

The differential impact of Europe: Explaining varying patterns of national parlia- mentary participation in EU policy-making

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1. Introduction¹

The role of national parliaments in European Union (EU) politics has recently become a prominent topic in both European studies and in political practice. Both scholars and political actors argue that the legitimacy of EU politics is challenged by the severe loss of competencies national parliaments faced in the 1990s, and in particular by the ratification of the Maastricht Treaty. As a result, the European Convention has established a special working group on the future role of national parliaments in the EU, and the draft treaty establishing a constitution for Europe now provides further participation rights for national parliaments in the European² policy-making process. Moreover, political scientists can now draw on a rich literature on this topic (Ágh 2002; Judge 1995; Katz 1999; Maurer and Wessels 2001; Raunio 1999).

However, the literature has mainly focused on measuring the level of *ex ante* involvement of national parliaments in EU affairs (Maurer 2001; Raunio 2003; Rozenberg 2002), with empirical case studies pointing to the variation between the different legislatures. Only little attempts have been made so far to develop common analytical frameworks for explaining the observed variation and to link empirical research to theoretical debates in the field of European integration. But how can we account for the fact that some parliaments actively participate in EU policy-making processes, while others make rarely use of even powerful scrutiny rights? Under which conditions do national parliaments effectively take part in EU policy making? Is the role legislatures play in EU affairs necessarily related to their position in the domestic institutional structure? The identification of explanatory factors and necessary conditions of effective parliamentary involvement in EU politics *ex ante* is crucial, since with EU enlargement ten “new“ parliaments will have the opportunity not only to “take” (like in the pre-accession stage), but also to “shape” EU policies from 1st May 2004 on.³

This paper aims at analysing and explaining the role of national parliaments in EU affairs within the analytical framework provided by the recent theoretical debate about Europeanization (Börzel 1999; Börzel and Risse 2003; Cowles et al. 2001; Featherstone and Radaelli 2003). The “top-down”-approach of Europeanization analyses the effects of Europe on domestic political systems, suggesting that the emergence of distinct structures of governance on

¹ For very helpful comments on this paper, the author would like to thank Tanja Börzel, Tapio Raunio, Attila Ágh, Arthur Benz, Katrin Auel and Ron Holzacker.

² In this paper, I explicitly refer to the EU when using the term “European”.

³ For a discussion about „taking“ and „shaping“ EU policies see Börzel 2002.

the European level exerts a pressure on Member States to comply with European rules and procedures (Cowles et al. 2001). I argue that the “European” role of national parliaments can be conceptualised as such a process of institutional adaptation to Europeanization pressures. As empirical studies suggest, all EU parliaments have reacted on the substantial loss of competencies caused by Europeanization processes with a change of institutional activities and structures (like the institutionalisation of parliamentary EU-bodies), albeit in a very different way. While the Danish parliament, for example, reacted with a strong participation in European affairs, the Greek parliament made no significant efforts to improve its status (Dimitrakopoulos 2001). For explaining this variation, I use the concept of the so-called “mediating” factors (Cowles et al. 2001; Börzel and Risse 2003) on the domestic level which affect the level and scope of institutional adaptation and can therefore account for varying patterns of parliamentary participation in EU policy-making.

For the empirical study, I draw on the case of the German *Bundestag* and the French *Assemblée Nationale*, since both parliaments have acquired similar participatory rights in EU policy-making during the ratification process of the Maastricht Treaty as compensation for the loss of competencies. But empirical studies suggest that that the French *Assemblée Nationale*, has used its powers rather actively despite its weak domestic position, whereas the German *Bundestag* - which enjoys a stronger role in domestic politics – has rarely made use of its EU-specific powers (Hölscheidt 2001; Hourquebie 1999; Sprungk 2002; Szukala and Rozenberg 2001). The analysis will show that the adaptational processes, i.e. the role parliaments play in EU politics, cannot necessarily be explained by their position in the domestic institutional structure. Domestically powerful parliaments do not “automatically” play an important role in European politics and vice versa. The adaptation processes depend rather on factors like the existence of formal participatory rights and the willingness of Members of Parliament (MPs) to take actively part in EU affairs.

