

MASTERARBEIT

Titel der Masterarbeit

„Do parties matter? – The impact of national parties on the variance in parliamentary scrutiny in EU affairs“

verfasst von

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angestrebter akademischer Grad

Master of Arts (MA)

Wien, 2014

Studienkennzahl lt. Studienblatt:

A 066 824

Studienrichtung lt. Studienblatt:

Masterstudium Politikwissenschaft

Betreut von:

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Danksagung:

An dieser Stelle möchte ich mich bei jenen Personen bedanken, die erheblichen Anteil an der Verwirklichung dieser Masterarbeit hatten.

Ich bedanke mich bei Univ.-Prof. Dr. Sylvia Kritzinger für die exzellente fachliche Betreuung dieser Masterarbeit. Besonders hervorheben möchte ich jedoch auch ihr großzügiges Entgegenkommen, was den administrativen Abschluss meines Masterstudiums betrifft.

Ein besonderer Dank gilt meinem Zweitbetreuer Markus Wagner, PhD für seine Unterstützung und Diskussionsbereitschaft, nicht nur was die Endfassung dieser Masterarbeit, sondern auch was frühere Konferenzbeiträge betrifft.

Ebenfalls bedanken möchte ich mich bei Dr. Katrin Auel, die mich an ihrem Wissen und ihrer Erfahrung in der Erforschung nationaler Parlamente in EU Angelegenheiten teilhaben lies und stets für mich ansprechbar war.

Bedanken möchte ich mich auch bei meinen lieben KollegenInnen, sowie Prof. Richard Luther und Prof. Robert Ladrech, welche durch ihre konstruktive Kritik und den Austausch im Rahmen der 23. ECPR PhD Summer School motivierend auf die Verwirklichung meiner Abschlussarbeit eingewirkt haben.

Besonders bedanken möchte ich mich bei Wolfgang Unterwurzacher, der bei der inhaltlichen und formalen Korrektur meiner Seminararbeiten im Laufe meines Studiums stets für mich da war.

Nicht zuletzt möchte ich mich bei meiner Familie für ihre Unterstützung bedanken. Ganz besonderer Dank gilt meiner Mutter Maria Senninger, sowie meinem Vater Karl Senninger, ohne die dieses Studium gar nicht erst möglich gewesen wäre.

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1. Introduction

Since the mid-1990s, there is increasing academic debate on the scrutiny role of national parliaments over their governments in EU affairs. Most contributions focus on the description of control and the explanation of variance in control between the various member states of the European Union (e.g. Bergman 1997, 2000; Maurer und Wessels 2001; Raunio 2005). In describing the control function of national parliaments in EU affairs the authors concentrate on institutional adjustments and formal organizational adaptations to European integration, which have led to a pooling of research on access to information and information processing, the formation and functioning of parliamentary European Affairs Committees (EAC's) and generally constitutional and legal forms of parliamentary scrutiny.

In sum these contributions emphasize the scope, timing and management of parliamentary scrutiny. Moreover, the increasing scholarly interest in national parliaments and their adaption to the European Union has resulted in rankings, which tried to present and explain the similarities and differences in parliamentary scrutiny in EU affairs between the member state parliaments in order to be able to identify strong and weak parliaments. These rankings are composed of various explanatory indicators, e.g. the general strength of the parliament in the national political system, the position of the public opinion towards European integration or the frequency of minority governments (see Bergman 2000a, Raunio 2005, Winzen 2012a, Karlas 2011, 2012, Auel and Tacea 2013).

What tends to be overlooked, however, is that research on parliamentary scrutiny is mainly associated with institutional factors. But institutional factors only provide or constrain opportunities for parliamentary activities. Whether these opportunities are used for the most part depends on party political incentives and strategies.

Thus it appears that the results of previous research give us reason to believe, that further important factors influence the strength of parliamentary scrutiny, which were previously not sufficiently integrated in the models. This is especially true for party related factors. Due to divided positions over European integration within political parties, differing positions between parties and the electorate or incumbent status, parties embark on certain strategies when they politicize EU politics or control the government in EU affairs (see Raunio 2009, Auel and Benz 2005, Holzacker 2002).

These strategies are expected to have an influence on parliamentary scrutiny, since parties in parliament act primarily on parliamentary outcomes.

Accordingly, due to the fact that political parties determine the organization and behavior within national parliaments in the EU and the mechanisms of parliamentary systems are based on the interaction between opposition and majority party groups (see Auel and Benz 2005), my aim is to analyze what differences in parliamentary scrutiny are caused by party strategic factors. The main research question therefore reads as follows:

Do party strategic factors have an impact on variation in parliamentary scrutiny in EU affairs?

My argument stresses the fact that the main lines of contestation in parliamentary systems usually do not run between the parliament and the government, but rather between opposition and government parties (King 1976, Miklin 2013). Nevertheless, most contributions in the field of parliamentary scrutiny in EU affairs consider the parliament and the government as counterparts, following a 'two body image' of the parliamentary system (Auel 2007). Consequently, in this master thesis I focus on the various actors within the parliamentary system and measure the impact of their positions and attitudes towards European integration on the overall strength in parliamentary scrutiny in EU affairs.

These include conflict between opposition and government parties over European integration, the impact of Eurosceptic parties in parliament, a party's interest in European integration and party cohesion over EU integration.

The thesis is structured as follows: First, I give an insight to the role of national parliaments during the European integration process and present how they became relevant scrutinizers over their governments in EU affairs. Second, in order to point out how parliamentary scrutiny in EU affairs actually works, I describe how national parliaments adapted to the pressures of European integration, both in institutional and behavioral ways. Moreover, I will explain how the 'European issue' re-structures intra-parliamentary conflict and changes the strategies of parliamentary parties.

Third, as I measure the impact of party strategic factors on the overall parliamentary strength, I discuss relevant research contributions in the field of parliamentary scrutiny

measurement in EU affairs. This includes a discussion of methods, main indicators, results as well as explanatory approaches for variation in parliamentary scrutiny.

Fourth, since my research interest is connected to the interdependence between the legislative and executive, theoretically, I adopt a principal-agent approach to explain how delegation and accountability work in EU affairs and define the role of national parties in the process of parliamentary scrutiny.

Fifth, I present the data and methodological approach. Data for the dependent variable originate from various rankings of parliamentary strength in EU affairs, which are discussed in more detail in chapter three. On the other hand, for the independent party strategic variables I make use of the Chapel Hill Expert Survey (CHES). Finally, I discuss the major findings of my research and end with a conclusion.

2. The role of national parliaments and parties in EU politics

In the course of European integration, national parliaments have faced various developments influencing their proceedings on the domestic level. Especially since the 1990s, parliaments adapted to the pressures of European integration, both in terms of institution and behaviour. The following chapter discusses the challenges of European integration to national parliaments and parties. First, I emphasize the major consequences of European policy making for national parliaments. Second, I discuss in which ways national parliaments adapted to the various developments at the European level. Third, to bring us closer to the role of national parties in parliamentary scrutiny, I point out the intra-parliamentary strategies and conflicts conditional to European integration. The chapter closes with a summary of the most recent developments, which influence national parliaments in EU affairs and gives an example of the functioning of parliamentary scrutiny in EU affairs.

2.1 The challenges of European Integration

As early as the 1970s, scholars pointed out how European integration challenges national parliamentary representation (Niblock 1971). Nevertheless, the very first decades of European integration are characterized by parliamentary non-involvement. European matters were mainly considered to be foreign affairs and thus the prerogative of the executive, and since 'national interests remained protected through national governments', there 'appeared little reason for national parliaments to get involved' (Norton 1996). Moreover, the European Parliament (EP) played a far more prominent role in the literature, triggered by institutional reforms such as the move towards direct elections in 1979 and greater involvement in the legislative process.

This fundamentally changed in the 1990s with the ratification of the Maastricht Treaty, which for the very first time gave national parliaments an explicit role in European politics as well as the 'Maastricht decision' by the German Federal Constitution Court (BVerfGE 1994), who decided that national parliaments had to be the main institutions representing the European people. The Maastricht treaty addressed the role of national parliaments in its declarations No. 13 and No.14, with the result that the terms were not legally binding. The aim of the declaration No.13 was to encourage greater involvement of national parliaments in the EU:

The Conference considers that it is important to encourage greater involvement of national Parliaments in the activities of the European Union. To this end, the exchange of information between the national Parliaments and the European Parliament should be stepped up. In this context, the governments of the Member states will ensure, inter alia, that national Parliaments receive Commission proposals for legislation in good time for information or possible examination. Similarly, the Conference considers that it is important for contacts between the national Parliaments and the European Parliament to be stepped up, in particular through the granting of appropriate reciprocal facilities and regular meetings between members of Parliament interested in the same issues. (Treaty on European Union 1992)

No.14 set an objective on encouraging the cooperation between national parliaments and the European Parliament:

The Conference invites the European Parliament and the national Parliaments to meet as necessary as a Conference of the Parliaments (or 'Assizes'). The Conference of the Parliaments will be consulted on the main features of the European Union, without prejudice to the powers of the European Parliament and the rights of the national Parliaments. The President of the European Council and the President of the Commission will report to each session of the Conference of the Parliaments on the state of the Union. (Treaty on European Union 1992)

From that point on national parliaments considerably adapted to their redefined role description in several ways. According to this, they have learned to 'fight back' (Raunio and Hix 2000; see also chapter 2.3).

Moreover, the ensuing debate on the democratic legitimacy of the European Union, or rather the lack thereof, brought national parliaments into the limelight, but mainly as the victims of the integration process. European integration was seen as 'a classical case of a gradual process of de-democratisation' (Seidelmann 1995) or 'de-parliamentarisation' (Birkinshaw and Ashiagbor 1996).

One of the main reasons for the 'de-democratisation' or 'de-parliamentarisation' thesis was that, above all, national parliaments have seen their legislative competencies increasingly transferred to the European level, where the national governments now exert legislative authority in the Council and the European Council.

Thus, the process of European integration led to the transfer of large areas of decision-making from the national arena to the EU level, resulting in a loss of legislative competences for national legislatures, who had no direct control or rather effective veto power over European policy-making. On the other hand this process had led to a strengthening of national government representatives, who directly participate in European policy making negotiations (Sprungk 2010). After the negotiations between the national governments, the outcome is presented as 'take-it-or-leave-it' packages to national parliaments. As a consequence, national legislatures do not have the right to re-negotiate or to initiate any amendments to the packages. On the other hand, the rejection of bargains between national governments by the parliament may lead to adverse consequences and engender high transaction costs (O'Brennan and Raunio 2007b).

Moreover, the European Parliament was not able to compensate the loss of democratic legitimacy formerly provided by national parliaments. As a result, the political system of the EU was seen as suffering from a serious and growing gap in parliamentary legitimacy (see in detail Kohler-Koch and Rittberger 2007).

Indeed, when it comes to the decline of national parliaments, we can even observe a remarkable degree of agreement between different theoretical approaches with regard to European integration. Starting from the theoretical framework of Europeanization, defined as 'an incremental process reorienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy making' (Ladrech 2002), a bulk of literature discuss the question of whether the EU changes the balance of power between domestic actors and provides new opportunities for exerting political influence.

Neo-functionalism had predicted a gradual but constant expansion of supranational decision-making authority as a result of processes of spill-over and of a transfer of

loyalties to the European level. The expectation was a slow decline in the importance of the domestic level and of national parliaments with it (Haas 1968, Schmitter 1969, Niemann and Schmitter 2009).

Intergovernmentalists, on the other hand, expected the national level to remain dominant in the integration process. Yet from his liberal intergovernmentalist perspective, Moravcsik (1994) argued that European integration resulted in a change in the power balance between different actors at the national level and, in particular, in a strengthening of the executive. Above all he expected the ministers in charge of tasks affected by the EU and civil servants within ministries responsible for EU affairs to benefit from European integration (see also Moravcsik and Schimmelfenning 2009).

Four crucial factors that determine the beneficiaries are at the basis of Moravcsik's argument. These he labelled the "four 'I's": initiative, institutions, information and ideas. Because executives act as dominant gatekeepers between the national political system and the European organisation, he argued, they can initiate negotiations on policy issues without prior consultation with other domestic actors. Second, as constitutional rules normally do not require formal ratification, until after an agreement has been reached, executive actors are able to dominate institutional decisions while their legislatures are later faced with 'take-it-or-leave-it' choices because renegotiations are impossible. This is also why national parliaments are ascribed as rather weak veto players (see O'Brennan and Raunio 2007b).

Third, governments can manipulate ideological justifications for a particular policy. This is, in part, due to the fact that, fourth, national executives, through their participation in international regimes, have access to a steady stream of information, which domestic actors, such as parliaments, can only obtain at considerable expense. Without this information, they are under-resourced to effectively control the executive. The complicated decision-making structures as well as the highly technical character of much of the EU legislation thus made effective parliamentary scrutiny difficult. For this reason, parliamentary accesses to relevant legislative information is a major topic in the strengthening of parliamentary scrutiny processes in the post-Maastricht era, as well as in the measurement of parliamentary strength in EU affairs (see e.g. Bergman 1997, Maurer and Wessels 2001).

Proponents of the 'multilevel governance' (MLG) approach offer a different account of a similar outcome. The term emerged from Gary Marks' research on the European structural funds, in particular after their reform in 1988 (see in detail Marks 1992, 1993, Hooghe and Marks 2001). Multilevel governance is defined as a system of continuous negotiations among governments at several territorial levels, but also draws on the network approach used in the governance literature. While 'governance' thus signalled the growing interdependence between governments and non-governmental actors, 'multilevel' referred to a growing interdependence across different territorial levels (Bache and Flinders 2004, Kohler-Koch and Rittberger 2006).

While not denying the importance of national governments, multi-level governance argues that the state no longer monopolises European decision-making or the aggregation of domestic interests due to the process of power dispersion in the European Union (Hooghe and Marks 2001). Thus, elected parliaments and their governments are no longer the sole and hierarchical authorities to make collectively binding decisions, but have to share their decision-making competencies with public, private and semi-private actors at different territorial levels.

According to the multi-level governance scenario national governments are exposed to the danger of losing their privileged position within the political system, as societal groups can make use of the new supranational channel to gain attention for their political demands. National parliaments, excluded from intergovernmental negotiations and governance networks, lose the most, as their role become weaker due to the strengthening of intergovernmental policy coordination and negotiations (Bache and Flinders 2004, Benz and Papadopoulos 2006, Peters and Pierre 2004, Benz 2003).

As the Maastricht treaty can be seen as the starting point for the recognition of national parliaments in EU affairs, the ensuing treaty revisions have provided further opportunities to expand the role of national parliaments. The 'Protocol on the role of National Parliaments in the EU' attached to the Amsterdam Treaty granted national parliaments the right to receive a broad range of documents without delay.

These include all commission consultation documents (also green and white papers and communications) and commission proposals for legislation. To ensure sufficient processing time for national parliaments the protocol defines a minimum period of six weeks between a legislative proposal and the date when it is placed on a Council agenda for decision. Moreover, the protocol refers to the institutionalized parliamentary cooperation COSAC:

The Conference of European Affairs Committees, (...) may make any contribution it deems appropriate for the attention of the institutions of the European Union, in particular on the basis of draft legal texts which representatives of governments of the Member States may decide by common accord to forward to it, in view of the nature of their subject matter.

COSAC may examine any legislative proposal or initiative in relation to the establishment of an area of freedom, security and justice which might have a direct bearing on the rights and freedoms of individuals. The European Parliament, the Council and the Commission shall be informed of any contribution made by COSAC under this point.

