

The Role of National Legislatures in EU Politics

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European countries have joined the European Union (EU) in order to benefit from regional integration. But while member states can certainly benefit from EU membership economically and politically, Europe also acts as a significant constraint on national democracy. Though there is no scholarly consensus about the extent to which European integration impacts on the work of domestic legislatures, it is nonetheless generally agreed that European integration and the consistent empowerment of the EU have presented a major challenge to national parliaments. According to the so-called ‘deparliamentarization’ thesis, the development of European integration has led to the erosion of parliamentary control over the executive branch.

The argument about deparliamentarization is based on constitutional rules and on the political dynamics of the EU policy process (Raunio and Hix 2000). The EU member states have transferred policy-making powers to the European level in a broad and significant range of questions, and as a result, parliaments have directly lost influence. With the partial exception of treaty amendments and other issues decided by unanimity, the influence of national legislatures in EU affairs is mainly limited to scrutinizing the Commission’s initiatives and to influencing the government that represents the country at the European level. The increased use of qualified majority voting in the Council, which means that individual governments can find themselves in the losing minority, and the often complicated bargaining in the Council and the European Council in turn make it difficult for national parliaments to force governments to make detailed ex ante

commitments before taking decisions in Brussels. The main point is that national governments represent their countries in EU negotiations, and hence this results in informational asymmetries between the executive and the legislature. Considering the dominance of this deparliamentarization thesis in scholarly work and political debate, it is not surprising that national parliaments are often labelled as the main ‘losers’ or ‘victims’ of European integration (Goetz and Meyer-Sahling 2008; Raunio 2009).

This chapter revisits the deparliamentarization thesis, and argues that it is misleading or at the very least overly simplistic to label domestic legislatures as victims of integration. The next section discusses the gradual empowerment of national parliaments in European integration. Drawing on data from Finland, France, Germany, and the United Kingdom, the third section focuses on the positive impact of the euro crisis, particularly regarding the debating function of legislatures. The concluding section looks ahead, and discusses what we should expect from national parliaments and how they can most effectively contribute to the legitimacy of EU governance.

The Gradual Empowerment of National Parliaments in EU Governance

The role of national legislatures in the EU first received serious political and academic attention in the mid-1990s in connection with debates on how to cure the EU’s democratic deficit. Academic interest in the topic drew further inspiration from the first comparative projects that showed domestic legislatures to be largely ineffective or uninterested in controlling their governments in EU matters (Laursen and Pappas 1995; Norton 1995; Smith 1996; Raunio 1999). Since then, the role of national parliaments has been a prominent feature of research by parliamentary and EU scholars, with several

comparative research projects completed since the turn of the millennium (Maurer and Wessels 2001; Auel and Benz 2005; Gates 2006; O’Brennan and Raunio 2007; Tans, Zoethout, and Peters 2007; Barrett 2008; Heffler et al. 2014). This lively academic debate has meant that we are now in a much better position to evaluate the ways in which national legislatures are affected by and become involved in European integration.

Stronger Scrutiny and Constitutional Rights

National legislatures have gradually gained stronger rights in EU politics, both in the context of their own national polities and at the EU level (Cygan 2013). While national parliaments have been late adapters to integration, there is no doubt that most domestic legislatures exercise tighter scrutiny of their governments over EU matters than they did previously. This is not surprising. After all, European integration has taken major steps forward since the late 1980s, with the competence of the EU extending to basically all policy sectors. Domestic legislatures have logically responded to this empowerment of the EU, mainly through upgrading the powers and resources of the European Affairs Committees (EAC) and by involving specialized committees more regularly in EU affairs. Inter-parliamentary networking in COSAC¹ and other forums has facilitated the sharing of ‘best practices’, with the individual parliaments assessing the strengths and weaknesses of the scrutiny arrangements in the other legislatures. This learning of best

¹ The Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union. The biannual COSAC meetings bring together delegations from the EACs of the national parliaments and the European Parliament. Debates in COSAC have centred almost exclusively on government scrutiny and the subsidiarity control mechanism (Raunio 2011).

practices is particularly applicable to those countries that have joined the EU since 2004. Indeed, early evidence from these newer member states indicates that their parliaments have on average implemented more comprehensive scrutiny mechanisms than have the legislatures of the older EU countries (Karlas 2012; Winzen 2012, 2013).

Considering this exchange of ideas among the parliaments, it is not surprising that the same literature also points towards gradual institutional convergence among the 28 parliaments. All national parliaments have an EAC, the main function of which is to coordinate parliamentary scrutiny of the government in EU matters. There is more diversity concerning the involvement of specialized committees. The delegation of authority from the EAC to specialized committees has been necessitated by the huge workload of the EACs, but is also motivated by the need to utilize the policy expertise of the MPs. However, while in some legislatures—such as the Finnish Eduskunta, the German Bundestag, and many of the parliaments of the newer member states—the role of the specialized committees has by now become institutionalized, in most parliaments they still become more sporadically involved in EU matters. Nonetheless, the overall trend is clearly towards stronger participation of specialized committees.