I proceed in the following steps. First, I briefly discuss the different role the German *Bundestag* and the French *Assemblée Nationale* play in EU affairs since both parliaments have acquired constitutionally guaranteed participation rights. Second, in order to account for the differential patterns of parliamentary responses to Europeanization despite similar formal rights, I develop an analytical framework based on actor-centered institutionalism which draws on variables the literature on Europeanization has identified as relevant for explaining national adaptation processes. Third, the explanatory power of the different hypotheses is

tested for the French and the German case. The analysis stresses that both rational choice and sociological institutionalist approaches account for the variation. The paper concludes with a discussion about which lessons we can draw from the French and the German case for the debate about the future role of national parliaments in the EU and to what extent the results can be applied to the parliaments of the new Member States. The analysis will show that an analytical framework developed for Western European parliaments can generally provide useful information for the future role of CEE parliaments, but that it is crucial to take into account the specific characteristics and the “Eastern-style” of parliamentarization.

2. National parliaments in the EU: the present situation

In order to explain why some national parliaments actively try to „shape“ EU policies and others do not (or less) and to analyse the necessary conditions for effective *ex ante* scrutiny of EU affairs, it is first of all necessary to assess the present situation. In which way can national parliaments participate in the EU policy-making process? How does scrutiny of EU legislation and decisions take place?

2.1. The EU-specific change of parliamentary functions

With the ongoing transfer of competencies from the domestic to the European level, national parliaments are often considered as the „losers“ of the European integration process (Maurer and Wessels 2001) for two reasons. First, domestic legislatures lost competencies in policy areas formerly subject to domestic legislation. Second, they were not compensated for these constraints by “getting a say” in the EU policy-making process. While the disempowerment of national parliaments has for a long time been only of academic concern, it became subject to a public debate about the so-called “democratic deficit” of EU politics in the ratification process of the Maastricht Treaty. Both politicians and scholars argued that the participation of national parliaments in EU policy-making processes is crucial for the legitimacy of EU politics, since the European Parliament (EP) cannot and will not –even in the long run- provide this effect (see for example Grimm 1993).

As a result, several mechanisms of compensation have been introduced in the 1990s like specific rights for information about the EU legislation process and for scrutinizing European politics, the creation of specific European Affairs Committees (EAC)⁴ by all EU parliaments (and even by those of the Member States accessing the EU) or the institutionalisation of

⁴ These institutions are not always referred to as “committees”. I use the term for reasons of simplicity.

COSAC. Moreover, the *Protocol on the Role of National Parliaments in the European Union* annexed to the Draft Treaty establishing a Constitution for Europe states that all EU documents dealing with legislation shall be transmitted to the national parliaments in a way that allows them to express their point of view – particularly with regard to the respect of the principle of subsidiarity- before adoption in the Council of Ministers. In sum, all the mechanisms aim at enabling national parliaments to influence EU legislation *ex ante* via better access to information or via improving their capacity to deal with and react on these information. They thus focus on strengthening the parliamentary function of controlling the executive branch of government.⁵

I have argued elsewhere that this focus on the exertion of a control function in the “European” role of national parliaments can be described as an EU-specific change of parliamentary functions (Author 2002; 2003). The literature on parliaments has identified that their functions mainly consist of *election, legislation, control* and *communication* (Beyme 1999; Ismayr 2001; Schüttemeyer 1992). While these analytical tools fit well for analysing the role of parliaments in domestic affairs, they cannot be applied to the role of national parliaments in EU politics. First, domestic legislatures can neither *elect* political actors involved in the EU policy-making process due to the lack of formal competencies, nor exert a “traditional” *legislative* function, since they are not able to have an impact on the content of EU legislation in the same way as on domestic legal acts due to legal and structural restrictions.⁶ Second, while the parliamentary *control* of the executive and the *communication* of politics is possible in EU affairs, it does not function in the “traditional” way.

Concerning the control function, it is more difficult for national parliaments to *acquire* information about European issues, since government is favoured in the information process at the expense of the parliament. An effective control of EU affairs thus largely depends on the transmission practice of the government, i.e. the quantity and quality of information and the point of time at which parliament receives EU documents (Maurer 2001; Norton 1996; Raunio 1999; Smith 1996). However, the scope of information is also determined by the parliaments’ own activities to acquire information about European issues. Moreover, the *handling* with EU documents challenges the institutional organisation, since parliaments have to

⁵ In contrast to other parliamentary functions, the function of controlling the politics of the government explicitly requires precise information about these politics, the capacity to deal with and to evaluate it and the competence to react on this information by articulation, co-operation or sanction (Schüttemeyer 1978: 270).