COSAC may address to the European Parliament, the Council and the Commission any contribution which it deems appropriate on the legislative activities of the Union, notably in relation to the application of the principle of subsidiarity, the area of freedom, security and justice as well as questions regarding fundamental rights. (Treaty of Amsterdam 1997)

Unlike the declarations to the treaty of Maastricht, protocols are legally binding for the corresponding individuals and institutions, so the 'Protocol on the role of national parliaments in the European Union' can be seen as a substantial progress in defining the legal and political role of national parliaments (see Maurer and Wessel 2001).

The next milestone in the development of the role of national parliaments was the Laeken declaration in 2001, which made efforts on the future role of national parliaments by bringing into question whether they should be represented in a new institution, have a role in areas which the European Parliament has no competence or focus on the division of competence between the European and the domestic arena. The Convention on the Future of the European Union and the ensuing draft treaties (failed Constitutional Treaty and the Lisbon Treaty), in particular, led to a lively debate in both

academia and politics on the role national parliaments can and should play both at the national and the European level (see Benz 2004, Auel 2005, Auel and Benz 2005).

In the Constitutional treaty for the very first time national parliaments are mentioned in the main text. The principle of representative democracy defines that *'citizens are directly represented in the European Council by their Heads of State or Government and in the Council by their governments, themselves democratically accountable either to their national parliaments, or to their citizens'* (The European Convention 2003). However, the main sections dealing with the role of national parliaments are still found in the protocol attached to the treaty. In contrast to the protocol in the Amsterdam treaty where the government of each member state has to ensure that its own parliament receives documents as appropriate, draft proposals and other relevant documents shall now be sent directly to the national parliaments by the respective institutions, including proposals from the Commission, initiatives from a group of member states, initiatives from the European Parliament, requests from the Court of Justice, recommendations from the European Central Bank as well as the European Investment Bank (see Treaty establishing a Constitution for Europe 2004).

Most recently, the Lisbon treaty strengthened the role of national parliaments by introducing the Early Warning System (EWS), which enables national parliaments to submit 'reasoned opinions' to the EC in case of an assumed contravention of the principle of subsidiarity (among others De Wilde 2012, see also chapter 2.4.2). Nevertheless, the changes by the Treaty of Lisbon also brought negative consequences for national parliaments, as the treaty extends the qualified majority procedure to issues which were until now decided by unanimity, such as external border control, asylum, and the negotiation of international agreements on trade matters. It thus weakens the veto power of national parliaments.

Given the various limiting consequences for national parliaments, scholars have tried to shed light on the execution of parliamentary involvement and answer two crucial questions: To what extent is the alleged de-parliamentarisation a result of the European integration and what can national parliaments actually do against the loss of competencies?

According to the first question it is important to emphasize that the focus on EU affairs does not tell the whole story of parliamentary power. Analysing western democracies after the Second World War one can see that parliaments have become better at controlling their governments (see in detail Strøm, Müller and Bergman 2003). Due to broader changes in the political systems they managed to reform their rules of procedure and committee systems.

On the other hand, as a reaction to parliamentary institutional rules, especially within European democracies we can observe a shift towards a more executive-oriented system, with a powerful prime minister and extensively independent ministers supported by party groups of the governmental parties.

As a consequence, scholars face several problems in the assessment of parliamentary strength: The relationship between national parliaments and their governments are often so intertwined that they must not be portrayed as two separate institutions, but as a more complex structure, including the government-opposition dimension crosscutting the institutional divide (see Auel 2007). Thus, apart from the impact of European integration national legislatures, depending on the political system, were already confronted with a multitude of domestic constraints. The interplay of national and European constraints and possible implications for the measurement of parliamentary strength will be discussed in chapter three.

Focusing on the second question, which is considering parliamentary adaption, during the 1990s a wave of cross-national research projects and case studies, seemed to confirm the argument about the decline of parliamentary power in EU affairs (Andersen and Burns 1996; Laursen and Pappas 1995; Norton 1996; Rometsch and Wessels 1996; Wessels, Maurer and Mittag 2003). Although most national parliaments adapted to European integration by creating European Affairs Committees and became somewhat more active in the scrutiny of European documents, the studies showed them to remain basically marginalized in the EU policy making process (Norton 1996). National parliaments often lacked the resources necessary to scrutinise their governments effectively. Especially the introduction of qualified majority voting, which indeed was

introduced to strengthen the demographic representativeness of EU decision-making processes, was seen to reduce the influence of national parliaments even further, because now their governments could be simply outvoted, leaving them with no influence over the decision at all.

In sum, scholars point out that European integration undeniably impacts on the activities of national parliaments, both through the transfer of legislative competencies to the European level and through influencing the policy fields that are still subject to national competence, resulting in a weakening of parliamentary influence in the policy making process (see Goetz and Meyer-Sahling 2008).

Given these indications to the role of national parliaments, the following subchapter sheds light on the modes at national parliament's disposal when scrutinizing their governments and covers their institutional and behavioural adaptations in EU affairs in order to convey how parliamentary scrutiny in EU affairs is organized. Moreover, the discussion of national parliaments' adaption to European integration is crucial to be able to relate to the measurement of parliamentary scrutiny in EU affairs.

2.2 National parliament's institutional and behavioural adaption to European integration

Although the Maastricht treaty can be seen as the trigger event in the strengthening of parliamentary scrutiny, literature identifies two earlier stages of parliamentary adaption to European integration.

The first stage (1950s to mid-1970s) is characterized by limited involvement of national parliaments. Due to the political system of the European Community (EC) national parliaments show little interest in participating at the European level. First, Council decision making was based on unanimity, so it was up to the governments to come to a compromise on EU policies. Second, unlike today, European decision making competence was restricted to commercial and agricultural issues, so most relevant decisions were made at the domestic level. Third, public and elite positions towards

European integration were supportive of integration, and most of the political parties in the founding six member states (West Germany, Italy, France and the Benelux countries) were in favour of deepening the integration process (Down and Wilson 2008). Thus, national parliaments and individual MPs showed little interest in European affairs, as there were no incentives to deepen parliamentary involvement.

Consequently, there were hardly any procedural changes within the national legislatures. However, national parliaments did their very first steps of institutional adaption, although these must be regarded as mainly symbolic. The German parliament, as the first ever, established a European Affairs committee in 1957 (for detailed country information on EACs see Maurer and Wessels 2001). In sum, during this first stage of parliamentary involvement there was no reason for domestic legislatures to actively involve themselves in European politics.

The period of parliamentary lack of interest in EU politics began to change in the mid - 1970s as the UK and Denmark became members of the European Community. In contrast to the supporting position of the founding states the issue of joining the EC was controversially debated in public. Moreover, in both countries (but principally in Denmark) the parliament has a long-established leading part in the political system. Thus, in the course of accession to the EC both parliaments established European Affairs Committees to ensure parliamentary involvement and scrutiny in EU affairs.

In contrast to previous means of parliamentary control in EU affairs the scrutiny models in Denmark and the UK were innovative and seen as great concession to the importance of national parliaments. Especially the Danish model of parliamentary scrutiny was a major breakthrough: The EAC of the Danish '*Folketing*' set up a system where ministers had to appear before the Council negotiation and explain the Danish position and bargaining strategy. Most important, if the parliament has a different view it is allowed to issue a legally binding mandate (see in detail Hegeland 2007).

The '*House of Commons*' on the other hand, established the ability to make use of a 'scrutiny reserve', meaning that the parliament must have the right to scrutiny before the final decision in the EU Council is done. Consequently, a scrutiny reserve prohibits governmental commitments until parliament has had the chance to pronounce its opinion on a certain issue (see Cygan 2007). Aside from the fact that the entrance of Denmark and the UK brought two strong domestic legislatures into the European arena,

there are also internal reasons why the second stage strengthened parliamentary involvement, namely the internal market project and the establishment of the Single European Act (see O'Brennan and Raunio 2007b). The SEA brought two essential modifications, which concerned the work of national parliaments. For one, the competence of the European Community was extended to new areas, while the introduction of the Qualified Majority Voting (QMV) meant that national governments no longer have the ability to veto EC decisions, but instead can be outvoted. National parliaments assumed these two innovations as signs of anxiety, as laws that were previously enacted at the domestic level, were now (even against the will of national legislatures) increasingly being decided in Brussels.

As a consequence, to ensure the scrutiny performance and handle the parliamentary workload seven member state parliaments (Belgium, Greece, Italy, Luxembourg, the Netherlands, Portugal and Spain) established EAC's between 1985 and 1990. Moreover, beside these institutional adoptions during the second stage, national parliaments have also increased their cooperation on the supranational level, establishing bi-annual meetings in the 'Conference of Community and European Affairs Committees of Parliaments in the EU' and strengthened the cooperation with the EP. Although, COSAC is unable to take decisions that are binding for either the EU level or even national parliaments themselves, it strengthened the information access to relevant documents on policy processes in the EC and provided a platform for exchange of parliamentary matters.

Tab. 1 National parliament's adaption to European integration

Stage	European integration	NP adaption
1 1950-1970	Intergovernmental decision making; national governments possessing the right of veto Public opinion supportive of integration	hardly any procedural changes within national legislatures low interest by MPs; no incentives
2 mid-1970s to Maastricht treaty	Introduction of supranational decision making, DK and UK accession, Euro-sceptical electorates and traditionally strong parliaments	Establishment of EACs and COSAC
3 Maastricht treaty onwards	strengthening of EU institutions; EU acquires more policy-making power; QMV becoming the standard decision rule; Public opinion and parties increasingly sceptical of integration	strengthening of EACs, involvement of standing committees in EU affairs; role of NP formally recognised in the treaties Consolidation of the role of parliaments through the access of CEE member states; Introduction of the early warning system

Source: Adapted from O'Brennan and Raunio 2007

As mentioned before, the Maastricht treaty marked a significant change in the process of European integration and thus national parliaments tried to strengthen their role vis-à-vis their governments. The new treaty brought the following changes: First, the treaty changed the name of the European Community into European Union, indicating a move from former economic integration to the creation of a supranational political

community. Thus majority voting, one of the instruments that weaken the position of national parliaments, was increased in the Council and enlarged to further issue areas. While national parliaments suffered from new decision-making processes, the co-decision procedure gave the EP a stronger role in the policy making process, as it now gains an equal status with the Council in certain issue areas. Moreover, the treaty includes the future implementation of a list of ambitious goals, like the single currency, EU citizenship and the development of a Common Foreign and Security Policy. This intensification of the integration process led to scepticism, as the Maastricht treaty also marked the end of the 'permissive consensus' (Hooghe and Marks 2009).

Both public opinion and national parties (partly divided over the European issue) shifted to a rather EU sceptical position towards the European integration process. As a consequence of the strengthening of EU institutions, the post Maastricht era is characterized by a debate about the democratic legitimacy of EU policy making (see Kohler-Koch 2006).

On the other hand, this debate brought national parliaments into the limelight, since they were seen as one potential institution to correct the democratic deficit (Auel 2007). This argument actually strengthened the bargaining positions of national legislatures, and parties in parliament sought a more active role for themselves, which at the same time represents the beginning of the third stage of parliamentary adaption to European integration.

In some countries MPs used their bargaining power and made parliamentary ratification of the treaty conditional upon receiving more power in EU affairs. In France and Germany, for example, constitutions were adjusted the stronger role of national parliaments, as they are more involved in the policy making process in EU affairs. Moreover, national parliaments successfully ensured better access to information on EU matters. To handle the future workload in EU affairs and to relieve the EAC's standing committees, (some) national parliaments became gradually more involved in EU affairs. On the other hand, national parliaments stayed abreast of changes that EU issues have become more extensive and also more complicated, which lead to greater involvement of standing committees and specialized MP's respectively.

2.2.1 Central and Eastern European member state parliaments

So far the discussion of the role of national parliaments exclusively focused on the 'old' EU 15 member states. However, the accession of Central and Eastern European (CEE) states to the European Union in 2004 and 2007, also affected the overall role of national parliaments in the European political architecture. At first the accession negotiations, in accordance with the overall role of national parliaments in EU affairs, de facto led to a distinct increase in power for national executives vis-à-vis other domestic actors and especially parliaments (see Goetz 2005; Grabbe 2001, Dimitrova and Mastenbroek 2006). Reasons were not only the unprecedented adaptation requirements, for example the implementation of the complete *acquis communautaire*, but also the promotion of a more executive centred perspective by the European Commission and other international organisations such as the World Bank. As a consequence, national legislatures were broadly barred from the accession debate and were reduced to their role of implementing the large amount of EU legislation (Kietz 2006).

But already during and also after accession, national parliaments (above all institutionally) adapted to European integration. In contrast to their Western European counterparts, most CEE member state parliaments can be seen as rather strong scrutinizers. For example, all of them have a formal and politically binding consultation procedure (see Dimitrova and Mastenbroek 2006). The following factors appear to have played an important role in the implementation process of parliamentary scrutiny in CEE member states: First, CEE member state parliaments pursued close inter-parliamentary cooperation.

'In the years leading up to the latest enlargement the nature of COSAC has more and more developed into a 'platform for exchange of information and best practices' with the adoption of minimum standards for national parliamentary scrutiny in EU affairs in 2003 and the publication of bi-annual reports on this topic comparing practices of parliamentary scrutiny in all EU Member states (Kietz 2006).

On the other hand, CEE member state parliaments took individual 'old' member states as role models for the development of scrutiny procedures, such as the organization of European Affairs Committees. Similarly, the contributions on the CEE parliaments (published in Raunio and O'Brennan 2007) suggest that parliaments benefited from

comparing and learning from old member states' scrutiny systems. However, scholars point out that although CEE parliaments accessed the EU at once and are considered as rather strong legislatures in EU affairs, there is unambiguous variation across parliaments in the strength of their parliamentary scrutiny (Karlas 2011, 2012; see Chapter 3).

2.3 Most recent challenges and new opportunities

Over the last years, not only Eastern enlargement, but also two other new developments at the European level have led to a new wave of interest in national parliaments. One is the development of 'new' forms of European governance, such as the Open Method of Coordination. Another is the explicit recognition of the role of national parliaments in the Lisbon Treaty, which goes far beyond the pre-existing measures as it gives national parliaments an immediate role in European politics by introducing the Early Warning System (EWS). Moreover, most recently euro crisis challenged previous parliamentary arrangements and again ignite the debate about the legitimising role of national parliaments in relation to EU policy decisions (see in detail Auel and Höing 2013).

2.3.1 The Open Method of Coordination

The Open Method of Coordination (OMC) was introduced in 2000 as a main instrument of the so-called Lisbon Strategy, aiming at – in its original version – developing the EU into 'the world's most competitive knowledge-based economy by 2010' (Lisbon European Council 2000). Most scholars call the OMC a 'soft law' approach of 'new governance' in the European Union (EU), which differs from the traditional mode of policy-making in the EU as it attempts to achieve common European goals without traditional instruments such as regulations and directives (Hodson and Maher 2001; Mosher and Trubek, 2003). Rather, based on a policy strategy defined by the Commission and agreed by the Council, national (or sub-national) governments elaborate national action plans outlining policy aims and programmes to be implemented in order to meet European goals. Both programmes and their implementation are regularly reviewed at the European level to evaluate the policies and policy changes in each member state, as well as their success or failure regarding

the EU's objectives. Scholars claim that the institutional and procedural complexity of the OMC has contradictory effects on national parliaments (de la Porte and Nanz 2004).