At the European level, the Maastricht and Amsterdam Treaties contained protocols and declarations about the rights of national parliaments, with the European Convention even setting up a specific working group to examine the role of national legislatures. The Lisbon Treaty lists the rights and duties of national parliaments, such as having a stronger role in treaty revision through both the simplified revision procedures

and the institutionalization of the Convention procedure.² There are also two protocols which concern national parliaments attached to the Lisbon Treaty: the Protocol on the Role of National Parliaments in the European Union (No 1) and the Protocol on the Application of the Principles of Subsidiarity and Proportionality (No 2). The former is designed to make national MPs better informed about the European decision-making process, and essentially strengthens and consolidates similar provisions attached to the Maastricht and Amsterdam Treaties. However, the real novelty of the Lisbon Treaty is the ‘early warning mechanism’ (EWM), with the national legislatures assigned the right to monitor the compliance of initiatives for EU laws with the principle of subsidiarity, according to the rules explained in the latter protocol (Cooper 2012; Kiiver 2012; Cygan 2013). National legislatures have thus fought back and have in many ways become better at controlling governments in European affairs, with the treaty provisions further consolidating their position in EU governance.

The Missing Element: Debates

However, parliaments are not merely designed to control the government, but are also arenas for public debate, as was emphasized by Bagehot (2009 [1867]) and Mill (1998 [1861]). Though stronger constitutional rights and improved parliamentary scrutiny of EU affairs in the EACs and other committees are positive developments, they may not matter much when it comes to the question of citizens’ ability to learn about European

² Article 12, Consolidated version of the Treaty on European Union, *Official Journal of the European Union* C 83/13, 30.3.2010.

politics.³ This is where public plenary debates come in: they are (or should be) key elements of political competition, allowing the electorate to follow (directly or through media coverage) issues on the political agenda and to identify the positions of political parties in these matters, and thereby contribute to both citizens' awareness of politics and to accountability of the government and MPs.

However, the existing—albeit scarce—evidence suggests that the role of the plenary tends to be rather limited in European affairs. Relying on the opinions of country experts, Bergman et al. (2003: 175) concluded that in no member state legislature of the EU-15 did the plenary become actively involved in EU matters. Indeed, the main difference between domestic and EU politics seems to concern the role of the plenary. Domestic laws and other nationally salient issues are normally debated in the full chamber whilst normal EU matters such as the Commission's legislative initiatives seldom make it to the agenda of the plenary. Most parliaments do, however, have debates about 'high politics' EU issues like treaty reforms, multiannual financial frameworks, European Council meetings, and indeed the current euro crisis and the associated bailout

³ This underscores the importance of committee transparency. If the committees meet in public and/or provide verbatim accounts of their sessions, then the public can learn what was said and by whom. If, on the other hand, the committees meet behind closed doors and do not provide minutes of their meetings, then the possibilities for voters to learn about committee proceedings are very limited. According to COSAC (2009), in around half of the lower houses of national parliaments the EACs meet in public. However, there is significant cross-national variation as to the kind of information that is made available to the citizens and its form.

measures (Maatsch 2010, 2012, 2014; De Wilde 2011; Wendler 2011a, 2011b, 2013, 2014; European Parliament 2013; Auel and Raunio 2012b, 2014a).

This limited role of the plenary is probably explained by a combination of institutional choices and the interests of political parties, which are evidently related as parties control the parliamentary agenda and design the legislature's rules of procedure. The establishment of EACs reduces the use of plenary, as the former coordinate parliamentary work in EU matters and are normally authorized to speak on behalf of the whole parliament in these issues. MPs often defend committee deliberations (behind closed doors) with the need to further national interests and to allow confidential exchange of views between the government and the parliament. This confidentiality enables the parliament to obtain more information about the bargaining position of the government and other member states. Greater publicity, in turn, could make information on the government's negotiation strategy available to other member states and thus weaken its bargaining position. Finally, the government's bargaining power in Brussels could be weakened by public conflicts between the government and the parliament as other negotiation partners at the European level could easily point out that the government's position is not even supported at home.

However, the system of delegating, or centralizing, EU matters to EAC and other committees also clearly serves the interests of the mainstream parties. A consistent body of work has shown that national parties across the EU are ideologically less cohesive on integration than on traditional socio-economic issues that dominate domestic political discourse. Hence parties have a strategic incentive to downplay European issues and to structure competition along the more familiar and thus safer domestic cleavages,

primarily along the left–right dimension (Hix 1999; Marks and Steenbergen 2004).

Parties are also considerably more supportive of integration than their voters (Arnold and Franklin 2012; Mattila and Raunio 2012), and this can impact negatively on their vote shares in elections (Hobolt, Spoon, and Tilley 2009; De Vries 2010; De Vries and Tillman 2011). Avoiding public debates on European integration is thus a logical response from most vote-seeking political parties.