⁶ They are actually only formally involved *ex post*, that is in the last stage of the EU legislation process, in which they are supposed to ratify treaty changes or to implement European law. But even in this stage, national parliaments do not have the power to amend an EU legal act (primary law) or to reject it (secondary law). Regarding the *ex ante* stage of the legislation process, influence of national parliaments faces severe structural restrictions (for a more detailed analysis, see Sprungk 2003).

scrutinize numerous documents which correspond to a different political agenda and which often concern several policy sectors (Weber-Panariello 1995; Fuchs 2001). The control of EU politics thus requires intensive cooperation and sharing of responsibilities of domestic experts as well as specific “European” expertise about structures, procedures, timetables etc. (Rometsch 1996: 78). Empirical studies suggest that the participation of EU experts in the work of parliamentary committees and the existence of EU-specific distribution and selection mechanisms is crucial for effective control of EU politics (Hourquebie 1999; Maurer 2001). Finally, national MPs are also less able to *react* on the information they get about European issues than in domestic affairs, since they can neither demand *ex ante* that their position to a legislative document is considered nor sanction the government *ex post* for not having considered it. In sum, parliaments can only react on European information by articulating their position (Schüttemeyer 1978). In this perspective, control takes place via the articulation of a parliamentary position before the Council’s decision and the monitoring whether and how their governments follow up the resolutions or opinions (Laprat 1995: 8).

Equally, the exertion of a communication function in European issues demands increased efforts of national parliaments. The area of “European” communication exceeds the traditional policy-specific discourses, since it may also include institutional and integration-specific questions. Moreover, in European affairs, parliamentarians can only articulate citizens’ demands, but they cannot guarantee that these demands will have an impact on the legislation process (Schüttemeyer 1978: 274). Consequently, if the characteristics of EU politics do not put restrictions on the simple exertion of the traditional communication function by national parliaments, they might impede its effective use. In EU affairs, national parliaments thus have to focus on the “output-dimension” of the communication function by informing the citizen about EU issues and about the parliamentary work in EU affairs (Huber 2001).

In sum, the transfer of competencies to the European level leads to the restriction (control and communication function) or even the partial loss (elective and legislative function) of traditional parliamentary functions providing for input legitimacy (see Fig. 1). Even for the effective exertion of the remaining functions, increased efforts and additional activities are necessary compared with domestic politics. The European role of national parliaments thus consists on the one hand of exerting an *EU-specific* control function by making frequent use of their participation and scrutiny rights and of exerting an *EU-specific* communication function on the other hand by making parliamentary work on EU issues accessible to the public. In the following, I will briefly analyse how national parliaments perform with regard to this EU-

specific role by taking the example of the German *Bundestag* and the French *Assemblée Nationale*.

2.2. The example of the German *Bundestag* and the French *Assemblée Nationale*

The *Bundestag* and the *Assemblée Nationale* have a very different position in their respective political systems. The German parliament⁷ as the only directly elected constitutional body is a powerful institution which plays a major role in domestic policy processes. In contrast, the French legislature has a rather weak position in the national political system, since the Fifth Republic's Constitution has transferred power from Parliament to the Executive (Rizzuto 1995: 46). The government and even the Constitutional Court (*Conseil Constitutionnel*) have several constitutional rights to intervene in the parliamentary's work (Wieber 1999: 14).

Despite of these different characteristics, both parliaments have been empowered in a similar way in the context of the Maastricht Treaty. In fact, they were the only European parliaments which got constitutional rights for participating in European affairs.⁸ Concerning the *Bundestag*, the most important legal provision is Art. 23 of the Basic Law (GG), which obliges the Federal government to 1) provide "comprehensive" and "earliest possible" information about the European legislation process, 2) to enable the *Bundestag* to vote on a resolution **before** a decision is taken in the Council and 3) to take the parliament's position into account. Moreover, Art. 45 GG provides the institutionalisation of a "Committee for the Affairs of the European Union" (EUA) which might be authorised to represent the *Bundestag* as a whole in order to react quickly on EU documents.