On the one hand, the implementation of the OMC can be seen as an attempt to further marginalize national legislatures. As the European Commission has noted, the procedures of OMC function without direct participation of national parliaments (see Radaelli 2003). Instead, OMC through its co-operative federalism strengthens the power of the executive branch, as 'we see that its processes are on average characterized by more flexible rules and procedures, with strong reliance on voluntary co-operation by national governments' (Duina and Raunio 2007). As a consequence, national parliaments suffering from the informal structure of OMC negotiations have a hard time in getting access to documents and information, as OMC issues are not processed according to the domestic scrutiny procedures in EU affairs.

On the other hand, OMC generates multiple outputs that give national legislatures the opportunity to strengthen their position vis-à-vis the government, as insights and guidance on successful legislation in other member states provides them with necessary information. For this purpose national parliaments rely on four mechanisms: First, National Action Plans offer comparative data about legislative initiatives across the European Union, as member states prepare their legislative proposals on any given topic on a regular basis. Second, Joint Reports compiled by the European Commission and the European Council offer an in-depth analysis of these legislative frameworks and recommend good or best practices. Third, the European Commission also offers certain indicators comparing statistics as well as qualitative measurements to launch initiatives in domestic policy making. The fourth mechanism, Peer Review programmes, enable direct exchange of successful legislature measures through sessions and conferences in which national delegates share information and discuss recent policy developments.

In short, OMC brings along both assets and drawbacks to the role of national parliaments: While the functioning of the OMC strengthens the participation of national executives, both on the national and the federal level, national legislatures do not directly influence the negotiation process. However, the outputs of OMC provides national legislatures with comparative data and information about legislative initiatives

in other member states and calls attention to potential failings in their own country, which gives them leverage in the domestic policy making process.

2.3.2 Provisions of the Lisbon treaty

Most recently, the Lisbon treaty strengthened the role of national parliaments in the European Union. Mainly, the treaty enhanced the mechanism for monitoring compliance of draft legislations with the principle of subsidiarity as well as the overall role of national parliaments. From this point on, one can identify four areas in which national parliaments can participate in EU affairs:

First, national parliaments play an important role in the ratification and validation of EU primary legislation. The treaty of Lisbon strengthened the involvement of NPs in the treaty revision procedures, as its Article 48 introduced ordinary and simplified revision procedures. According to the first procedure, national parliaments, together with the governmental representatives and members of the Commission and the EP, are allowed to participate in treaty conventions, and actively discuss the future of the EU. The simplified scenario, on the other hand, provides national parliaments with a binding veto right to oppose the application of the simplified treaty revision procedure (see in detail Treaty on European Union 2008, Article 48).

The second area is defined by the rights that national parliaments have in the area of freedom, security and justice. National parliaments are involved in the evaluation procedures for the implementation in policies in the area of freedom, security and justice. Moreover, they take part in the monitoring of Europol and Eurojust (see in detail Treaty on the functioning of the European Union 2008, Articles 70, 85 and 88).

Third, interparliamentary cooperation is still identified as an important mechanism to strengthen domestic legislatures and provide MPs with external information as well as enabling them to build on other member state experiences. Finally, the treaty of Lisbon brings substantial progress in the field of compliance of draft legislation acts with the principle of subsidiarity and proportionality due to the so-called Early Warning System. The following subchapter focuses on this new parliamentary instrument.

2.3.3 The Early Warning System

Attached to the Lisbon treaty, the 'Protocol on the Application of the Principles of Subsidiarity and Proportionality' (Treaty of Lisbon 2007) provides national parliaments with a more direct role in the EU legislative process.

If a national parliament believes a measure to violate the subsidiarity principle, it can submit a 'reasoned opinion' within eight weeks to the Commission outlining its objections. In sum, national parliaments can make use of two procedures, which are following different majority rules: The first, so called 'yellow card'- procedure entails that at least $\frac{1}{3}$ of the available votes (now 19 votes out 56, as each national parliament has two votes and in the case of bicameral systems, each of the two chambers has one vote respectively) are cast against the draft legislative act because of non-compliance with the subsidiarity principle. For draft legislative acts concerning the area of freedom, security and justice, the threshold is $\frac{1}{4}$ of the votes (i.e. 15 out of 56).

Following such a 'yellow card' procedure the initiating institution, generally the European Commission, must review its proposal and may decide to maintain, amend or withdraw the draft, but must justify its decision (Treaty of Lisbon 2007, Article 7). In other words, if one third of national parliaments object to a measure, then the Commission must formally review it and may withdraw the proposal or amend it, but also maintain it unaltered. Thus referring to sports, in these cases national parliaments can only show the Commission the 'yellow card, but not force it to take their concerns into account.

The 'orange card' procedure only applies to the ordinary legislative procedure (formerly known as 'co-decision') and entails that if reasoned opinions regarding non-compliance with the principle of subsidiarity represent at least a simple majority of the votes allocated to national parliaments (i.e. 28 out 54), the proposal for the legislative act must be reviewed. Again the European Commission may maintain, amend, or withdraw its proposal. If it decides to maintain its proposal, it must provide its context of justification. Moreover, if the option is to maintain the proposal, the reasoned opinions of the national parliaments and the Commission are transmitted to the Union

legislator, who must consider the subsidiarity issues before the end of the first reading stage. If, by a majority of 55% of the members of the Council or a majority of the votes cast in the European Parliament, the legislator considers the proposal incompatible with the subsidiarity principle, the proposal will fail and will not receive further consideration (Treaty of Lisbon 2007, Article 7).

While national parliaments still do not have a right to directly force the Commission to take their opinion into account, this last rule, which was added during the Lisbon Intergovernmental Council, enables parliaments to force the Council and the EP to deal with their concerns. On that account, most national parliament representatives and EU scholars emphasize the potential empowerment of national parliaments given by the new subsidiary provisions. It is argued that national parliaments have a great incentive to invest time in the new mechanism as the question of subsidiarity directly touches their own institutional interests:

'National Parliamentarians are the ones whose law-making powers are liable to be curtailed by a decision that a certain matter be regulated at the Union level, so they ought to be alert to possible infringements of the principle' (Dashwood 2004).

Daukiense and Matijosaityte (2012) think along similar lines. They stress that the principle of subsidiarity is evaluative and political, so it is admitted that the main role guarantee the control of this principle must be given to political institutions, namely national parliaments. In contrast to the European Commission and the European Parliament they are not related to European interests, thus they are the best institution that is most interested and able to check properly the compliance of draft legislative acts with that principle.

However, in sum the literature remains divided in its assessment of the new role of national parliaments as subsidiarity watchdogs (see Cooper 2006). The main problem concerns the time given to national parliaments to examine draft legislation acts. Considering the time national legislatures usually need to decide on domestic issues, the eight week period appears to be very tight, specifically if one considers the amount of legislative draft proposals national parliaments receive every year. But even if national

parliaments manage the workload of EU draft proposals, they are confronted with problems of coordination, since 'due to the different judicial traditions of each Member State, it is very likely that the scrutiny of a certain draft act could significantly vary from one national parliament to another, leading, thus, to different conclusions over compliance of such a draft with subsidiarity' (Daukiene and Matijosaityte 2012). Moreover, so far national parliaments rarely used their new opportunities to influence EU policy making via the Early Warning System.

In a nutshell, the Early Warning System provides national parliaments with an opportunity to react to EU legislative proposals before they are adopted; however, the parliaments' voice is only consultative, as proposals do not have to be withdrawn if they face opposition from national parliaments. Moreover, one has to take into consideration that national parliaments still are not able to stop or veto a draft proposal, but it is rather still up to the European institutions to incorporate the parliament's objections and suggestions.

Generally speaking, along with European integration, national parliaments implemented stronger scrutiny and mandating procedures in EU affairs. Primarily, national parliaments professionalized by implementing European Affairs Committees and by expanding the tasks of standing committees in EU affairs, both in form and content. Second, national parliaments have managed to extend their access to relevant information on EU issues, also including former 'second' and 'third' pillar documents, as well as green and white books of the European Commission. Third, in some countries, e.g. Austria and Denmark, parliaments gained the ability to issue legally or politically binding mandates for the government's Council negotiations. As the Maastricht treaty can be seen as the starting point for the recognition of national parliaments in EU affairs, the ensuing treaty revisions have provided further possibilities to expand the role of national parliaments.

While the 'Protocol on the role of National Parliaments in the EU' attached to the Amsterdam treaty granted national parliaments the right to receive a broad range of documents without delay and provided a minimum period of six weeks for legislative scrutiny, most recently, the Lisbon treaty introduced the Early Warning System (EWS)

enabling national parliaments to submit 'reasoned opinions' to the EC in case of an assumed contravention of the principle of subsidiarity (among others De Wilde 2012).

Although one can observe convergent progress in parliamentary scrutiny, there are considerable differences among parliaments' responses to the impact of the EU. These include the information access to legislation drafts and other relevant documents in time, the availability of 'explanatory memorandums', EACs' resources to process documents as well as the legal powers of EACs, ranging from the right to issue binding mandates to merely voicing an opinion. Additionally, parliaments pursue different scrutiny approaches regarding the formality or informality of scrutiny organization. Chapter 3 will shed light on various contributions dealing with the measurement of national parliament's strength in scrutinizing their governments and the explanation of cross-country variation in parliamentary scrutiny. Prior to this I describe the standard procedure of parliamentary scrutiny in EU affairs in order to outline what national parliaments actually do in course of parliamentary scrutiny.

2.4 The control function of national parliaments

After discussing the salient points in the history of parliamentary involvement in EU affairs, one can see that scrutinizing the governments that represent member states in the Council and the European Council, is the most important task of national parliaments. For that reason within this subchapter I will focus on the various means parliaments have to control the government in EU affairs.

The ability of domestic legislatures to scrutinize the government in EU affairs depends on a variety of factors, including constitutional rules, informal proceedings and party-political factors, considering the composition of the parliament and the government as well as the cohesion of political parties (Auel 2007, Winzen 2010). Although there are significant differences between the mechanisms of control within the EU member states, one can describe a *standard operating procedure* of parliamentary scrutiny in EU affairs:

The process begins with the government or the Commission itself submitting to the parliament the Commission's legislative proposals. In the next step the government informs the parliament of its position on the draft proposals and the expected legal and

economic effects at the European and domestic level by adding a so-called 'governmental memorandum'.

As already mentioned all national parliaments have established EAC's, where most of the parliamentary scrutiny in EU affairs takes place. Thus, the EAC starts to process the legislative draft proposal and also informs the relevant specialized standing committees. If a specialized committee is involved in the scrutiny process it reports back to the EAC, however the extent to which legislatures delegate EU issues to specialized committees varies between member state countries. While the government decides its position and bargaining strategy for the upcoming Council negotiation the parliament holds, depending on the salience of the issue, a plenary or debate about the draft proposal.

At this point it is important to note that parliaments are consulted in good time before the Council decisions, *'as the overwhelming majority of EU legislation is in reality already decided in the Council's working groups and in the Committee of Permanent Representatives (COREPER), parliaments that only become involved in the process just before the relevant Council meeting have quite marginal possibilities to influence the decisions. It is also essential that the parliament is kept up-to-date, as the Council and the EP, particularly in legislation falling under the co-decision procedure often quite significantly amend the initiatives'* (O'Brennan and Raunio 2007).

The next crucial step in the scrutiny process is the hearing of the relevant government official. After the European Affairs Committee has received the agenda of the Council meeting the responsible minister appears, if requested, in person before the committee. The MPs have the opportunity to put questions to the minister and, depending on EACs' means of bindingness, decide about the approval or dismissal of the government's position. In particular, the ability to issue a binding mandate or voting instructions is seen as a substantial part in parliamentary scrutiny (see chapter 3).

However, the parliaments of Denmark and Austria are the sole exceptions in having the right to issue a legally binding mandate to government representatives. While issuing mandates or voting instructions are seen as a strong means for national parliaments in controlling their governments it could implicate adverse effects, as a mandate ties the hands of the government representative and thus reduces the bargaining power to build compromises in accordance with the national interest (Winzen 2010).

So far, I have discussed the scrutiny procedures, which take place before decision making in the Council. However, apart from these so called *ex post* means of scrutiny, national parliaments have the opportunity to call the government to account after the Council has made a decision on a certain issue. *Ex post* procedures give national parliaments the ability to check whether the government representative followed the parliamentary recommendation or mandate. Therefore it is necessary that the parliament systematically receive detailed information on the outcome of European Council and Council meetings and agreements. Usually parliaments make use of oral or written questions and debates to exercise their *ex ante* scrutiny means. Nevertheless, one has to consider that *ex post* scrutiny procedures, for legal reasons, are virtually useless, as '*in EU affairs, parliaments have even fewer possibilities of sanctioning the government ex post, i.e. once a final decision has been taken at the European level, because they can only veto such decisions at an even greater cost than in domestic affairs*' (Auel 2007). Thus in most cases deviations from parliamentary positions merely have to be explained and justified or have no consequences at all.

Although the aforementioned description can be seen as a standard process of parliamentary scrutiny one has to consider, that there are significant differences between the individual member state parliaments. These differences are elaborated in chapter 3. After discussing the role of national parliaments, the following subchapter focuses on the role of parties and reviews how European integration re-structures parliamentary conflict lines.

2.5 Intra-parliamentary politics and conflicts: the role of parties

As already mentioned in the introduction, my aim is to analyse the impact of party strategic factors on the overall strength of national parliaments in EU affairs. Therefore it is important to know what incentives and constraints arise as a result of European integration to national parties in terms of parliamentary scrutiny. The following subchapter discusses the major implications to national parties and takes the differences between majority and opposition parties into account.

Most empirical studies in the field of parliamentary scrutiny focus on the parliament as a single body rather than concentrating on the various actors within parliament. However, normally the main conflict lines run between government and opposition rather than

between government and parliament. There are few but very crucial contributions, which emphasize the strategies of different political actors within parliament (Auel 2007, Holz hacker 2002, 2005, Saalfeld 2005, Winzen 2010, Finke and Dannwolf 2013). Here the main questions are: Does European Integration and parliamentary scrutiny cause changes within the major parliamentary conflict lines or can we observe similarities in contestation regarding domestic and EU affairs?

In answering these questions, one has to consider the differences that emanate from the multi-level context of the EU, which implicate incentives and constraints in parliamentary actor strategies.

First, MPs, both members of the majority and opposition, are confronted with disadvantages in access to information. Consequently, they are more dependent on alternative sources of information, such as members of the EP or national organizations represented at the European level, such as trade unions or industrial organizations. Second, in contrast to the national level, parliament loses its final rule making authority in the European legislation process. Instead of building on their veto power, national parliaments and so parliamentary majority as well as opposition have to find ways for early involvement in the legislation process.

Moreover, one can recognise varying constraints between opposition and majority MPs. Majority MPs have to consider that tight scrutiny of the government may lead to disadvantages during the EU-level negotiations and cause negative effects for the public image of the government (Benz 2004). Opposition politicians on the other hand may have strong incentives to criticise the government, but they also risk being blamed for undermining the representation of the national interest (Winzen 2010).

As one can see opposition and majority party groups are confronted with different challenges facing parliamentary scrutiny in EU affairs. Consequently, opposition and majority parties adapt differently to these changes: Recent research results show that majority parties prefer intra-party mediation, while the opposition is more in need of institutional and formal parliamentary rules especially to ensure information access (Holzhacker 2002).