Governing parties in particular may want to monitor the government behind closed doors without public criticism that might damage the reputation of the cabinet (Auel 2007). Considering that most of the main opposition parties are on average no more coherent over the EU than governing parties, and have similar preferences to the cabinet, they are also unlikely to demand more plenary debates about Europe. Besides, were the opposition to attack the government, the prime minister might blame the opposition for undermining the success of the government in defending the ‘national interest’ in EU negotiations (Benz 2004). Hence the only parties that would probably like to have debates about Europe are those that are more in tune with their electorate over Europe and internally cohesive about integration. These parties are usually either populist parties or parties located at the extremes of the left–right dimension that can, for example, use such debates to criticize the government for not defending the national interests well enough in EU negotiations. Given that they are often relatively small parties in their respective political systems, they may not even have enough influence over the parliamentary agenda to force such debates to be held. Indeed, the literature shows that in most member states, parties have preferred not to engage in debates over the EU, and that

where such debates have taken place, this has often benefited smaller parties at the expense of mainstream governing parties (Szczerbiak and Taggart 2008).

However, as the next section illustrates, the euro crisis has ushered in a new era of parliamentary debates on Europe. The following comparison of four parliaments—Finland (Eduskunta), France (Assemblée Nationale), Germany (Bundestag), and the United Kingdom (House of Commons)—shows how institutional choices and party interests have impacted on the level of debates in EU matters.

Bring in the Debates: The Positive Impact of the Euro Crisis

The analysis in this section, drawing on Auel and Raunio (2012a, 2014b), is based on two sets of data. The first set of data compares the share or amount of EU debates in the four parliaments between 2002 and 2010 as well as the issues debated in the plenary, to gain insight into the general importance of parliamentary debates in EU affairs—including whether the parliaments hold debates about European Council meetings. Second, data from the OPAL project⁴ is used to compare parliamentary activities in EU affairs between 2010 and 2012 including, inter alia, data on the number of EU debates, the topics, and the share of plenary time devoted to debating EU issues (Auel et al. forthcoming). Importantly, the latter data makes it possible to distinguish between the years before and after the outbreak of the euro crisis.

Between 2002 and 2010, plenary involvement in the Finnish Eduskunta was very limited. Debates focused almost exclusively on ‘high politics’ matters such as treaty amendments, Finland’s EU presidencies, single currency, and security and defence

⁴ Observatory of National Parliaments after Lisbon (OPAL, <http://opal-europe.org>, accessed 20 May 2014).

policy, while standard EU legislation was practically absent from the plenary agenda. The Eduskunta did not debate annual EU budgets, whilst meetings of the European Council were only on the agenda when it convened to amend the treaties. However, after 2010 there was a major increase in the debating activity of the Eduskunta. Between 2010 and 2012, 18 debates per year took place on average, amounting to roughly 14 per cent of the overall plenary time, with around two-thirds (63%) of these EU debates related to the euro crisis. While plenary involvement was obligatory for legal reasons, even without such legal imperatives the political pressure to hold debates on the euro was evidently formidable. It is fair to claim that no other EU matter has produced similar tensions in the chamber after Finland's entry to the Union. While the opposition parties, as well as a notable share of backbench MPs from governing parties, were clearly aggravated by the EU's response to the crisis, the debates were also strongly influenced by the upcoming Eduskunta elections scheduled for April 2011. But whatever the reasons behind party behaviour, these debates were in many ways the first occasion upon which the government was forced to justify and defend its EU policies in the plenary—and when the opposition truly attacked the cabinet publicly over the handling of EU matters.⁵

⁵ These were the first Eduskunta elections where the EU featured prominently in the debates, with the problems facing the eurozone and the role of Finland in the bailout measures becoming the main topic of the campaign. The elections have also affected national EU policy. Since entering office in June 2011 the 'six-pack' cabinet has taken a tougher stance in EU negotiations, demanding bilateral guarantees for its bailout payments to eurozone countries, attempting to reject alone 85 per cent majority decision-making for ESM, demanding unanimity instead, and blocking, together with the

In the Assemblée, between 2002 and 2010, the share of plenary days with a ‘European’ debate varied between 5 and 7 per cent. Overall, this amounted to an average share of plenary time of a little less than 3 per cent. EU debates largely focused on ‘high politics’ matters, but select European laws (including annual debates on the EU budget) were also debated on the floor. In contrast, European Council meetings were regularly debated *ex ante* in the plenary. Between 2010 and 2012, on average between nine and ten debates took place per year, amounting to around 4 per cent of the overall plenary time. And again, a large share of these debates, 62 per cent, was on euro crisis-related issues. These debates were also heated, with the left-wing MPs in particular being very critical of the eurozone rescue measures.

In the Bundestag, approximately 20 per cent of the plenary days in the 2002–2005 and 2005–2009 legislative periods featured ‘EU debates’, with the share reaching over 30 per cent in 2009–2010. This high number is partly due to debates following the decision of the German Federal Constitutional Court on the Lisbon Treaty and the Bundestag’s participation rights in EU affairs, as well as debates on the euro crisis in 2010. Given that Bundestag debates are usually fairly short in comparison, this amounted to an average of roughly 4 per cent of the overall plenary time. Still, as indicated by the higher share of European debates, the Bundestag plenary has debated EU laws and other ‘normal’ European matters more often than the other three parliaments. European Council

Netherlands, the entry of Bulgaria and Romania into the Schengen area. Whether this signals a more long-term change in national integration policy remains to be seen, but at least in the short term the government is under considerable domestic pressure not to make too many concessions in Brussels.

meetings were debated *ex post* until the fifteenth legislative period, but since then the debates have been held before the meetings. The Bundestag held on average around 42 EU debates per year in 2010 to 2012, amounting to about 12 per cent of the overall plenary time, which suggests a steep increase. Overall, the euro crisis played a less important role in plenary debates in the Bundestag compared to the French and the Finnish parliament, with roughly 30 per cent of the EU debates dealing with the euro crisis. In these eurozone debates there was mainly cross-party support for the policies.