The Art. 88-4 of the French Constitution (CF) contains similar provisions for the French parliament. The French government is obliged to transmit to the parliament all documents with legislative character⁹ immediately after their reception in the Council. In addition, the legislature gets the right to vote on resolutions concerning these documents. The so-called *réserve d'examen parlementaire*, provided by a "ministerial circular" in July 1994 obliges the government to enable the parliament to vote on resolution before the Council's decisions. Finally, as in the *Bundestag*, it is the specific parliamentary body institutionalised for EU affairs, the *Délégation pour l'Union Européenne* (DUE) which plays a central role in the parliamentary activities. Taken together these legal provisions, the German and the French par-

⁷ When using the term „parliament“, I only refer to the first chambers of the German and the French parliament, the *Bundestag* and the *Assemblée Nationale*.

⁸ For a more detailed analysis concerning this empowerment, see Lequesne (1993) for the *Assemblée Nationale* and Weber-Panariello (1995) for the *Bundestag*.

⁹ Documents which would be subject to regulation by the executive if they were domestic legal acts are not transmitted.

liament have very similar participation rights in EU affairs.¹⁰ However, the two parliaments actually play a very different role in EU affairs.

First, the domestically weak *Assemblée Nationale* uses its **control** rights more frequently than the *Bundestag*. The German parliament generally gets more information about the EU legislation process than the French parliament thanks to the broader legal provisions and the better transmission practice of the Federal Government, but *own* activities of German MPs to acquire information about EU issues are less frequent than in the *Assemblée Nationale*. Even though transmission of EU documents by the Federal government is often late, German MPs – including members of the opposition- do not often use their interpellation rights in order to insist on earlier transmission or to get additional information about EU issues.¹¹ In the French case, the relatively low number of interpellations for EU issues in the plenary¹² does not reveal an intensive “European” activity of French MPs. Compared with their German counterparts, however, members of the *Assemblée Nationale* are more willing to put (formal) pressure on the government to get information about European issues.

Moreover, the examination procedures of EU documents within the *Bundestag* are less effective than in the French parliament. In the *Assemblée Nationale*, selection and evaluation of EU documents is centralized in the DUE which analyses the political, legal and financial impact of *all* received documents by EU experts before transmitting them to the specialised committees (Weber-Panariello 1995: 154). In the *Bundestag* the necessary selection procedure is provided by the responsible committees which apply very different selection criteria (Weber-Panariello 1995: 248). In every committee, only about 5% of the transferred documents enter the stage of deliberation (Hölscheidt 200: 28) and become even more rarely subject to a public debate. Whereas the French DUE regularly publishes its analyses of specific EU documents as well as detailed reports on COSAC meetings and on current EU topics or on issues of specific interest, and DUE members make intensive use of their right to deliver an opinion or to move an amendment on resolution proposals of a committee, the EUA’s role is more passive in this respect. Like the DUE, it is the parliamentary body with the most frequent meetings, but its deliberation practice of EU documents is similar to that of the special-

¹⁰ However, the *Assemblée Nationale* may only vote resolutions on specific documents, namely those with a legislative character, whereas the *Bundestag* has the right to articulate its position on all European issues.

¹¹ Between 1993 and 1999, only 2,5 % of the so-called *Kleine Anfragen* and only 6,7% of the *Große Anfragen* concerned EU matters. During the 14th electoral term (1998-2002), only 3 out of 128 *Aktuelle Stunden* were used to get information about current EU issues.

¹² In the XI electoral term (1997-2002), three of the one hour-lasting *Questions au gouvernement* were exclusively dedicated to European issues. In addition, 13 EU-specific questions were raised during other “question

ised committees and it has never made use of its special right to move amendments to the recommendations for a decision submitted by the specialised committees.

Finally, the French parliament reacts more actively on information about EU issues than the *Bundestag*. As mentioned above, the German specialised committees develop a *formal* parliamentary position in only 5% of the received documents. These recommendations for resolutions are transmitted to the plenary, who usually adopts them without further debate or suggestions of amendments (Ismayr 2000: 297). If a resolution on an EU document is decided to be object of a public debate, it often takes place in connection with other, even national, bills. Moreover, the EUA has only rarely made use of its special rights to vote a resolution at the place of the plenary or to state an opinion on the basis of an agreement with the specialised committees (Fuchs 2001: 15).¹³ Even in the follow up of resolutions, the *Bundestag* does not claim for a regular report on whether and in which way its position has been considered. On the contrary, the *Assemblée Nationale* makes a regular –but not excessive– use of its possibilities to state a parliamentary opinion by adopting a resolution one time per month in average (on a smaller number of documents than the *Bundestag*) (DUE 2000; 2001). Moreover, there is always a public debate on the specific legislative proposal. Concerning the follow-up of resolutions, the government hardly informs the parliament, but DUE members regularly ask to provide them with more systematic information (Hourquebie 1999).