However, Spungk (2010) argues that there is little intra-party control of EU affairs elites. The strategic context of EU affairs reduces the differences in methods of control between majority and opposition, as majority backbenchers also have a greater need for formal information and scrutiny rights.

In addition to the innovations to the established government-opposition line of conflict European Integration creates a second conflict line between Europhiles and Eurosceptics: There are a number of recent studies, which have exposed the position of political parties towards European integration (see Marks et al. 2002). In terms of position, a party should want to raise the salience of the EU if their position is shared by more voters than they currently have (Carmines and Stimson 1980, De Vries and Hobolt 2012). This will be true in particular if its competitors take up a different position, so that the EU issue distinguishes the party from key opponents. One major finding so far is that mainstream and extreme parties differentially position themselves towards European integration. Euroscepticism manifests itself primarily on the margins of the political party spectrum (Marks and Steenbergen 2004, De Vries 2010, Kriesi et al. 2006, 2012). As a consequence, especially since the decline of public support towards European integration, these parties do have incentives to politicise European issues, in order to gain votes, as they have little to lose in formulating extreme positions on European integration. Typically mainstream parties, at least to some degree, support European Integration for several reasons. In contrast to extreme parties they seek to defuse the salience of the European issue by taking median or slightly positive positions in order to minimise the competition between mainstream parties and thereby minimise the intra-party tensions. Moreover, if one defines a mainstream party in terms of government participation, these parties have to consider that the public and the electorate will hold them accountable for policy outputs at the European level (Winzen 2010).

Thus, mainstream parties, especially parties in office, are confronted with Eurosceptic criticism from extreme parties, which lead to several adaptations in their intra-party strategy and behaviour in EU affairs. Another important approach structuring parties' strategies is focusing on party cohesion (De Vries and Hobolt 2012; Steenbergen and Scott 2004). Party cohesion can be seen as a precondition of electoral success. If a

certain divisive issue threatens party cohesion, the party may have incentives to downplay that issue, whereas the party leaders may be interested in focusing on those issues where the party is united. For this reason, mainstream parties in government and opposition are expected to adopt strategies to contain intra-party conflict over European integration behind closed doors and to project unity against eurosceptical attacks. The fact that parliaments in the EU hardly discuss European Integration issues in plenary debates (Bergman et al. 2003), but rather in committees may be seen as an effect of this intra-party strategy.

Another consequence of the new parliamentary conflict lines and the aforementioned additional constraints caused by European Integration is the greater need for and the increasing importance of publicity. As we have seen parliaments in EU member states lose some crucial competences in control and decision-making. Due to that loss some scholars stress the fact that parliaments need more public attention to put pressure on the government. The more the media covers parliamentary proceedings, the merrier the loss of institutional scrutiny processes can be compensated (see in detail De Wilde 2008, Winzen 2010). Consequently, institutional rules lose importance as media coverage increases. Thus, increasing media coverage of EU affairs most notably strengthens the opposition and gives them incentives to present their views and to put pressure on the government. On the other hand, media coverage of EU affairs at a low level prefers government, because members of the national governments can be seen exclusively as European Union's decision makers. Therefore they will be associated with European Union decisions and the impact on the national level.

In sum studies of intra-parliamentary politics shed light on the dynamics of parliamentary control and focus on the different strategies between government and opposition parties as well as mainstream and extreme parties. Analysing the various actors in parliamentary democracies contributes to our knowledge of party strategies and thus enriches our understanding of cross-country differences in parliamentary control. On the other hand, as we have seen the multi-level context of the European Union has created additional constraints on national parties. As a result, opposition parties as well as backbenchers of the parliamentary majority are searching for new channels, such as media coverage in EU affairs, to put pressure on the government (De

Wilde 2008). As one can see the literature on the role of national parties in parliamentary scrutiny clearly points out new incentives and constraints for party actors caused by European integration. Possible relationships between party strategic factors and parliamentary strength therefore will be discussed in chapter 4.

The following chapter highlights the variation in parliamentary scrutiny between the various member states and sheds light on the ways of measuring parliamentary strength in EU affairs.

3. Measuring strength and explaining the variance in parliamentary scrutiny in EU affairs

As already mentioned, national parliaments use different means to scrutinize the government in EU affairs. Most importantly they cover document-based EU issues in their European Affairs Committees and control the government either before or after the final decision in the Council and European Council. Although one can observe consistent institutional adaption, EU scholars have identified clear variation between the various member states (see Bergman 2000a, Maurer 2001, Raunio 2005, Karlas 2011, 2012).

As my research relies on the measurement of parliamentary strength, in the following chapter I will discuss how parliamentary strength in EU affairs is defined. Therefore, I initially explain why it is important both at the domestic and the European level. Second, I discuss the data and indicators which build the basis for the measurement of parliamentary strength. Third, I present the major results and compare differences and similarities in parliamentary rankings. Finally, I point out approaches which aim to explain the variance in parliamentary scrutiny and emphasize the possible impact of party strategic factors.

The recognition of national parliaments in EU treaties and their adaption to the pressures of European integration on the national level has been accompanied by increasing scholarly interest in national parliaments in EU affairs. Since the early 1990's scholars described and measured the adaption of the EU 15 parliaments, subsequent contributions have tried to explain the variation in parliamentary strength in EU affairs between the EU member states (also including the parliaments of the new Central and Eastern European member states, which entered the EU in 2004 and 2007). The research on parliamentary scrutiny and the measurement thereof is crucial in several ways.

On the one hand it shed light on the interrelationships between important domestic (national governments and parliaments) and European actors. As a direct consequence of EU membership domestic actors interact with their European counterparts and make binding decisions in supranational institutions. Thus, research on parliamentary scrutiny contributes to our knowledge of national-level democracy and representation, which has become more complex and diffuse as policy making within the European Union restructures the balance of power in policy making (see Bergman 2000b, Auel

and Benz 2005). As already mentioned one major consequence is that the executive domestic actors strengthened their position vis-à-vis the legislative. Moreover, the focus on national parliaments shows how they actually fulfil their tasks in EU politics. These most prominently include the ratification of EU treaties and the transposal of directives (Bergman 1997).

But the aspect of capital importance in parliamentary scrutiny research in EU affairs is its contribution to delegation and accountability in political processes within the principal-agent approach, since national parliaments are the key players in holding the government into account in EU affairs.

'Delegation occurs when a principal (for example, a parliament) delegates to an agent (for example, a government) the authority to act on his behalf under a particular set of rules by which the agent can be held accountable' (see Bergman 2000b, see in detail chapter 4).

Accountability on the other hand refers to two meanings. One refers to the processes by which principals supervise and control agents and therefore emphasizes the various institutional means that are at the principal's command. In terms of parliamentary scrutiny in EU affairs this involves constitutional rules, the organization and regulations of EACs or the mechanism of sanctions. The second meaning of accountability focuses on the principal's desired results. Thus instead of emphasizing the principal's institutional opportunities it rather analyses if the agent's actions actually consider the principal's interest. As Bergman points out, the institutional opportunities are less important as long as the final result reflects the desirable outcome: *'If a principal clearly prefers a particular policy and the interaction between principals and agents further down the chain ultimately produces this policy, then (...) one can speak about accountability in terms of outcome'* (Bergman 2000b).

The role of national parliaments and parties in the chain of delegation in EU affairs will be covered in detail in chapter 4. In the following discussion of the measurement of parliamentary strength I focus on four different rankings by Bergman, Raunio, Winzen and Auel & Tacea, which build the basis of my dependent variables.

3.1 Measuring strength in parliamentary scrutiny in EU affairs - data and indicators

In the analysis of data and indicators in the measurement of parliamentary scrutiny in EU affairs one can determine a certain convergence. Although scholars focus on different periods and slightly deviating indicators the main focus covers the timing, process and enforcement of parliamentary scrutiny.

The first scrutiny ranking by Bergman (2000) is made up of the involved actors (differentiating between upper and lower houses), the covering of EU pillars and the degree of bindingness of parliamentary decisions. Based on his contribution in 1997, which relies on various data sources (e.g. Goetz 1995, Hegeland and Mattson 1996, Judge 1995, Kaiser 1995, Saalfeld 1995) and differentiates between high, moderate and low classified parliaments his scrutiny measurement in 2000 is a more elaborated ranking, which rates national parliaments from 1 to 15. In his former contribution *low* signifies a process involving exchange of information only, which means that the cabinet informs the parliament about its conduct in EU affairs and the parliament is in no sense able to influence the government's decision. *Moderate* parliamentary scrutiny means that the government commonly acts on behalf of the parliamentary majority. The parliamentary opinion is an element of negotiations between executive and legislative actors. The government usually supports and thus follows the outcome of this process. The last category *high* is assigned to parliaments which are able to issue politically or legally binding mandates to their government's representatives for EU negotiations. As a result the indicators used by Bergman are composed of access to information, the organization and powers of EAC's and the opportunity to issue legal or politically binding mandates.

In order to identify necessary and sufficient conditions for tight scrutiny procedures across the parliaments of the EU 15, Raunio (2005) uses the involvement of specialized committees, access to information and the availability and usage of voting instructions as indicators to assess the strength of parliamentary scrutiny.

The logic behind the first indicator is information, as the involvement of specialized committees means that all MP's and not just the small minority in EAC's regularly have to deal with EU matters. By better use of parliamentary expertise Raunio expects the parliament to efficiently monitor the government (Raunio 2005). The second indicator, access to information, is composed of the timing and scope within the information

process. The timing refers to the moment when parliaments are informed about EU matters and when they actually start processing EU issues. The second indicator is focusing on the quantity and quality of documents parliaments have the right to scrutinize. The third and most important indicator in Raunio's measurement covers the constitutional or political power to mandate ministers, as it allows parliaments to directly influence the national negotiation position. Similarly to Bergman, Raunio make use of a wide range of sources to compile information on the EU 15 member states (e.g. Bergman et al. 2003, Maurer and Wessels 2001).

In accordance with recent contributions Winzen (2012) also defines three main indicators, which define parliamentary control in EU affairs in terms of information, processing and enforcement. Information is composed of access to documents and the availability of a governmental memorandum. As already mentioned a governmental memorandum expands information content about expected effects of EU legislation draft proposals for the member state. The processing of parliamentary control contains the organisation of EU committees, the involvement of specialised committees and the ability to make use of a scrutiny reserve. The third indicator stresses the right to issue mandates for the government's negotiation at the European level. Data basis consists of codified rules such as constitutions, legislation, parliamentary rules of procedure and other official documents.

So far, although some exceptions exist (e.g. Kietz 2006, Hamerly 2007, Karlas 2011, 2012) previous contributions of parliamentary scrutiny exclusively focus on institutional and formal rules. One reason for this approach is that institutional rules effectively illustrate national parliaments' scrutiny opportunities to hold the government accountable (Winzen 2012). On the other hand, if institutional and formal opportunities remain latent the measurement of parliamentary control will be ineffective. At this point scholars often quote the case of the Austrian '*Nationalrat*'. Although the constitution entitles the national parliament to issue legally binding mandates, after 18 mandates in the first year and a prominent attempt to reach the parliament late at night in order to define the mandate down, it now hardly exercises its right (Pollak and Slominiski 2003, Raunio 2005, Auel 2007). This example visualises that strong institutional opportunities are not equivalent to active parliamentary scrutiny.

To close this gap Auel and Tacea (2013) combine indicators measuring the institutional and formal rules and comparative empirical data on parliamentary activities in the period from 2010 to 2012 to cover behaviour in EU affairs. Moreover, their ranking for the very first time includes all lower and upper parliamentary chambers of the EU 27. In measuring the institutional strength they follow recent research and differentiate between information, the process of parliamentary scrutiny as well as the final implementation thereof. This includes indicators like access to information, the presence of explanatory memoranda, ex ante reports, the type of EAC, involvement of standing committees and the binding character of mandates (see Auel and Tacea 2013). The indicators to measure the active behaviour of national parliaments are made up of several parliamentary activities, including (1) the average number of mandates or resolutions, (2) EAC meetings (multiplied by standing committees and the average duration of meetings), (3) hearings, (4) debates and (5) reasoned opinions regarding the Early Warning Systems introduced in the Lisbon treaty.

In sum the overall indicators between the various rankings are quite congruent. However, it is important to emphasize that most measurements of parliamentary strength focus on institutional and formal rules and rather neglect the actual behaviour of MPs. In the following I discuss the results of the respective parliamentary scrutiny rankings.

3.2 Who has prevailed? – Results in measuring parliamentary strength in EU affairs

Similarly to the indicators of parliamentary scrutiny also the results are quite congruent. As one can see in Table X all four parliamentary rankings are highly correlated and significant at the 0.05 level.

Tab.2 Spearman’s rank-order correlation of parliamentary rankings

	Bergman 2000	Raunio 2005	Winzen 2012	Auel and Tacea 2013
Bergman 2000	1			
Raunio 2005	0.91**	1		
Winzen 2012	0.92**	0.87**	1	
Auel and Tacea 2013	0.89**	0.92**	0.93**	1

N=14 ; Significance level, which indicates the rejection of the null-hypothesis of no association (p<0.05=**, p<0.1=*)

Bergman’s contribution found strong evidence for crucial differences in the scrutiny process between northern and southern member states, where the strongest parliaments of Denmark, Austria and Germany (second chamber) issue the government with a mandate for Council negotiations, while the weaker parliaments (France, Greece, Italy, Luxembourg, Portugal and Spain) merely remain on the level of non-influential information exchange. The remaining parliaments are somewhere in between these categories, endowed with substantial scrutiny opportunities where the government is assumed not to depart from parliament’s position.

Using Ragin’s fuzzy set method, a Qualitative Comparative Analysis (QCA) technique (see Smithson and Verkuilen 2006), Raunio analyses necessary and sufficient conditions for tight scrutiny procedures across the parliaments of the EU 15 and sets up a seven-value scheme ranking. While no country is assigned the maximum value of 1, as it is realistic to acknowledge that even the strongest legislatures are not able to fully control their governments in EU affairs again Denmark, together with the Finish ‘*Eduskunta*’ can be found among the strongest scrutinizers in EU affairs. The second strongest parliaments are the Austrian ‘*Nationalrat*’ and the Swedish ‘*Riksdag*’, followed by the German ‘*Bundestag*’ and the Dutch ‘*Tweede Kamer*’.

Again one can clearly distinguish between strong scrutinizers in the North and rather weak parliaments in the South of Europe (e.g. Greece, Italy, Spain and Portugal). While the measurements by Bergman and Raunio exclusively focus on the EU 15 member states, the following rankings by Winzen and Auel & Tacea analyse all member states accessed to the European Union in 2004 and 2007. Denmark and Finland are reconfirmed as the most powerful parliaments and have the strongest parliamentary scrutiny scores. However, it shows that due to their strong EACs, mandating rights and comprehensive access to information the new parliaments from Central and Eastern Europe have generally adopted considerably advanced systems of control. Among the weakest parliaments are Cyprus, Luxembourg and Belgium.

Aside from his parliamentary scrutiny ranking Winzen for the first time also adopts a cross-national and longitudinal (1958-2012) comparison model, which integrates changes within countries and over time. Above all, the Nordic enlargement in 1973, the implementation of the internal market programme and the ratification of the Maastricht treaty can be seen as trigger events that increased the average level of parliamentary scrutiny. Considering that CEE member states based their parliamentary scrutiny on former experiences of the old member states, they generally implemented rather strong scrutiny proceedings, which again raised the overall level. Moreover by separating member states into cohorts of countries, he analyses how the timing of accession has influenced the level of parliamentary scrutiny and how the importance of the different indicators has changed over time (see in detail Winzen 2012a).