The European Scrutiny Committee of the House of Commons has the right to recommend EU documents for plenary debate, but the government decides which topics are debated on the floor. From 2002 to 2009 only between one and four documents proposed for debate by the ESC were actually debated, which amounts to an average of 0.4 per cent of the annual plenary time. This share does not include the 20 so-called ‘opposition days’ per year, during which the opposition can introduce debates on topics of its own choice. However, between 1997 and 2010, the opposition under the Labour government used its days to discuss EU issues on only ten occasions. ‘High politics’ European issues are normally debated on the floor, with treaty amendments in particular inspiring long debates in the chamber. Finally, the prime minister also gives an oral statement in plenary on European Council meetings (often both *ex ante* and *ex post*), but debates on the meetings were very rare. When all these various forms of European debates are combined, it seems that the share of floor time spent on EU matters was roughly similar to that in the *Assemblée*. Since 2010, however, EU debates seem to have become somewhat more frequent, with an average of 22 to 23 debates per year, which amounts to just below 4 per cent of the overall plenary time. The share of debates on the

financial crisis is lower than in the other chambers (27%) but still rather high considering that the UK is not in the eurozone. The 'outsider' status of the UK also impacted the tone of the debates, as the government did not need to justify its decisions to the same extent as the Finnish, French, or German governments.

It is plausible to argue that these findings are primarily explained by party politics, with plenary EU debates more frequent in the absence of strong partisan conflict and Eurosceptic public opinion. In Germany, parties used to be more cohesive in their pro-EU stance than parties in the three other countries, and given the rather broad public support for European integration, parties did not have to fear a serious electoral backlash due to anti-EU sentiments. Hence in the Bundestag both the government and the main parties had less reason not to debate EU policies in the plenary, and both government and opposition groups use the opportunities to put EU issues on the agenda. In the other three parliaments, party politics work against a politicization of EU issues through plenary debates. This is especially the case in the House of Commons until 2010, where the Labour government had few incentives to politicize EU affairs. This was not only due to their internal division over Europe potentially triggering criticism from their own backbenchers, but also because public debates would have given the Eurosceptical Conservatives the opportunity to accuse the government publicly of 'selling out to Europe' and to score points with the Eurosceptic public and media. It is therefore hardly astonishing that British governments prefer to 'park' EU issues in the European Committees, whose recommendations and opinions the governments can also safely ignore. Thus, in the UK, the Labour government used its firm control over the agenda to keep EU issues out of the plenary. And considering the internal splits of the

Conservatives, even the main opposition party had fewer incentives to engage in public debates about Europe.

In the Assemblée, debating activity was fairly low between 2002 and 2010, and the slight increase since then seems mainly due to the euro crisis. Reasons for the small share of EU debates lie not only with the governing parties but also with the opposition, with the internal divisions of the main parties over Europe providing a strong disincentive to politicize EU issues. This is especially the case for the largest opposition party, the Socialist Party, which is characterized by severe internal dissent over the EU. The absolute number of EU debates was lowest in Finland, although there was a steep increase after 2010, mainly due to the euro crisis and the politicization of the EU in the run-up to the 2011 Eduskunta elections. Here, institutional factors play a larger role, since according to the constitution the plenary can debate EU matters but is not entitled to take decisions on such issues (with the exception of those questions that specifically require parliamentary ratification). This contributes to the Eduskunta essentially only debating 'high politics' EU matters in the chamber. However, the decision to delegate EU affairs almost completely to the EAC and other committees is, of course, an intentional decision of political parties who have designed a scrutiny system for EU affairs which is geared towards achieving broad domestic consensus behind closed doors rather than making EU affairs a matter of public party competition. In addition, parties are not only internally divided over Europe: the gap in opinion between the parties and their voters presents a further problem, especially for the main pro-EU parties. The Finnish case also suggests that strong parliamentary influence and a system geared towards mandating the government's negotiations position may come at a cost regarding transparency.

Though limited to four parliaments, the analysis indicates that the euro crisis has brought about a substantial increase in parliamentary public EU debates. Subsequent research on parliamentary euro debates confirms this picture of domestic politicization of Europe. The current eurozone crisis is the EU topic that has been debated most by national parliaments, and no other single EU issue has brought about such colourful, lively, and even confrontational plenary debates. Importantly, while it is in many ways premature or problematic to talk about a European public sphere, these parliamentary debates have taken place roughly at the same time across the EU.

