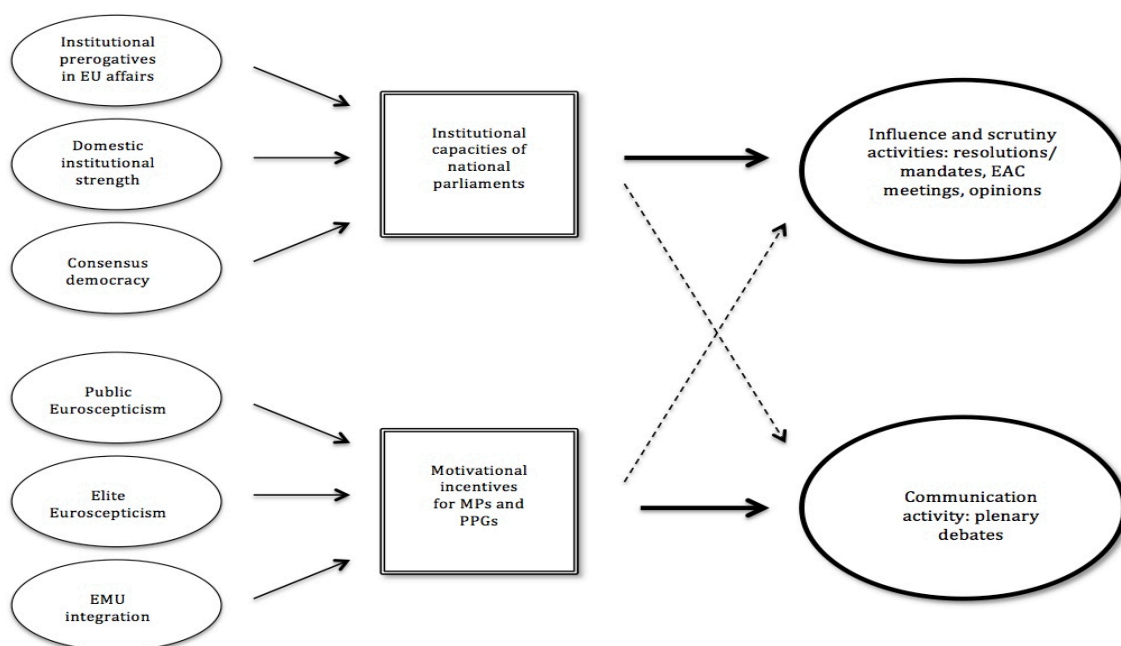
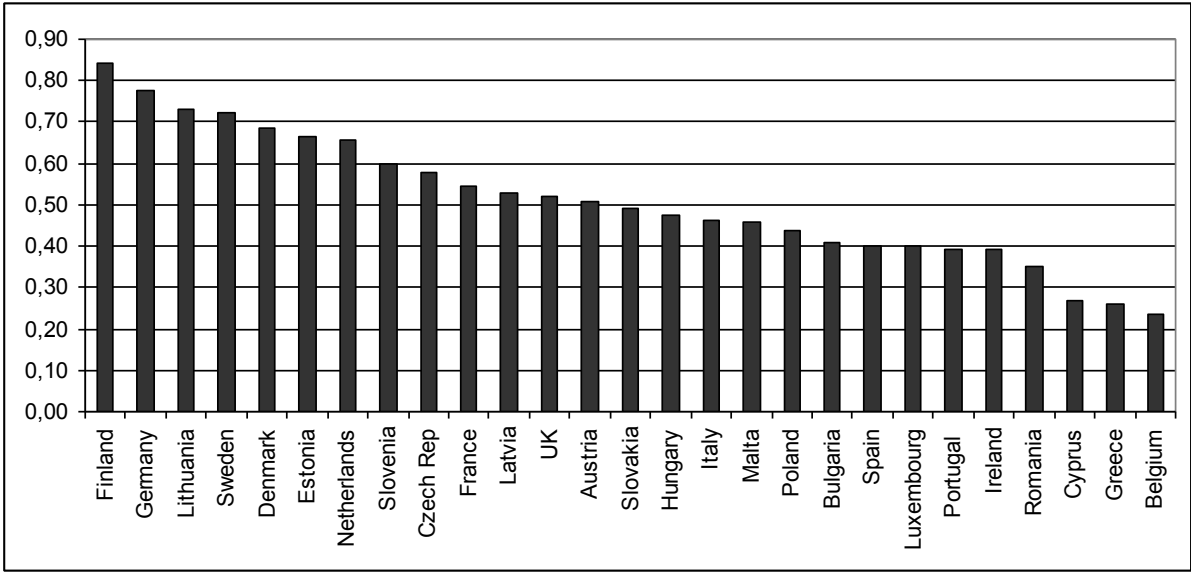


Figure 3: OPAL score of formal institutional strength in EU affairs



Note: Average score of institutional strength 2010 – 2012. Source: Authors’ data.