Auel and Tacea, in addition to their rank order, identify major differences in the active behaviour between member state's chambers, which lead to a classification in five groups: (1) parliaments with a focus on committee work, without public debates or the attempt to have an effect on the government's position ('Scrutinisers'); (2) Parliaments which mainly deal with EU issues in the plenary ('Debating Arenas'); (3) Chambers which try to influence the government through mandates or resolutions ('Policy shapers'); (4) The next group of parliaments focus on influencing the EC through reasoned opinions ('Commission Watchdogs'); (5) National parliaments in the last group show low activity at all ('Scrutiny laggards').

In sum, these contributions show similarities as well as certain differences. First, scholars use different terms (oversight, control, accountability or scrutiny) to describe the same thing, namely parliamentary strength in EU affairs. Second, theoretically almost all scholars locate parliamentary control in EU affairs in the field of agency theory, meaning that national parliaments, as principals delegate authority in EU affairs to their agent, the government, and consequently have to find ways to avoid agency loss (Bergman 2000b, Auel 2007, see in detail chapter 4). Third, they apply similar indicators to measure parliamentary strength. In fact, one can observe a focus on the timing, process and enforcement of parliamentary scrutiny, but scholars occasionally focus on different aspects. While one account stresses how quickly the government has to make documents available and emphasize the importance of ‘explanatory memorandums’, others focus on the time a parliament has to consider an EU proposal. Regarding enforcement of parliamentary positions, it is common to include the binding character of a mandate or resolution, while others additionally take scrutiny reserves into account.

Tab.3 Scrutiny rankings by Bergman, Raunio, Winzen and Auel/Tacea

Member state	Bergman 2000	Raunio 2005	Winzen 2012	Auel and Tacea 2013
Austria	4	2	6	5
Belgium	11	5	11	12
Denmark	1	1	1	2
Finland	2	1	2	1
France	10	4	9	6
Germany	5	3	4	2
Greece	15	5	10	11
Ireland	9	5	8	8
Italy	8	5	7	7
The Netherlands	7	3	6	3
Portugal	13	5	8	8
Spain	14	5	10	9
Sweden	3	2	6	2
The UK	6	4	7	7
Estonia			4	3
Lithuania			2	2
Poland			5	7
Slovenia			5	4
Hungary			5	7
Latvia			5	6
Slovakia			2	7
Romania			3	10
Bulgaria			5	8
Czech Republic			6	5

Sources: Bergman 2000a, Raunio 2005, Winzen 2012 and Auel & Tacea 2013

3.3 Explaining the variation in parliamentary scrutiny in EU affairs

As my research aims to contribute to the explanation of the variation in parliamentary scrutiny research the following subchapter sheds light on the present state of the art considering explanatory approaches.

In his very first contribution on the variation in parliamentary scrutiny Bergman combines three competing explanatory approaches including culture theory, new institutionalism and rational choice theory (Bergman 1997). The first explanation considering culture theory has a focus on the public opinion towards a country's European Union membership, the enforcement of a European identity and public trust in EU institutions. One of his major findings is that there is a significant difference regarding public opinion towards EU membership between the six founding member states and the countries which joined the European Union afterwards. Although public support in the 'original six' member state is volatile, popular resistance to EU membership has been significantly stronger in the newer member states, which also managed to install strong scrutiny procedures (above all Denmark, UK and Sweden and Austria). Second, Bergman investigates an institutional approach by examining the existence or absence of a domestic federal constitution and formal federal rules organizing parliament-government relations. It unsurprisingly shows that the two federal states Austria and Germany have the most binding advisory processes. The federal units in these countries are granted the authority to make decisions on specific issues such as education and culture (Bergman 1997). Third, by evaluating the relative strength and validity of strategic action, he included a rational choice perspective. In some countries there is evidence that scattered instances of strategy have had an impact on the organization of the scrutiny process.

'For example, it has been argued that the German 'Bundesrat' managed to get its extensive powers by suggesting that it might reject the Maastricht treaty (...)' (Bergman 1997).

In Austria on the other hand the government in order enact constitutional reform was dependent on the agreement of two opposition parties, the Greens and the Liberal party. This gave them the opportunity to successfully negotiate a more binding advisory scrutiny process (see Falkner 2000). In sum Bergman points out that the timing of accession to the European Union, the 'northern-ness' in terms of political culture and public support towards EU membership respectively and also the existence of a federal

structure is correlated with strong parliamentary scrutiny. However the results of the explaining factors are not unambiguous as Bergman claims for a systematic comparative framework.

In his subsequent contribution Bergman (2000) has deepened the explanatory approach by setting up rank order correlations between the measurement of parliamentary influence in EU affairs, the implementation record of EU policy and various background variables. These include the share of minority governments, the share of the population that is Catholic as opposed to Protestant, as a proxy for political culture and the share of EU opponents. It shows that the scrutiny rankings of parliamentary influence are highly correlated with the implementation records. By including implementation records Bergman aims to measure the effectiveness in the implementation of EU legislation into domestic law. For this purpose he relies on data on implementation records from the European Commission.

It becomes apparent that countries of the South are associated with a weak accountability process in EU affairs and relatively low implementation records, whereas especially the strongest parliaments of the northern member states Denmark, Finland and Sweden also have the highest implementation records. Moreover, the aforementioned background variables are associated with parliamentary scrutiny rankings in EU affairs. Above all, the proxy for political culture and the share of EU opponents is significantly related with the scrutiny rankings and the implementation records. The share of minority governments on the other hand does not show any significant relation. Despite his explanatory attempt, Bergman indicates that the variation in parliamentary scrutiny strength result from long-standing historical, institutional and cultural patterns in the member states and thus his explanation must be thought of as first evidence and cannot be seen as clear-cut.

Raunio broadly follows Bergman contribution by including public opinion towards membership, frequency of minority governments and public culture. However he also adds further background variables including the power of parliament and party positions on European integration. On the one hand his results show that the power of parliament independent of integration emerged as the only necessary reason for parliamentary strength. To measure the power of parliament independent of European integration he combines two indicators, namely the parliament's agenda setting power

scale by Döring and its ‘interest groups attractiveness’ by Liebert (see in detail Raunio 2005, Döring 1996, Liebert 1996).

The inclusion of party positions on European integration is of particular interest for my research, since Raunio for the very first time tests the impact of party positions on the variance in parliamentary scrutiny. In fact he considers the vote share of Eurosceptic parties. But as already mentioned party positions towards European integration do not occur as necessary reasons for strength in parliamentary scrutiny. By running probabilistic tests for necessary and sufficient reasons he rather demonstrates that the combination of having a strong parliament and a Eurosceptical public opinion increases probability of the legislature subjecting the government to tighter scrutiny in EU affairs.

Tab. 4 Explanatory factors for variance in parliamentary scrutiny

explanatory variable	impact
public opinion on membership	✓
frequency of minority governments	✓
power of parliament (independent of EU affairs)	✓ ✓
Eurosceptic parties	
catholic/ orthodox population	

source: author’s own = weak ✓ = moderate; ✓ ✓ = strong

Further important contributions to the explanation of variance in parliamentary scrutiny are Karlas’ (2011, 2012) comparative studies considering the CEE parliaments. In accordance with earlier contributions he also includes public support for the EU, the frequency of minority governments and the power of parliament, which is made up of Woldendorp’s index of executive – legislative relationships, Döring’s index of parliamentary participation rights and further indicators measuring legislative activity. Using Spearman’s correlation he points out that parliament’s overall strength is the only explanatory factor that correlates with parliamentary control. Moreover the strength of national parliamentary control in EU affairs in the CEE member states does involve

similarities as well as relative variation. The basic similarities, approximately regarding the access to information, are accounted for by the simultaneous timing of EU accession. Differences in control on the other hand are caused by the domestic power of national parliaments (Karlas 2011). In contrast to the aforementioned rankings, which include parliamentary strength Winzen as well as Auel and Tacea at this stage of research do not integrate variables to explain the variance between the member states.

In sum, approaches to explain the differences in parliamentary scrutiny in EU affairs are quite congruent. Above all, scholars focus on the general strength of national parliaments independently of EU affairs, public positions towards European integration, the type of government (with a focus on the share of minority governments), public culture (share of Catholics and Protestants), the year of accession and parliament's agenda setting power. Although there are contributions, which aim to include innovative explanatory variables considering economic aspects (e.g. Hamerly 2007), the parliaments' power in the national political systems and public Euroscepticism (though to a rather slightly extent) are consistently correlated with parliamentary strength in EU affairs.

However, recent research suggests that it is necessary to test further background variables, which focus on parliamentary party composition and at the same time expand the perspective on parliamentary scrutiny, by going beyond 'the two body image'. Though some scholars (see Raunio 2005, Karlas 2011) have tested the vote share of eurosceptical parties and their impact on parliamentary scrutiny, there is evidence to deepen the focus on the role of parties and their positions towards European integration to contribute to the explanatory power (Raunio 2009). In fact a number of scholars (though comparatively few) already have analysed the role of national parties in parliamentary scrutiny. The following subchapter discusses the literature considering parties in parliamentary scrutiny and shows that there is still a need to deepen our knowledge on the impact of parties in parliamentary scrutiny in EU affairs.

3.4 The impact of parties on parliamentary scrutiny in EU affairs

Holzacker (2002) has compared the strategies of opposition and majority parties in Germany and the Netherlands to scrutinize the government in EU affairs. Based on expert interviews with MPs serving on their EAC, he finds that government parties in Germany are engaged in parliamentary scrutiny to protect the government from attacks of the opposition parties. Opposition parties on the other hand use the formal access to information via the EAC to go public if they believe they can win public support or gain votes. Moreover they seek to influence the agenda in EU affairs through their strength in the upper chamber, the Bundesrat. The Dutch governing parties are more concerned with their own party's interests within the coalition. If they see their interest threatened, they try to build 'floating coalitions' with opposition parties sharing the same interest.

'They may then be able to pass an amendment or resolution to push government policy towards the party's preferences. They pursue this goal by publicly or privately persuading other party groups to modify the government's proposal'. (Holzacker 2002)

In sum, the contribution shows strong evidence that parliamentary scrutiny in EU affairs is not superficially determined by institutional rules, but also depends on the strategies of parties and the interaction among parties in the governing coalition as well as between governing and opposition parties. Institutional reasons indeed are important as they provide national parliaments with scrutiny opportunities. However formal and institutional rules rather must be thought of as a precondition for actual behavior in parliamentary scrutiny (see Auel 2007). If the formal opportunities are used depends on the strategic orientation of political parties. In contrast to Holzacker my aim is to associate these strategic factors to the overall strength in parliamentary scrutiny. Theoretical assumptions about the interaction between party strategic factors and parliamentary strength are to be found in the next chapter.

Holzacker (2005) also investigates the power of opposition parties in different types of government. Comparing the parliaments of the UK, Germany, the Netherlands and Denmark, he shows that the involvement of opposition party groups implies advantages to the political system, namely: improving the government performance, improving democratic legitimacy, challenging conflict into parliament and preparing the opposition to govern. However, opposition parties face varying opportunities to influence the government's position in EU affairs, depending on formal rules (constitutional

provisions, constitutional structure and procedural rules of government), institutions (committee organization and involvement of other committees) and party behavior, meaning the usage of the formal rules and institutional terms. Hence, the latter depends for the most part on the agenda setting power of governing and opposition parties in comparison to the government. Using EAC outputs and expert interviews, he shows that due to the minority government type, the Danish opposition parties have the strongest power to influence the government's position in EU affairs, because the government usually depends on the opposition's support for successfully negotiating in the Council.

Moreover the opposition parties benefit from an effective distribution of power within the parliamentary party group. While the second highest level of opposition party strength can be found in Germany and the Netherlands, where opposition on the one hand profit from strong constitutional provisions (Germany) and on the other hand has the opportunity to assert itself in attracting support of one of the governing parties, opposition parties in parliaments with majority governments have the least power.

Finke and Dannwolf (2013) focus on reasons why some law proposals are subject to scrutiny while others pass parliaments unchecked. By comparing Germany and the Czech Republic they show that opposition parties are engaged in EU affairs to receive information about proceedings in the Council and the European Parliament, whereas there is a difference between strong and weak oppositions. While strong opposition parties focus on highly politicized proposal, the weaker ones scrutinize non-transparent fast-track proposals in order to help fellow party members in the European parliament influence the policy making process at the European level. They conclude that parliamentary scrutiny most importantly provides means for opposition parties and coalition partners to control the government.

Hence, there are certain contributions explicitly dealing with the scrutiny role of parliamentary party groups. However, these studies neither cover all member states of the EU, but rather focus on a few cases, nor are they related to the overall power of parliamentary scrutiny in EU affairs in order to analyse the impact of party positions and strategies. The same holds true for Miklin's study analyzing the inter-parliamentary cooperation of party groups regarding EU affairs in Austria (Miklin 2013). Methodologically, they almost exclusively are based on expert interviews with MPs,

party officials, former party officials or parliamentary clerks, which threaten comparability among the contributions.

The following section addresses the theory which aims to connect political parties, parliaments and the government in parliamentary scrutiny in EU affairs. Adopting a principal-agent approach it discusses the role of parties and parliaments in the scrutiny process in EU affairs to hold the government accountable and presents the hypothesis with reference to party strategic factor's impact on the overall parliamentary strength.

4. Delegation and accountability in parliamentary democracies and the role of parties

As aforementioned most scholars apply a principal-agent approach to theorizing the parliamentary function of holding the government to account in EU affairs (see Bergman 2000b, Saalfeld 2005, Auel 2007). Agency theory enables us to model the relationship between the citizens and the political actors in parliamentary systems as a chain of delegation from the electorate to the civil servants (Strøm 1997, 2000; Müller 2000, Martin 2000). In a representative parliamentary democracy one can observe at least four steps of delegation: The first one goes from the electorate to elected representatives in parliament. The second step links MP's in parliament with the executive. Third, delegation connects the executive (head of government respectively) with the head of the departments (ministers). And finally, the chain goes from the heads of department to the respective civil servants. The main reason why delegation takes place in political matters is because the principal lacks some kind of resources.

Parliamentary scrutiny in EU affairs refers to the relationship between the parliament and the head of government and the ministers respectively. On the one hand parliaments delegate authority to the executive, as the head of government and the respective ministers negotiate and decide at the European level. On the other hand parliaments have various means at hand to hold the government to account in EU affairs before or after the decision is made. However, principal-agent theory suggests that parties play an important role in the various stages of delegation and accountability and consequently also in parliamentary scrutiny in EU affairs.

In the following chapter I begin by discussing principal-agent theory and illustrate how delegation and accountability work in a representative parliamentary democracy. Second, I discuss the explicit role of parties in the delegation and accountability process. Third, I outline whether and to what extent the interrelations between the domestic and the European level affect the chain of delegation and finally, in presenting my hypotheses, I point out how strategic party factors may have an impact on the overall scrutiny in EU affairs.