The content of these debates is equally significant, with MPs not only focusing on the practical or legal details of the bailout measures or the European Stability Mechanism (ESM), but also asking questions and speaking about the broader framework of European economic governance and European integration, as well as about European identity and the solidarity of the EU member states. Overall, the debates have been quite pragmatic in tone and naturally dominated by a government–opposition cleavage, with the governing parties attacked by the opposition over the handling of the crisis, the national costs involved, and for not leaving sufficient time for domestic processing of the matters.⁶

Internal party divisions over Europe have also surfaced strongly in the debates, with more Eurosceptic backbenchers using this opportunity to air their concerns over the

⁶ Several legislatures have questioned whether national parliaments can genuinely debate and examine the issues, a concern that is understandable given the complexity of the situation, the need by the member states to achieve quick results, and the high number of European Council and other EU meetings that deal with the eurozone crisis (Puntscher Riekmann and Wydra 2013).

development of integration and the lack of democracy in the EU. Interestingly, the debates also provide evidence of the linkages or interdependence between national and European levels of policy-making. When commenting on the EU level measures, MPs often focus on the domestic consequences of the EU policies, and when speaking about national policies, parliamentarians discuss their effects on the health of the European economy (Maatsch 2014; Wendler 2012, 2014; Closa and Maatsch 2014; Puntischer Riekmann and Wydra 2013).⁷

But what lessons can we—or the politicians—draw from the current euro crisis? And what can we expect from national parliaments in the future? These questions will be addressed in the concluding section of the chapter.

Concluding Discussion: What Can We Realistically Expect?

⁷ More generally, it is also increasingly difficult to distinguish between EU and national debates. While certain questions—such as treaty amendments, enlargements, or the EU budget—can be rather easily categorized as European matters, more typical are cases where EU and domestic spheres have become so intertwined that ‘isolating’ the EU dimension is very challenging. This applies particularly to policy-related questions (e.g. agriculture, economy, environment, etc.), regardless of whether the matter is of European or national origin. Not only does an increasing share of matters which is formally <AQ: do you mean formerly?>decided at the national level have a European dimension, but also debates on EU laws or European level processes can be dominated by domestic issues. This finding is also in line with multilevel governance theorizing, according to which integrative Europe is characterized by growing interconnectedness of national and EU agendas.

Domestic legislatures have a highly important role in EU governance. European integration may not have transformed the basic functions or ‘ways of doing things’ of national parliaments, but domestic MPs have become increasingly aware of how the EU impacts on their work and on legislature–executive relations at the national level. In terms of electoral competition, policy outputs, or constituency interests, Europe simply matters more for national parties and their MPs. And the more Europe matters, the higher the incentives for MPs to engage in EU politics. But at the same time we must be realistic and not expect too much from national parliaments.

The developments outlined in this chapter provide good grounds for arguing that the era of deparliamentarization has ended, or that at the very least we have strong empirical reasons not to portray national legislatures as mere passive victims of European integration. Though there continues to be considerable variation between member states, national parliaments clearly subject their governments to tighter scrutiny in EU matters than before. Besides, the fact that not all MPs focus on EU matters or that not all parliaments opt for ‘mandating’ Brussels-bound ministers in the EAC,⁸ should not be

⁸ The ability of the EAC to mandate the ministers on behalf of the whole parliament through setting the bargaining range or even issuing explicit voting instructions has so far been used as the primary indicator of powerful scrutiny (access to information, the powers of the EAC, and the involvement of specialized committees have been the other main indicators). This results particularly from the influential Danish system, where the EAC is famous for its ability to constrain ministers through issuing voting instructions. However, this emphasis on mandating is not entirely unproblematic, and future studies should analyse the multiple strategies (such as the use of control instruments, reporting

interpreted as institutional weakness. Parliamentarians face competing demands on their time, and despite the increasing relevance of the EU, it is logical for MPs and for the whole parliament to delegate many of the EU matters to governments. Recent evidence also points in the direction of the Lisbon Treaty, most notably the EWM, triggering reforms in several national parliaments that should facilitate stronger government accountability in EU affairs—and indeed producing more interparliamentary cooperation and direct links between national parliaments and EU institutions (Heffler et al. 2014). There is every reason to predict that these positive trends will continue.

In terms of reducing the democratic deficit, the empowerment of national parliaments is welcome news, for it strengthens the democratic accountability of Council and particularly recently of European Council decision-making (European Parliament 2013; De Vries 2014). In fact, national parliaments have in a way become the gatekeepers of further integration (Raunio 2011; Sprungk 2013): not only do they collectively control the compliance of draft European laws with the subsidiarity principle under the EWM, but the consent of individual domestic legislatures is also needed for treaty revision and other issues decided by unanimity—including the adoption of new intergovernmental measures aiming at more effective economic governance in the EU and the eurozone (Puntscher Riekmann and Wydra 2013; Hix 2014).

There have even been calls for the creation of a chamber of national MPs at the European level, with high-profile politicians including Tony Blair, Lionel Jospin, and Joschka Fischer advocating such a chamber or congress of national parliamentarians (see requirements, and direct contacts with the European level) that legislators and political parties employ to influence European affairs.