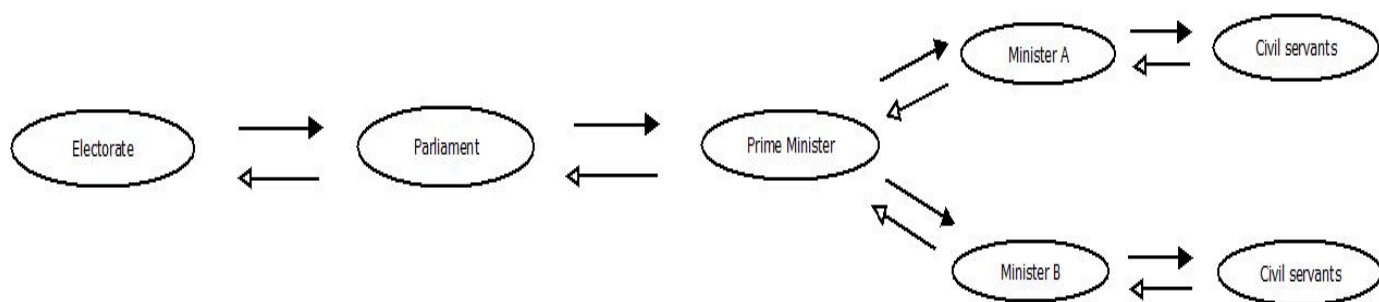
4.1 Delegation and accountability in representative parliamentary democracies

In representative parliamentary democracies policy outputs are realised through delegation of power. Certain actors are authorized to make political decisions in the name and place of others. But why do we delegate in political matters?

The main reason why we do not make all political decisions through direct democracy but instead adopt delegation in the political process is that we simply lack important resources to do so. On the one hand we simply do not have the time to involve every person eligible to vote. On the other hand, due to the variety and complexity of political topics, we lack information to make consistent decisions (Strøm 2000).

Hence, representative parliamentary democracy features a chain of delegation which connects the involved actors including the electorate, parliament, government and civil servants (see Figure 1).

Fig.1 Delegation and accountability in parliamentary democracies



Black arrowhead = delegation / white arrowhead = accountability Source: author's own adapted from Strøm 2000

To guarantee the functioning of the delegation chain and to avoid the occurrence of agency problems, like shirking or sabotage (see in detail Strøm 2000), the principal rely on means to hold the agent accountable. Thus the principal has to make sure that the agent acts on his behalf and to ensure opportunities of sanctioning, if the agent departs from the principal's point of view. For that reason in parliamentary democracy the delegation of policy making is 'mirrored by a corresponding chain of accountability that runs in the reverse order' to ensure the control of agents (Auel 2007). The term *accountability* has its popular meaning expanded beyond its original confines of simple responsibility for action. Nowadays accountability refers to a variety of mechanism or

actions, including oversight, scrutiny, sanction, stewardship and control (see Maccarthaigh 2007). According to the interrelationship of accountability and delegation the principal-agent relationship has to meet two requirements and can be described as follows:

'An agent is accountable to his principal if he is obliged to act on the latter's behalf, and the latter is empowered to reward or punish him for his performance in this capacity' (Fearon 1999).

To give an example, national parliaments have the right to unseat their respective cabinets, so they can hold the government and individual ministers accountable for their behaviour (Bergman 2000b).

But one has to consider that such a description of the principal-agent relationship is of course a simplification since it disregards that principals and agents may be collective actors. If collective actors are involved in the chain of delegation it complicates the fulfilment of delegation and accountability since it causes problems in terms of organization and coordination. Thus principals have to rely on institutional rules to nominate agents who act on their behalf. For example, delegation at the first stage (from electorate to parliament) of the chain takes place through periodical elections. By this example one can identify another simplification, as the ideal-typical parliamentary democracy (at least at stages 1,2,4) features a single chain of command, in which at each stage a single principal delegates to only one agent. However, if one considers that voters actually vote for political parties one can assume that in reality the chain of delegation and accountability is consistently more complex (Saalfeld 2000, see chapter 4.2).

Nevertheless so far I have discussed why delegation takes place and who the relevant actors are. But it is also crucial to know how principals hold their agents into account and what problems may arise in terms of agency loss.

Delegation of authority creates the risk that the agent may not act on the principals' behalf, but rather follows interests and incentives which are not fully congruent with those of the principal. In this case one speaks of agency problems and agency loss. The literature differentiates between various forms of agency loss (see Kiewiet and

McCubbins 1991, Strøm 1997, 2000, Saalfeld 2000). The two most common forms of agency loss are omission (also referred to as 'shirking') and commission (or 'sabotage'). While the first agency problem arises when the agent fails to act in the best interest of the principal, the latter describes agent's action contrary to the will or interest of the principal (Strøm 2000). Agency problems especially occur when the principal is not fully aware of the skills or actions of the agent:

'Agency problems therefore arise wherever there is hidden action, that is to say where principals cannot fully observe the actions of their agents, or hidden information, where principals cannot fully know the skills or preferences of their agents or the exact demands of the task at hand' (Strøm 1997).

In sum, agency problems refer to two different risks, namely moral hazard and adverse selection. While the first presents deviation between the interests of the agent and the principal, the second deals with certain problems during the selection procedure.

Hence, to describe the means to avoid agency loss scholars differentiate between ex ante and ex post procedures (Strøm 1997, 2000). As the name implies ex ante procedures refer to measures by which the principals can contain agency loss before entering any agreement. The two major means include contract design as well as screening and selection mechanisms. Contract design means the establishment of shared interest between the agent and the principal, whereas parliamentary democracy usually does not conclude contracts in the strict sense of the word. The literature differentiates between (1) modes to achieve incentive compatibility between the agent and the principal; (2) the rules by which cabinets come to offer, also referred to as formation rules and (3) rules regarding the process of who will be asked to build governments, also known as recognition rules (see Saalfeld 2000). Screening and selection mechanisms represent the interest of principals to efficiently sort out good agents from bad ones before the final selection takes place. For example they 'aim to eliminate potentially troublesome cabinet members before they ever get into office' (Strøm 1996). This process also refers to the important role of political parties in the delegation and accountability process as they help voters to keep track of the candidates for public office (Strøm 2000).

Beside the means to avoid adverse selection principals rely on certain mechanisms to contain agency loss after the contract has been made (Saalfeld 2005). These include

monitoring and reporting requirements and institutional checks. The first refers to mechanisms which force the agent to comprehensively inform the principal about his actions. In parliamentary democracies one can think of several institutional means where the government and individual ministers have to justify themselves to the parliament, such as answering written or oral questions, forwarding reports and policy documents or they have to testify at hearings before parliamentary committees. All such means indeed cannot influence the agent's actions, however this information helps the principal to evaluate the agent's performance in order to confirm or replace the agent in his position.

Finally, institutional checks authorize further agents or actors of third parties to vote on critical agent decisions, with the result that the decisive power is spread among several actors. As one can see agency theory enables us to analyze efficiently how delegation and accountability works in parliamentary democracies and how individual actors influence the chain of delegation. Thus having discussed the basics of principal agent theory I continue with a closer look at the role of parties in the delegation and accountability process in parliamentary democracies.

4.2 The role of parliamentary parties in the chain of delegation

There are few, but vitally important contributions which discuss the role of parties in delegation and accountability relations (Müller 2000; Saalfeld 2000, 2005). As Müller (2000) argues, political parties are integrated in each step of the delegation process and thus delegation is structured by the interaction of political parties (see Figure 2). Above all, in running for elections, parties take up an important function in the first step of delegation, from the voters to the elected representatives in parliament. Although party influence is decreasing further down the chain of delegation, in the second step, from MPs in parliament to the government, cohesive parties and their programmes provide a framework of action for elected representatives, so voters are able to observe MPs' behavior and have access to necessary information about their policy goals (see in detail Müller 2000). Furthermore, in European democracies parties make the decision who to nominate as ministers, and accordingly most individual MPs follow their parties by cohesively implementing their decisions. In the third step, from government to the

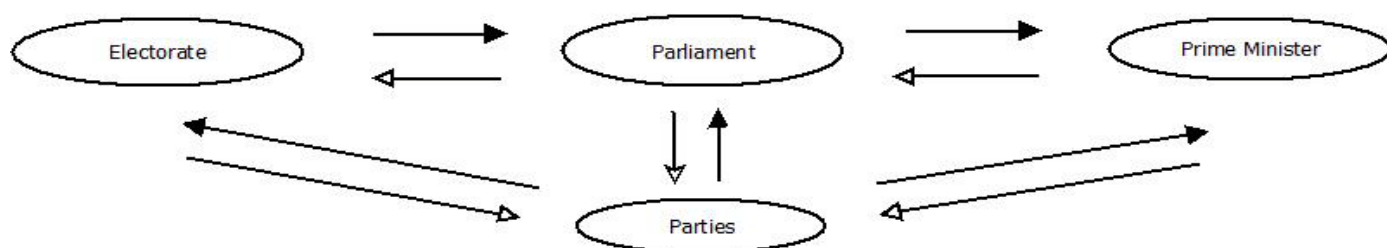
heads of departments (ministers), party influence is less legitimate. Primarily, ministers are seen as publicly accountable and only secondary as party representatives. However, in practice ministers often are (former) important and leading party officials, hence their performance is closely related to their party affiliation (Saalfeld 2000). Party involvement in the last step of delegation, from ministers to civil servants is least accepted and generally seen as illegitimate influence. Civil servants are expected to execute general rules of the state. Hence especially from a normative point of view, party influence should be excluded at this stage of delegation (Müller 2000). Leaving aside the fact that a party's legitimacy to influence the chain of delegation varies between the stages delegation actors at any stage of the chain of delegation rely on parties for two reasons: reduction of transaction costs and solving the collective action problem.

Thus, parties facilitate delegation transaction and reduce search and information costs, bargaining and decision costs as well as policing and enforcement costs (see Dahlman 1979).

'Politicians turn to their political party – that is, use its powers, resources, and institutional forms – when they believe doing so increases their prospects for winning desired outcomes, and they turn from it if it does not' (Aldrich 1995).

If individual MPs do not have an advantage stemming from their party affiliation they abandon their party and draw on personal alliances, issue networks or interest groups. However these ad-hoc networks bring along huge efforts since abandoning party networks and organizations increase individual costs of information access, communication and bargaining. Especially communication with the electorate is connected to political parties. MPs use their party's name as a brand in order to ease communication with the electorate as the electorate usually has more information about the position of political parties than about individual MPs (Wittman 1995, Lupia and McCubbins 1998)

Fig. 2 Delegation and accountability in parliamentary democracies including the role of parties



Black arrowhead = delegation / white arrowhead = accountability Source: others own adapted from Saalfeld 2000

Regarding the collective action problem, in implementing party organization parties do provide an institutional arrangement which ties the other party members to the collective party goal. On the one hand parties build a collective interest. Although party members from time to time have different positions on certain issues, parties internalize certain core values which hold the party together. On the other hand party organization allows monitoring of fellow party members in order to eliminate those who are defecting from the collective party interest and reward those, who are fully cooperative. Thus, parties are able to define certain goals and have organizational means to monitor and sanction their fellow partisans. In doing so, they apply effective ex ante and ex post procedures to hold the agents accountable. Similarly to the aforementioned mechanisms in principal-agent relationships they make use of multiple forms to hold the agent into account. These include contract design in order to maintain the reputation of the party, providing cooperative MPs renomination or screening and selection mechanism for the purpose of selecting capable cabinet ministers (see in detail Müller 2000).

Aside from general functions of political parties in the delegation and accountability process one also has to consider differences between government and opposition parties. This is particularly true in holding the government to account. Scholars point out that the nature and incentives of oversight activities crucially depend on whether individual MP's belong to a government or opposition party, as opposition have stronger incentives to actively control the government, since they usually do not form and support the government (Saalfeld 2000). The resources opposition parties invest in government scrutiny are likely to depend on the electoral reward they expect from their

agents (see chapter 2.5). Furthermore, the position of individual MPs in the party hierarchy affects their incentives to actively scrutinize the government, since there are major differences regarding information access between ordinary backbenchers and EU policy experts, who at the same time benefit from their committee membership (see Sprungk 2010).

In sum, political parties can be seen as crucial actors to undertake for the functioning of the delegation process. Due to their positions and selection criteria they considerably influence how delegation and accountability is structured. So far we have seen that agency theory explicitly emphasize the roles of parliament and political parties in the delegation and accountability process. In order to define the role of parties in EU affairs and its connection to the overall parliamentary scrutiny strength, one has to consider differences between the domestic configuration of principal agent relationships and the way they work considering the European Union. These include characteristics concerning both parliaments and political parties.

4.3 The European Union as a next step of delegation? – How the EU influences the delegation and accountability process

As already mentioned European Union has a crucial influence on the power of domestic actors. Therefore one has to consider that these shifts in the balance of power may also affect the process of delegation and accountability. Thus in this subchapter I discuss whether parliamentary accountability in EU policy making differs from the way it works in domestic politics.

The literature regarding agency theory in connection with the European Union suggests that in the EU member states the chain of delegation is extended through a fifth step of delegation, namely domestic delegation to the European Union.

'In addition, compared to delegation at the national level, EU 'multi-level governance' involves complexities concerning multiple principals and multiple agents who have different powers and competencies and compete for influence and accountability both domestically and supranationally' (Bergman 2000b).

Thus EU membership introduces new principal agent relationships. Above all, these include the mutual relationships between domestic and European level actors. On the one hand studies explore how the EU as a principal can hold its member states (as agents) accountable in the implementation of EU law (Tallberg 1999, Bergman 2000b). The reverse relationship is concerned with the way member states (as principals) can hold EU institutions (as agents) accountable (Pollack 1997). According to my research interest it is important to know how the European Union influences the delegation and accountability relationship between national parliaments (as principal) and the cabinet (as agent). Additionally, one has to rethink if the EU changes the role of political parties (as principal) in influencing the chain of delegation.

Similarly to domestic delegation the citizens (electorate), as the ultimate principals, are not able to efficiently control the government. As a result the parliament, as a crucial link in the chain of delegation and accountability between the citizens and the civil servants, simultaneously acts as the agent of the citizens and the principal of the government. The government has substantial information advantages and privileged access to the EU policy making process, whereas parliament and parties on the other hand have to make great efforts to get access to information independently of the cabinet. Indeed, the parliament and also parliamentary party groups do have partnerships in EU affairs, such as ideologically related party groups in the EP and other national parliaments or institutionalized parliamentary networks like COSAC. However, these connections do not fully compensate the absence of executive power in EU affairs, but rather can be seen as additional ways of information access.

But besides the lack of information, in EU affairs national parliaments and parties face further difficulties. As already mentioned parliament is no longer the final decision making authority. The increase of qualified majority decisions in EU affairs has additionally weakened the individual veto power of individual member states. On that account national parliaments lose their power to efficiently influence Council decisions, since their governments can be outvoted. This also weakens the opportunity of sanctioning, because parliament can hardly blame a hands-tight (prime) minister. As a consequence regarding the ultimate power of agents, (prime) ministers are more often forced to resign because of domestic issues or scandals than because of an EU decision (see Bergman 2000a).

Thus, in contrast to domestic politics most parliaments lack effective sanctioning regulations. The most powerful sanction, the de-authorization of the agent, is associated with high costs and therefore seen as a blunt instrument (Auel 2007). Another opportunity to sanction the agent is the non-ratification of EU decisions. However, because EU legislation has to be transposed into domestic law, the member state becomes the agent of the EU and thus can be held accountable for the implementation which in the event of non-compliance can result in EU sanctions. Further differences between domestic accountability and delegation in EU affairs are related to party strategies.

As Auel argues majority parties indeed use a different approach to control the government, however they actually have stronger incentives to be sceptical towards governmental decisions in EU affairs than in domestic politics:

'Here, we can expect the motivation of the majority loyally to follow their government to be indeed lower compared to domestic politics, since the agenda to be decided upon does not originate from a programme or manifesto agreed by the government and the majority parties' (Auel 2007).