De Vries 2014).⁹ However, the negative consequences of such initiatives are obvious. Regardless of what the precise function of that second chamber would be (a co-legislator with the Council and the European Parliament, or a watchdog of the subsidiarity principle), adding another institution to the European level would work against making the EU political system more transparent and understandable. It is therefore not surprising that member states have been opposed to the idea of a chamber of national parliaments. (Kiiver 2006; Raunio 2007)

However, as emphasized in this chapter, scrutiny of EU laws, interparliamentary networking, or holding veto power over treaty amendments may not be the most important ways in which national parliaments contribute to the legitimacy of twenty-first century European governance. Indeed, the lack of domestic debates on Europe is often seen as a significant component of the democratic deficit. For example, the late Peter Mair (2007) argued convincingly that European integration contributed to the depoliticization or ‘hollowing out’ of modern European governance and particularly of

⁹ The same line of thinking was behind Giscard d’Estaing’s idea about the Congress of the Peoples of Europe that was discussed in the European Convention. That Congress would have met annually, bringing together representatives of the European Parliament and national parliaments. The Congress would have comprised no more than 700 members, with two-thirds of them from national legislatures. Its functions were to be purely consultative: the Congress would hear a ‘State of the Union’ speech by the President of the European Council and be presented with the Commission’s annual legislative programme. Giscard d’Estaing’s idea met strong resistance, and it was therefore dropped from the draft constitution.

national democracy. Mair and others have pointed out that national political parties should bear much of the blame through their failure to debate EU matters and for removing or keeping the EU out of domestic political competition. While we have to be careful not to exaggerate the role of parliamentary debates, at the very least they provide the electorate with the opportunity to learn about what is on the agenda of European politics and what are the positions of parties in these matters, and this is particularly so if the debates are covered by the media. Nor should one assume that such parliamentary debates will result in greater public support for the EU, but they do improve the democratic quality of both national and EU governance. As the euro crisis demonstrates, in the short run parliamentary debates may even act as a brake on further integration through setting tighter constraints on national EU policy, but in the long run such debates will create the basis for a more democratic Europe.

But is the domestic politicization of integration during the euro crisis only a temporary improvement, or are we also likely to see more parliamentary debates about the EU in the future? Unfortunately there are strong reasons to argue that political parties will revert back to their 'old ways' and avoid public debates on Europe. The main reason for this pessimistic scenario is that for parties and their leaders the incentive structure has not changed: for most political parties, the costs of engaging in public debates on Europe probably outweigh any potential benefits. If anything, national political leaders who emerge from the euro crisis alive but scarred may be even less willing to engage in public contestation about Europe. In Europe where permissive consensus has arguably given way to a 'constraining dissensus' (Hooghe and Marks 2009), there is also pressure on individual countries not to adopt domestic procedures that might jeopardize EU decision-

making. Reluctance to openly discuss EU issues can of course also be counterproductive as populist or ideologically extremist parties can legitimately blame the mainstream political forces for colluding to keep Europe off the domestic agenda.

National MPs are therefore likely to continue the established practice of delegating EU affairs to committees. Here it is important to emphasize that by and large political parties are able to do this through their control of parliamentary rules of procedure. Even during the euro crisis the higher number of debates has been partly explained by the simple fact that often the eurozone coordination or bailout measures have necessitated national legislation—that is, the issues were introduced in the parliaments as domestic bills that essentially always require plenary approval. No similar obligation exists in the case of the overwhelming majority of EU matters, and thus parliaments can process them in the safety of committees. This in turn underlines the importance of parliamentary minority rights, of the ability of backbenchers to influence the parliamentary agenda. The easier it is for individual MPs or groups of deputies to put EU issues on the plenary agenda, the more plenary debates on Europe we can expect.

However, a more positive interpretation is that the euro crisis has altered the equation more permanently, with Europe debated publicly by parties and politicians. Certainly the stronger economic and political linkages between national and EU politics provide also stronger incentives for MPs to critically debate EU issues, with Europe seen as an extension or an important part of national politics as opposed to something distant and beyond parliamentary influence. National parliaments can best contribute to EU democracy by doing exactly what they do in domestic politics—scrutinizing and debating

policies in committees and the plenary. The more this activity is visible to the public, the better.

References

- Arnold, Christine and Mark N. Franklin (eds.) (2012). 'Assessing Political Representation in Europe'. *West European Politics*, 35, 6, 1320–1340.
- Auel, Katrin (2007). 'Democratic Accountability and National Parliaments: Redefining the Impact of Parliamentary Scrutiny in EU Affairs'. *European Law Journal*, 13, 4, 487–504.
- Auel, Katrin and Arthur Benz (eds.) (2005). 'The Europeanisation of Parliamentary Democracy'. *Journal of Legislative Studies*, 11, 3–4.
- Auel, Katrin and Tapio Raunio (2012a). 'Debating the State of the Union? Comparing Parliamentary Debates on EU Issues in Finland, France, Germany and the United Kingdom'. In *National Parliaments, Electorates and EU Affairs*, eds. Katrin Auel and Tapio Raunio. Vienna: Institute for Advanced Studies (IHS), Political Science Series 129, 47–78.
- Auel, Katrin and Tapio Raunio (eds.) (2012b). *National Parliaments, Electorates and EU Affairs*. Vienna: Institute for Advanced Studies (IHS), Political Science Series 129.
- Auel, Katrin and Tapio Raunio (eds.) (2014a). 'Connecting with the Electorate? Parliamentary Communication in EU Affairs'. *Journal of Legislative Studies*, 20, 1, 1–12.

Auel, Katrin and Tapio Raunio. (2014b). 'Debating the State of the Union? Comparing Parliamentary Debates on EU Issues in Finland, France, Germany and the United Kingdom'. *Journal of Legislative Studies*, 20, 1, 13–28.

Auel, Katrin, Olivier Rozenberg, and Angela Tacea (forthcoming). 'Fighting Back? And If Yes, How? Measuring Parliamentary Strength and Activity in EU affairs'. In *Palgrave Handbook on National Parliaments and the European Union*, eds. Claudia Heffler, Christine Neuhold, Olivier Rozenberg, Julie Smith, and Wolfgang Wessels. Basingstoke: Palgrave Macmillan.

Bagehot, Walter. (2009 [1867]). *The English Constitution*. Oxford: Oxford University Press.

Barrett, Gavin (ed.) (2008). *National Parliaments and the European Union: The Constitutional Challenge for the Oireachtas and Other Member State Legislatures*. Dublin: Clarus Press.

Benz, Arthur (2004). 'Path-Dependent Institutions and Strategic Veto Players: National Parliaments in the European Union'. *West European Politics*, 27, 5, 875–900.

Bergman, Torbjörn, Wolfgang C. Müller, Kaare Strøm, and Magnus Blomgren (2003). 'Democratic Delegation and Accountability: Cross-National Patterns'. In *Delegation and Accountability in Parliamentary Democracies*, eds. Kaare Strøm, Wolfgang C. Müller, and Torbjörn Bergman. Oxford: Oxford University Press.

Closa, Carlos and Aleksandra Maatsch. (2014). 'In a Spirit of Solidarity? Justifying the European Financial Stability Facility (EFSF) in National Parliamentary Debates'. *Journal of Common Market Studies*.

Cooper, Ian (2012). 'A "Virtual Third Chamber" for the European Union? National Parliaments after the Treaty of Lisbon.' *West European Politics*, 35, 3, 441–465.

COSAC (2009). *Twelfth Bi-Annual Report: Developments in European Union Procedures and Practices Relevant to Parliamentary Scrutiny*. Brussels: COSAC Secretariat.

Cygan, Adam (2013). *Accountability, Parliamentarism and Transparency in the EU: The Role of National Parliaments*. Cheltenham: Edward Elgar.

De Vries, Catherine E. (2010). 'EU Issue Voting: Asset or Liability? How European Integration Affects Parties' Electoral Fortunes'. *European Union Politics* 11, 1, 89–117.

De Vries, Catherine E. (2014). 'Rethinking Electoral Democracy in Europe'. In Olaf Cramme and Sara B. Hobolt (eds), *Democratic Politics in a European Union under Stress*. Oxford: Oxford University Press, pp.

De Vries, Catherine E. and Erik R. Tillman (2011). 'European Union Issue Voting in East and West Europe: The Role of Political Context'. *Comparative European Politics*, 9, 1, 1–17.

De Wilde, Pieter (2011). 'Ex Ante vs. Ex Post: The Trade-off between Partisan Conflict and Visibility in Debating EU Policy-formulation in National Parliaments'. *Journal of European Public Policy*, 18, 5, 672–689.

European Parliament, The (2013). 'Democratic Control in the Member States of the European Council and the Eurozone Summits'. Directorate-General for Internal Policies, Policy Department C, Citizen's Rights and Constitutional Affairs.

- Gates, Andrea M. (2006). *Promoting Unity, Preserving Diversity? Member-State Institutions and European Integration*. Lanham, MD: Lexington Books.
- Goetz, Klaus H. and Jan-Hinrik Meyer-Sahling (2008). 'The Europeanisation of National Political Systems: Parliaments and Executives'. *Living Reviews in European Governance*, 3, 2.
- Hefftlar, Claudia, Christine Neuhold, Olivier Rozenberg, Julie Smith, and Wolfgang Wessels (eds.) (forthcoming). *Palgrave Handbook on National Parliaments and the European Union*. Basingstoke: Palgrave Macmillan.
- Hix, Simon (1999). 'Dimensions and Alignments in European Union Politics: Cognitive Constraints and Partisan Responses'. *European Journal of Political Research*, 35, 1, 69–106.
- Hobolt, Sara B., Jae-Jae Spoon, and James Tilley (2009). 'A Vote Against Europe? Explaining Defection at the 1999 and 2004 European Parliament Elections'. *British Journal of Political Science*, 39, 1, 93–115.
- Hooghe, Liesbet and Gary Marks (2009). 'A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus'. *British Journal of Political Science*, 39, 1, 1–23.
- Karlas, Jan (2012). 'National Parliamentary Control of EU Affairs: Institutional Design after Enlargement'. *West European Politics*, 35, 5, 1095–1113.
- Kiiver, Philipp (2006). *The National Parliaments in the European Union: A Critical View on EU Constitution-Building*. The Hague: Kluwer Law International.
- Kiiver, Philipp (2012). *The Early Warning System for the Principle of Subsidiarity: Constitutional Theory and Empirical Reality*. Abingdon: Routledge.

Laursen, Finn and Spyros A. Pappas (eds.) (1995). *The Changing Role of Parliaments in the European Union*. Maastricht: EIPA.