As a consequence she defines varying scrutiny approaches between majority and opposition parties in EU affairs. Majority parties indeed have strong incentives to control the government, but they do not have any incentives to publicly scrutinize the government since that would cause several disadvantages:

'The result would be similar to a defeat of a governmental bill, namely a public and therefore humiliating opposition to the government by its own parliamentary majority, something the majority will usually have no incentive to risk, because it may undermine their own political credibility. It would also make divisions and conflict within the governing party or parties public and, thus, vulnerable to exploitation by the opposition, which could easily criticise the government for not even winning the support of its own parliamentary majority for its position' (Auel 2007).

For that reason majority parties make use of what Auel refers to as monitoring scrutiny, meaning the demand for information on the government's action and their context. In

sum Auel expects majority parties to consider themselves satisfied with questioning their agents on the context of decision making, its potential effects on domestic policies and the current negotiation situation on the European Union level.

Opposition parties again carry out political scrutiny, which refers to the political judgment on the appropriateness of a government's decisions and the respective outcome of EU negotiations in correspondence with the position of the actors to whom government is accountable to, such as parliament and the electorate. In most cases they will exercise their scrutiny approach in public, which includes parliamentary questions and public debates (see Auel 2007, De Wilde 2012).

4.4 Hypotheses - Party strategic impact on parliamentary strength in EU affairs

So far, as one can see, agency theory enables us to understand why we delegate in EU affairs and why there is evidence that parties have an impact on the way parliaments (as principals) hold their governments into account. In the following I will discuss my hypotheses regarding party strategy's impact on the overall strength of a member state parliament.

Conflict hypothesis

My first hypothesis is concerned with party contestation and party positions towards European integration. The assumption is that there has to be conflict over European integration between parliamentary parties to have the parliament act as a strong scrutinizer. The term *conflict* refers to the positions parties have towards European integration. On this view, we speak of conflict if majority parties have clearly distinguishable positions towards European integration from opposition parties. If both majority and opposition parties support or oppose European integration in the same way, the EU will not be a relevant topic on the parliamentary agenda. As both indistinguishable in their position toward European integration, do not have strong incentives to set European issues on the agenda (see Steenbergen and Scott 2004). This argument refers to salience theory and covers the question why parties emphasize an issue such as European integration (Klingemann, Hoffebert and Budge 1994, Budge et al

2001). In general, one can expect parties to raise the salience of the EU if their position is shared by more voters than they currently have. This holds especially true if its contestants have different positions, so that the party is clearly distinguishable in terms of the EU issue (Carmines and Stimson 1980).

As a consequence, parliamentary strength in EU affairs will be weak if parliamentary parties share positions on European integration, as I assume that parties in general de-emphasize European Union Affairs and as a consequence do not authorize the parliament as a strong institution in EU affairs. On the other hand, if governmental and opposition parties have clearly distinguishable positions towards European integration, opposition parties in particular have an incentive to put the government under pressure using parliamentary means to hold the government to account. This is especially true since the use of parliamentary means to hold the government to account increases the extent of opposition's involvement in EU affairs (see Holzhaecker 2002). Regarding majority parties, if they take a different point of view on European integration, I also expect them to have an interest to install an institutional stage to deal with EU affairs, where opposition parties can participate in EU affairs in order to keep the EU issue behind closed parliamentary doors.

In that case, conflict over European integration would have a positive effect on the overall strength of a parliament, since both parliamentary majority and opposition have an interest to strengthen the parliament in EU affairs. Consequently, I assume that conflict towards European integration among majority and opposition parties is associated with a high scrutiny rank.

H1: Parliaments are likely to have a high scrutiny rank if there is conflict between opposition and government parties over European integration

Anti-EU party hypothesis

As aforementioned, besides the innovations to the established government-opposition line of conflict, European integration creates a second conflict line between Europhiles and Eurosceptics. Euro sceptical parties, especially those on the ideological edges, have an interest in politicising EU issues. They do so for one simple reason: votes. Due to their position on the left-right dimension, they have a limited potential voter pool, since they

are distant from the median voter (De Vries and Edwards 2009). The European Union, especially since the closure of the 'permissive consensus' offers them an issue to broaden their potential supporters. Mainstream parties are, on the other hand, in most countries rather supportive of European integration, since they are involved in European Union decision making and therefore responsible for the policy outputs of the European Union. Thus, mainstream parties, especially parties in office, are confronted with Eurosceptical criticism from extreme right- and left-wing parties, which leads to several adoptions in strategy and behaviour in EU affairs. Especially, if eurosceptic parties are successful, '(...) mainstream parties respond either by contrasting their positions on the new issue with that of the niche party or by co-opting' (van der Brug and Fennema 2009).

Due to the fact that Eurosceptics have strong incentives to emphasize European integration in a critical way, as their electorate expect them to hold the cabinet accountable, I assume that their concerns towards European integration have an effect on parliamentary strength in EU affairs (Hooghe, Marks and Wilson 2004). Similarly to the conflict between government and opposition parties, I expect parties which are supportive towards European integration to prefer the parliament as a strong actor in order to involve Anti-EU-parties in EU affairs and thus weaken their possibility to publicly criticize the government. The strategic assumption is that supportive mainstream parties have a greater impact on parliamentary scrutiny decisions. Thus they legitimate their potential decisions on the EU level by involving skeptical parties in a comprehensive parliamentary scrutiny process, knowing that they have hardly any chance to sanction the government. In short, I expect that number of EU skeptical parties in parliament accompanies parliamentary strength in EU affairs.

H2: Parliaments are likely to have a high scrutiny rank if the parliamentary system includes Anti- European parties.

Interest hypothesis

Apart from the position towards European integration one major prerequisite for the general salience of a certain issue is that parties are interested and are willing to debate the issue. Whether parties show interest in a certain issue depends on its impact to

accomplish the specific party's goals. Generally speaking, parties have three major goals: votes, office and cohesion (see in detail Downs 1957, Robertson 1976, Riker 1962, Laver and Schofield 1990, Aldrich 1983). However, as I am not interested in the reason why parties are discussing European integration, I rather focus on the nexus between party's interest in European integration and the overall parliamentary strength in EU affairs. I assume interest in European integration, for whatever reason, as a condition for implementing strong scrutiny mechanisms. If parliamentary parties neglect European integration and instead focus on domestic policy issues, they may not be willing to hold the government accountable in EU affairs. Thus parliament will not be authorized as a strong control institution in EU affairs as parties simply have no interest in holding the government to account.

H3: Parliaments are likely to have a high scrutiny rank if European integration is important to parliamentary parties.

Internal cohesion

As already mentioned, party cohesion is an important component in order to accomplish and maintain electoral success (Aldrich 1983, Robertson 1976, De Vries and Hobolt 2012; Steenbergen and Scott 2004). For that reason parties de-emphasize certain issue to achieve this goal. If a certain divisive issue threatens party cohesion, the party has incentives to downplay the issue, whereas the party leaders may be interested in focusing on those issues the party is united. Thus, whereas parties are internally divided about European integration this may impact negatively on their electoral success.

'For them, EU issues are thus more of a liability than an asset, and we can assume they will focus on traditional socio-economic issues in public debate' (Auel and Raunio 2012).

However, the relationship between the salience of an issue and the internal party dissent is not clear-cut, as we have to consider limitations to the strategic manipulation of issue salience in the face of internal dissent (Scott 2001). Indeed parties that are confronted with modest levels of internally cohesiveness may be able to downplay the

issue. If internal dissent reaches a certain point they are unable to do so, since it would be critical to the survival of the party.

'It is likely that such disagreement will inspire extensive debate within the party and, as a consequence, the divisive issue will receive a great deal of emphasis. That is, the issue becomes salient in spite of strategic party objectives' (Steenbergen and Scott 2004).

Thus, the fourth hypothesis directly emphasizes the importance of internal party consensus over European integration. But what consequences can we expect for parliamentary strength in EU affairs? If parliamentary parties are likely to be divided over European integration, I assume negative effects on the parliamentary strength in EU affairs. Indeed, parties or individual MPs have an incentive to hold the government to account in EU affairs, however, since internally cohesiveness is important to parties I expect mainstream parliamentary parties in government and opposition to adopt strategies to contain intra-party conflict over European integration and therefore limit the parliamentary means to hold the government to account. On the other hand, if parties experience major dissent in terms of European integration, I expect that they implement scrutiny mechanisms in order to strategically enable control in EU affairs.

In sum, though cohesiveness is of particular interest I expect that, the less a party is internally cohesive the more we can expect an expanding effect on the overall parliamentary strength in EU affairs.

H4: Parliaments are likely to have a high scrutiny rank if there is dissent about European integration within parliamentary parties.

After discussing the hypotheses, the following chapter 5 presents the data and methodology of my thesis. As already mentioned, one part of data is concerning the measurement of parliament scrutiny or more precisely, the already discussed rankings of parliaments by Bergman, Raunio, Winzen and Auel & Tacea. The second part concerns the independent party variables originating from the Chapel Hill Expert Survey.

5. Data and methodology

As noted above, my aim is to analyze the impact of party strategic factors on parliamentary strength in EU affairs and therefore I rely on two different data sources. In the following I discuss both in more detail. However, as I already have reviewed rankings of parliamentary scrutiny in EU affairs in chapter 3 at some length, I will put more focus on party strategic variables and thus start with a discussion of the Chapel Hill Expert survey (CHES).

5.1 Party strategic variables – Chapel Hill Expert survey

The data measuring parliamentary party positions and attitudes towards European integration originate from the Chapel Hill Expert Survey. In general, expert surveys play an ever increasing role in the measurement of positions of political parties on certain policy issues. One major advantage of expert surveys is that they can be administrated at any time and thus unlike manifestos are not related to electoral periods. Furthermore, they allow researchers to obtain positions for a large amount of parties irrespective of their size, parliamentary status or whether a party has a manifesto at all (Bakker et al. 2012).

However, the application of expert survey data raises some issues which should be taken into account: Most importantly, one has to ask whether experts answer the questions in the way they were intended. The literature on expert survey validity covers this concern in four different ways (see in detail Budge 2000). First, one has to consider what kind of ‘party’ is assessed from the expert, since one can differentiate between the party in the electorate, the party in parliament or the party organization. Second, it is crucial what criteria experts use when they judge party positions. This refers to their meaning of abstract and complex terms such as left-right positioning. Third, one has to consider whether experts judge the actual behaviour of parties or instead refer to their intention. Finally, in order to ensure that all experts consider the same time frame, there have to be uniquely defined periods for the expert judgment.

Thus, expert survey design has to ensure that the questions are as specific as possible. These include the party term, time frame, issue description as well as sets of criteria.

‘For example, in evaluating the left-right position of parties, experts may be asked to describe what ‘left-right’ means in a particular country or what criterion they used to define this dimension’ (Steenbergen and Marks 2006).

Generally speaking, the CHES collects policy and ideological stances of the leadership of national political parties for the member states of the European Union except for Malta, Luxembourg and Cyprus. So far, CHES data includes four waves at regular intervals: 1999, 2002, 2006 and 2010. Hence, the periods of data sources allow for the analysis of potential relationships between the party positions and the results of parliamentary scrutiny rankings. For this purpose I test the impact of expert survey data on the nearest parliamentary scrutiny ranking (see table X):

Tab. 5 Data compatibility

Party strategic variables		parliamentary ranking
CHES 1999	-	Bergman 2000
CHES 2002	-	Raunio 2005
CHES 2010	-	Winzen 2012
CHES 2010	-	Auel and Tacea 2013

Due to the absence of comprehensive ranking data in the period 2006-2011 I omit the 2006 expert survey data. During this period Kietz and Hamerly published relevant contributions concerning parliamentary scrutiny in EU affairs, though Kietz exclusively analyzed the Baltic parliaments and Hamerly puts a focus on explaining the variance in parliamentary scrutiny by using the center - periphery cleavage, postmodern values, accession time and popular support as explanatory factors (see in detail Kietz 2006, Hamerly 2007).

In terms of content the core of the Chapel Hill expert survey monitors the general ideological positioning of parties on a left-right scale, party positioning on economic left-right, party positioning on the GAL-TAN dimension (see in detail Marks et al. 2006) and general party positioning on European integration. Furthermore, the questionnaire refers to several EU policies, including cohesion policy, internal market, foreign and security policy, European parliament and enlargement to Turkey (Bakker et al. 2012).

In the following, I discuss my independent variables originating from the Chapel Hill expert survey as well as the associated questions in more detail:

In accordance with my first hypothesis, which aims to test the impact of conflict between governmental and opposition parties, I rely on a variable measuring the overall orientation of the party leadership towards European integration. Country experts estimate the overall party leadership position on a 7-point scale ranging from (1) *strongly opposed* to European integration up to (7) *strongly in favor of European integration*. To define conflict between majority and opposition parties, I calculate the difference of the overall orientation means between a country's opposition and governmental parties. In order to consider a party's governmental status I use a variable which differentiates whether a party was in government the full year, in government for part of the year or was not at all in government. This variable is also provided in the Chapel Hill Expert Survey.

Next, the variable measuring the position of party leadership on European integration offers a clear assessment of the parties pro or anti EU stance. As stated in the second hypothesis my aim is to test whether the existence of eurosceptical parties in parliament makes a difference in the overall strength of parliamentary scrutiny. Parties were coded as anti European if their position on the 7-point scale measuring the overall orientation of the party leadership towards European integration is 3.5 or less. I also consider the vote share of anti EU parties in the previous national election to assess the party's importance in the national parliament. Thus I consider if they have reached at least the 5% threshold in the last national election, since in most European countries parties require at least 5% of the vote share in order to secure any parliamentary representation.

To test whether a party is interested in European integration I use country means of the expert's view on the relative salience of European integration to the political parties. Experts measure the salience on a 4-point scale ranging from (1) *European Integration is of no importance or never mentioned* to (4) *European Integration is the most important issue*. The corresponding question, again with reference to a specified period, reads as follows: 'Next, we would like you to think about the salience of European integration to the

political parties of [COUNTRY]. During [YEAR], how important has the EU been to the parties in their public stance? (see Bakker et al. 2012)

Finally, the data set offers a view on the degree of dissent on European integration. Experts assess parties on a 10-point scale ranging from (1) *party was completely united* to (10) *party was extremely divided*. In 1999 dissent was judged on basis of a five point scale ranging from (1) *complete unity* to (5) *leadership position opposed by a majority of party activists*. Again, I use the mean of all parties in order to assess parliamentary dissent in EU affairs. For detailed country information of party strategic variables originating from the CHES please see the respective tables in the appendix.

5.2 Dependent parliamentary strength variables

The dependent variables originate from measurements of parliamentary scrutiny. Therefore, I use four of the above discussed parliamentary rankings, which assessed parliamentary strength in different periods. As with expert data, scholars have to take data characteristics into consideration. Remember that, although one can identify convergence, authors of parliamentary rankings use slightly different indicators to assess parliamentary strength. Second, parliamentary rankings were evaluated in different periods and thus by using different data sources. Bergman for example uses data from 1996-1999 to compile his ranking in 1999. Raunio does not specify the periods of his data but for the most part he relies on data covering the years 2000-2003. Winzen on the other hand considers annual reforms of parliamentary control in EU affairs and ranks parliaments for the year 2010. To assess the indicators for the activity scores of national parliaments Auel and Tacea on the other hand have used the average number of mandates, committee meetings, hearings, debates and opinions over the three years 2010-2012. The data that covers institutional means of parliamentary scrutiny originate from expert country reports on all 27 member states prepared in late 2012.

Unsurprisingly EU scholars face some difficulties in terms of comparability of parliamentary rankings. Above all it shows that researchers have problems in assessing the distances between the specific ranks in order to define the effective variations between national parliaments (see Winzen 2010, Auel and Tacea 2013).

Nevertheless, in sum data periods allow us to analyze the impact of party strategic factors on the extent of variation in parliamentary scrutiny. Due to the ordinal character of data I therefore use rank order correlations. In doing so, I follow previous research, as apart from contributions which analyze parliamentary strength over time using regression models, most scholars apply rank order correlations. In the following subchapter I point out its methodological characteristics.

5.3 Spearman rank order correlation

Due to the number of cases and the level of analysis, methodologically, one faces some restrictions in the analysis of explanatory factors of parliamentary rankings. However since both, data on parliamentary rankings and party strategic factors, are ordinally scaled I set up Spearman rank order correlations to measure the strength of correlation between the various party positions and the scrutiny rankings.

Ordinal scales fall, in a sense, between nominal and interval scales, since the categories are ordered but there is no clearly defined distance between levels. However, each level has a greater or smaller magnitude than another level. Generally speaking, correlation determines the level of strength in the relationship between two features. The most common correlation is the Pearson product-moment correlation, symbolized by the letter r , which attains a value between the boundaries from -1 and 1.

However, one has to remember that even a high correlation result, such as 0.9, not necessarily allow a conclusion about influence. There may be a third variable that is operating on the two variables in the analysis to produce the observed correlation. In sum, researchers have to address the following issues. First, one has to ask what kind of correlation corresponds to the data as measured. Second, the researcher needs to know how big the correlation is and what the consequences are in order to answer a specific research question. Third, even if correlation seems to be strong, one need to know if it is statistically significant. Finally, in using correlation one always is at risk of spurious correlation. Let us now turn to the characteristics of a special case of Pearson's r , the Spearman rank order correlation.

This index assesses the relationship between two sets of ranked scores. According to my research interest one score provides ranked parliamentary strength and another shows the means of parliamentary conflict between government and opposition parties. Assuming there are no tied ranks, r reads as follows:

$$r = 1 - \frac{6 \sum d^2}{n^3 - n}$$

, where d is the difference between the variables X and Y .

However, if a ranking consists of tied ranks as is the case in the rankings by Raunio, Winzen and Auel & Tacea one has to convert the raw scores of continuous variables into sets of ranked scores by building ties using the mean of the cases with the same rank (see in detail Chen and Popovich 2002). In contrast to Pearson's r , the types of relationships assessed by a rank order correlation may change contingent upon the nature of the data and thus are not mandatory linear.

Hence, the results of parliamentary strength as well as the party variables have been transformed to rank orders (using ties in the case of same ranks) and correlations have been generated using Spearman's ρ . The following section presents the major findings of my research.

6. Results

Table 5 presents the results of the Spearman's rank order correlations. Due to the lack of data on the parties of Luxembourg, the number of cases in 1999 and 2002 is 14. In 2010 data consists of 24 parliaments (Malta, Cyprus and again Luxembourg are missing). As one can see the results are quite clear cut, since the correlations between parliamentary strength and party positions are consistently weak. Nevertheless, the results give some interesting indications about the direction of influence and in some degree show significance. First, I start with a discussion of the individual rankings. Then, I will discuss the general results in relation to my hypotheses.

The correlations between the party variables and Bergman's ranking in 2000 are all very weak and none of the correlations show any level of significance. The correlation between the dissent of parliamentary parties and parliamentary strength in EU affairs is the only one that approximately reaches a moderate strength. Apart from this one can take a look at the direction of party strategic effects. As one can see the ranking and the amount of conflict between majority and opposition parties is slightly positive. Thus, strong parliamentary scrutiny tends to be associated with lower values of conflict between majority and opposition parties. Rank order correlation between parliamentary strength and party's importance of European integration shows a negative, but weak correlation effect (-0.19), which indicates that the more parties are interested in European integration, the higher the parliament is ranked. The same holds true for party dissent. Higher ranked parliaments tend to consist of parties with stronger internal dissent over European integration.

Tab.5 Spearman's rank order correlations

	Bergman 2000	Raunio 2005	Winzen 2012	Auel and Tacea 2013
Conflict	.10	.08	.41**	.09
Eurosceptics	.21	.21	0.35*	.13
Importance	-.19	-.19	.08	-.02
Dissent	-.34	-.49*	.01	-.20

N=14

N=14

N=24

N=24

Significance level, which indicates the rejection of the null-hypothesis of no association ($p < 0.05 = **$, $p < 0.1 = *$)

The effect of eurosceptical parties on the other hand is again positive, the consequence being that the lower the amount of anti-European parties in parliament the stronger the parliament.

The results of Raunio's ranking in association with the 2002 Chapel Hill expert survey confirm the effects from the first correlations. Above all party dissent is moderately high (-.49) and more importantly significant at the 0.10 level. So again one can assume evidence that the scope of dissent within parliamentary parties has an effect on the overall parliamentary strength in EU affairs. In all remaining cases the correlations are again rather weak, but in terms of the direction of influence they show the same effects. Thus the correlation between parliamentary strength and conflict between majority and opposition parties is positive, so strong parliaments feature lower levels of conflict. The correlation between parliamentary strength and the importance of European integration is negative (-0.19), meaning that in the case of the 2002 data in connection with Raunio's ranking the more European integration is important to parties the more likely the parliament is considered as a strong scrutinizer.

The correlation results for party data in 2010 and Winzen's ranking of parliamentary strength for the first time show that conflict between majority and opposition parties and parliamentary strength is moderately correlated (.41) and significant at the 0.05 level. Moreover also the correlation between anti European parties and parliamentary strength is approximately moderate and significant at the 0.10 level. Both correlations are positive and thus show the same direction of influence as the other correlations so far. In contrast to the rankings by Bergman and Raunio, Winzen's ranking of parliamentary strength is not correlated with the variables which measure a party's interest and dissent.

The correlation effects between party dissent and the ranking by Auel and Tacea, which takes parliamentary activities into account, are again weak. In line with the other rankings (except for Winzen's ranking) conflict between government and opposition parties and the existence of eurosceptic parties is positively correlated. The importance of European integration to the parliamentary parties and dissent within parties on European integration on the other hand are negatively correlated. However, the correlation coefficients which measure the relationship between the parliamentary ranking by Auel and Tacea are consistently weak and not significant.

In a second step I discuss the rank order correlation results in relation to my hypotheses.

Generally speaking, hardly any hypothesis is totally supported by the empirical results. Most likely, the results show that party cohesion influences parliamentary strength, since the results suggest that dissent within parties about European integration seems to be connected with strong parliaments in EU affairs. However, data on party dissent hardly allow for differentiation between high and major dissent. Thus, the results indicate that the more a party is divided in terms of European integration, the more likely the parliament is assessed as a strong scrutinizer.

Conflict and anti-European parties

The hypothesis with regard to conflict between government and opposition parties are disproved since correlation results consistently suggest that increasing conflict and is associated with weaker parliaments. The correlation results are indeed very weak, however Winzen's ranking of parliamentary strength and the conflict variable is moderately correlated as well as highly significant. Thus, contrary to my expectations, conflict over European issues does not lead to an increase in holding the government accountable in EU affairs. The correlation results in relation to my second hypothesis are quite similar to the conflict hypothesis. The hypothesis can be seen as disproved, since a higher amount of anti-European parties in parliament is associated with weaker parliaments. As one can see again this holds in particular for Winzen's ranking.

Following De Wilde (2012) one reason could be that opposition and extreme parties rather try to hold the government publicly accountable and therefore neglect parliamentary control of the cabinet in EU affairs. However, once again I have to point out that the results are rarely existent or very low and thus ambiguous.

Interest and party dissent

As contrasted with conflict and the amount of eurosceptical parties, the results for a party's interest and dissent are in line with my assumption. As expected in the hypothesis party's interest in European integration on the other hand shows that the more a member state parties' are interested in European integration the more likely their parliament is assessed as a strong scrutinizer. As already mentioned the empirical results support my party dissent hypothesis, since it shows that the more a party is divided about European integration, the stronger the parliament in terms of scrutiny in

EU affairs. But again, the correlation results are consistently weak and show significance in very few instances.

Hence, in sum one can see that party strategic factors hardly influence the strength of parliamentary scrutiny in EU affairs. However, except for Winzen's ranking in relation with a party's interest and dissent, parliamentary rankings are quite congruent in terms of the direction of association with party variables.

7. Conclusion

In sum European integration strongly influenced the proceedings of national parliaments. As we have seen, after years of suffering due to the shift of power to the executive, national parliaments were given a greater role in European politics. In the following national parliaments adapted to the pressures of European Union and managed to strengthen their role vis-à-vis the government.

However, the scholarly measurement of parliamentary strength in EU affairs demonstrates that although one can recognize convergence in the adaption between national parliaments, there is clear variation in the way national parliaments are able to influence the national position in EU affairs. The aim of this thesis was to contribute to the explanatory approaches in parliamentary scrutiny in EU affairs. Although recent contributions tested various background variables, our knowledge about differences in parliamentary scrutiny in EU affairs among member state parliaments has still been incomplete. Most contributions have proven that it is a parliament's strength independent of EU affairs and its public stance towards European integration which have an impact on the amount of parliamentary scrutiny. By following scholarly suggestions to deepen our understanding of variance in parliamentary scrutiny in EU affairs, I aimed to shed light on the impact of parties in order to test whether their strategic positions towards European integration have an impact on the configuration of parliamentary scrutiny in EU affairs. In the course of this I followed the assumption that parliamentary control is more likely to be structured by the incentives and strategies of political parties than the relationship between the parliament and the government as institutional bodies. Based on the theoretical assumptions of agency theory combined with party strategic behaviour in terms of European integration, I expected that parliamentary conflict between government and opposition parties, the presence of eurosceptical parties, parties' interest in European integration and dissent within parties have an impact on a parliaments overall strength. For this purpose I made use of data on parliamentary rankings as well as the Chapel Hill Expert survey.

As the results of rank order correlations between parliamentary rankings and various variables related to the strategies and interactions of parliamentary parties show, there is evidence that the strength of parliaments in the European Union is broadly independent of party strategic factors. Thus, notwithstanding that agency theory defines

an explicit role for parties in the delegation and accountability process, this role is not evident in association with measurements of parliamentary strength. However, the thesis also shows evidence that party strategic factors (though very weak) consistently affect parliamentary strength. Therefore I argue in favour of further research on the impact of political parties, such as considering party positions over time in order to analyze for changes in parliamentary scrutiny. Furthermore, future research also has to consider a method that allows for effective measurement of the possible impact of parties on parliamentary strength.

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9. Appendix

Tab. X CHES data on party strategic factors in EU affairs in 1999

Country	Conflict	Anti EU Parties	Interest	party dissent
Austria	1.60	1	3.16	1.84
Belgium	2.08	1	2.49	1.50
Denmark	1.99	2	3.42	1.50
Finland	3.11	0	3.05	1.79
France	1.59	2	3.28	1.77
Germany	1.80	1	2.99	1.67
Greece	2.74	0	3.12	1.70
Ireland	2.57	1	2.72	1.48
Italy	1.29	2	2.49	1.52
The Netherlands	2.73	1	2.65	1.57
Portugal	3.08	1	3.35	1.67
Spain	0.96	1	3.12	1.86
Sweden	1.09	1	3.20	2.11
The UK	0.92	1	3.25	1.93

Tab. X CHES data on party strategic factors in EU affairs in 2002

Country	Conflict	Anti EU Parties	Interest	party dissent
Austria	1.64	1	3.15	4.15
Belgium	0.86	1	2.46	3.20
Denmark	2.06	2	3.21	3.79
Finland	1.62	0	3.00	3.79
France	1.97	1	2.91	3.95
Germany	0.54	0	3.11	3.12
Greece	2.18	1	3.49	2.69
Ireland	1.50	1	3.23	3.59
Italy	0.93	1	2.94	2.96
The Netherlands	1.30	2	2.48	3.12
Portugal	2.96	1	3.14	3.81
Spain	0.26	0	3.24	2.69
Sweden	0.90	1	2.86	3.69
The UK	0.23	1	3.09	4.10

Tab. X CHES data on party strategic factors in EU affairs in 2010

Country	Conflict	Anti EU Parties	Interest	party dissent
Austria	2.03	2	3.01	2.55
Belgium	2.10	2	2.42	2.56
Denmark	1.89	2	2.57	2.29
Finland	2.19	1	2.99	3.13
France	1.49	2	3.07	2.90
Germany	0.67	1	2.96	3.31
Greece	2.93	4	3.44	3.40
Ireland	1.27	2	3.26	3.35
Italy	1.82	2	2.52	2.34
The Netherlands	0.52	3	2.67	2.24
Portugal	2.29	1	2.87	1.66
Spain	1.39	0	2.45	1.63
Sweden	2.71	2	3.01	3.09
The UK	1.06	3	2.76	2.67
Estonia	1.08	0	2.91	2.36
Lithuania	1.01	1	2.49	3.84
Poland	1.22	3	3.27	2.46
Slovenia	1.51	1	2.80	2.00
Hungary	0.44	1	3.02	2.48
Latvia	0.77	0	2.86	5.39
Slovakia	0.20	2	2.74	1.92
Romania	0.98	0	2.83	2.39
Bulgaria	1.21	2	2.96	2.05
Czech Republic	0.83	2	2.88	2.34

Abstract:

What causes variance in parliamentary scrutiny in EU affairs? While neglected in recent research, this thesis investigates the impact of national party positions and attitudes towards European integration on parliamentary scrutiny in EU affairs. Using expert survey and parliamentary ranking data, it shows that although agency theory explicitly attributes importance to parliamentary parties in holding government to account, neither conflict between government and opposition, the number of Eurosceptic parties, party's interest towards European integration nor the degree of party dissent on European integration significantly influence the strength of parliamentary scrutiny. However it shows that the party strategic factors in different periods constantly influence on the overall parliamentary strength in EU affairs.

German abstract:

Welche Faktoren tragen zur Erklärung der Varianz in der parlamentarischen Kontrolle in EU Angelegenheiten bei? Während aktuellste Forschungsbeiträge Parteien eher vernachlässigen, untersucht die vorliegende Masterarbeit den Einfluss von Positionen und Einstellungen nationaler Parteien gegenüber der Europäischen Integration auf die Stärke der Kontrollfunktion nationaler Parlamente in Angelegenheiten der Europäischen Union. Unter der Verwendung von Expertenbefragungen und Rankings parlamentarischer Stärke in EU Angelegenheiten, zeigt sich, dass obwohl die Prinzipal-Agent Theorie auf die zentrale Rolle der Parteien verweist, weder parlamentarische Konflikte, das Interesse der Parteien an der Europäischen Integration noch die Geschlossenheit von Parteien einen eindeutigen Einfluss auf die Stärke von Parlamenten in EU Angelegenheiten hat. Es zeigt sich jedoch, dass der Einfluss von parteistrategischen Faktoren zu unterschiedlichen Zeitpunkten in ihrem Ausmaß und ihren Richtungen ähnlich auf die Stärke nationaler Parlamente in EU-Angelegenheiten einwirkt.

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