Maatsch, Aleksandra (2010). 'Between an Intergovernmental and a Polycentric European Union: National Parliamentary Discourses on Democracy in the EU Ratification Process'. RECON Online Working Paper 2010/18.

Maatsch, Aleksandra (2012). 'National Parliamentary Ratification of EU Treaty Reforms: The Interplay of Voting and Discursive Contestation'. In *Multilayered Representation in the European Union: Parliaments, Courts and the Public Sphere*, eds. Tatjana Evas, Ulrike Liebert, and Christopher Lord. Baden-Baden: Nomos.

Maatsch, Aleksandra (2014). 'Are We All *Austerians* Now? An Analysis of National Parliamentary Parties' Positioning on Anti-Crisis Measures in the Eurozone'. *Journal of European Public Policy*, 21, 1, 96–115.

Mair, Peter (2007). 'Political Opposition and the European Union'. *Government and Opposition*, 42, 1, 1–17.

Marks, Gary and Marco R. Steenbergen (eds.) (2004). *European Integration and Political Conflict*. Cambridge: Cambridge University Press.

Mattila, Mikko and Tapio Raunio (2012). 'Drifting Further Apart: National Parties and their Electorates on the EU Dimension'. *West European Politics*, 35, 3, 589–606.

Maurer, Andreas and Wolfgang Wessels (eds.) (2001). *National Parliaments on their Ways to Europe: Losers or Latecomers?* Baden-Baden: Nomos.

Mill, John S. (1998 [1861]). *Considerations on Representative Government*. Oxford: Oxford University Press.

Norton, Philip (ed.) (1995). 'National Parliaments and the European Union'. *Journal of Legislative Studies*, 1, 3.

O'Brennan, John and Tapio Raunio (eds.) (2007). *National Parliaments within the Enlarged European Union: From 'Victims' of Integration to Competitive Actors?* Abingdon: Routledge.

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 (1999). 'Always One Step Behind? National Legislatures and the European Union'. *Government and Opposition*, 34, 2, 180–202.

Raunio, Tapio (2007). 'National Legislatures in the EU Constitutional Treaty.' In *National Parliaments within the Enlarged European Union: From 'Victims' of Integration to Competitive Actors?*, eds. John O'Brennan and Tapio Raunio. Abingdon: Routledge.

Raunio, Tapio (2009). 'National Parliaments and European Integration: What We Know and Agenda for Future Research'. *Journal of Legislative Studies*, 15, 4, 317–334.

Raunio, Tapio (2011). 'The Gatekeepers of European Integration? The Functions of National Parliaments in the EU Political System'. *Journal of European Integration*, 33, 3, 303–321.

Raunio, Tapio and Simon Hix (2000). 'Backbenchers Learn to Fight Back: European Integration and Parliamentary Government'. *West European Politics*, 23, 4, 142–168.

Smith, Eivind (ed.) (1996). *National Parliaments as Cornerstones of European Integration*. London: Kluwer Law International.

Sprungk, Carina (2013). 'A New Type of Representative Democracy? Reconsidering the Role of National Parliaments in the European Union'. *Journal of European Integration*, 35, 5, 547–563.

Szczerbiak, Aleks and Paul Taggart (eds.) (2008). *Opposing Europe? The Comparative Party Politics of Euroscepticism*. Volume 1: *Case Studies and Country Surveys*. Oxford: Oxford University Press.

Tans, Olaf, Carla Zoethout, and Jit Peters (eds.) (2007). *National Parliaments and European Democracy: A Bottom-up Approach to European Constitutionalism*. Groningen: Europa Law Publishing.

Wendler, Frank (2011a). 'Contesting Europe, or Germany's Place in Europe? European Integration and the EU Policies of the Grand Coalition Government in the Mirror of Parliamentary Debates in the Bundestag'. *German Politics*, 20, 4, 486–505.

Wendler, Frank (2011b). 'Die Politisierung der europäischen Integration: Nationale Parlamentsdebatten zur Europäischen Union im Bundestag und House of Commons'. *Zeitschrift für Parlamentsfragen*, 42, 2, 307–325.

Wendler, Frank (2012). 'Debating the European Debt Crisis: Government Leadership, Party Ideology and Supranational Integration as Focal Points of Parliamentary Debates in Austria, Germany and the United Kingdom'. Washington, D.C.: American Consortium on European Union Studies (ACES), *ACES Cases*, No. 2012.3: <http://transatlantic.sais->

jhu.edu/ACES/ACES_Cases/ACES%20Cases%202012.3%20Wendler.pdf,

accessed 7 June 2014.

Wendler, Frank (2013). 'Challenging Domestic Politics? European Debates of National Parliaments in France, Germany, and the UK'. *Journal of European Integration*, 35, 7, 801–817.

Wendler, Frank (2014). 'Debating Europe in Parliament: Public Justification and Party Polarisation in Controversies about the EU' (book manuscript).

Winzen, Thomas (2012). 'National Parliamentary Control of European Union Affairs: A Cross-National and Longitudinal Comparison'. *West European Politics*, 35, 3, 657–672.

Winzen, Thomas (2013). 'European Integration and National Parliamentary Oversight Institutions'. *European Union Politics*, 14, 2, 297–323.