Second, the French parliament exerts its EU-specific **communication** function in a more effective way than the German parliament. In both parliaments, it is mainly the EU-specific parliamentary body which aims at informing the public about EU topics and at making its work transparent and accessible by organising public hearings or providing information about meetings or current EU issues on the Internet or to interest groups. However, the problem that there are no similar activities of the specialised committees (despite of their main responsibility for deliberation of EU issues) is counterbalanced in the *Assemblée Nationale* by the fact that the examination procedure is centralised in the DUE, whose view is generally adopted by the specialised committees. Moreover, contrary to the EUA, it publishes minutes of every meeting on the Internet and thereby offers the opportunity to be well informed about the European work of the French parliament.

hours” in the same time period (see www.assemblee-nationale.fr/europe). Unfortunately, there are no data available for other time periods and for the percentage of written questions concerning EU affairs.

¹³ Until 2001, the EUA has voted on six resolutions according to the procedure of agreement with the specialised committees, and none at the place of the plenary without consent of the other committees (Fuchs 2001: 16).

Both parliaments do not frequently hold public debates about EU issues in the plenary (Saalfeld 2002; Sauron 2000). But again, French MPs are far more active in initiating a public debate on EU issue on their own. In the German parliament, most of the plenary debates in the took place after a government's information about European Council meetings or for debating the government's regular report in European integration (EUA 1999-2001).

In sum, the *Bundestag* has a rather passive role in European affairs compared with the *Assemblée Nationale*. Despite being better informed about EU issues than its French counterpart, the German parliament does not effectively handle and react on the information. The *Assemblée Nationale* in contrast uses its new rights frequently and has developed more efficient selection and evaluation mechanisms. French MPs show also a greater willingness to articulate their position in EU affairs in public. This result is counter-intuitive, since the domestically "weak" *Assemblée Nationale* plays a more important role than the powerful *Bundestag*. How can we account for this different European role of national parliaments?

3. The impact of Europeanization on national parliaments: a conceptual framework

3.1. The participation of national parliaments in EU affairs as a process of institutional adaptation

In recent years, there is an emerging literature which analyses the impact of the integration process on the domestic political systems of EU Member States (Börzel 1999; Cowles et al. 2001; Featherstone and Radaelli 2003; Héritier 2001; Knill 2001; Radaelli 2000). This "top-down" approach is generally referred to as the debate on Europeanization. Scholars assume that the evolving European system governance causes both institutional and policy changes on the domestic level by exerting adaptational pressures and define the conditions, the causal mechanisms and the outcome of these changes (Börzel 1999; Cowles et al. 2001; Radaelli 2000). However, there is still no consensus about the term of Europeanization.¹⁴ In this paper, I follow the definition of Cowles et al. (2001), who take Europeanization as an independent variable of domestic change, referring to the evolving structures of governance

¹⁴ On the different definitions on Europeanization, see Börzel and Risse 2003; Olson 2002; Radaelli 2003.

on the European level which impact on the domestic level.¹⁵ More explicitly, I refer to Europeanization as a process by which domestic policy areas become increasingly subject to European policy-making.

As mentioned above, national parliaments are directly affected by Europeanization, since it results in a partial loss or restriction of their traditional parliamentary functions. As a reaction to this disempowerment, all national parliaments have changed parliamentary activities or institutional structures in order to re-gain a “say” in policy areas formerly subject to parliamentary influence. Thus, in the 1990s, new parliamentary bodies specialised in EU affairs have been introduced, parliamentary services have been re-organised, human and financial resources have been increased and mutual contacts with the EP and other national parliaments have been established or intensified for improving information exchange etc. This reaction does not aim at re-establishing the “traditional” parliamentary functions in EU politics. The intra-parliamentary changes can be rather conceptualised as a process of institutional adaptation to their so-called “European” role, consisting of the exertion of a parliamentary control and communication function in an EU-specific way. Domestic legislatures have to adapt their institutional functions to European rules and procedures in order to have an impact on EU policy-making. In this perspective, the different role of the German and the French parliament (and national parliaments in general) can be considered as varying processes of institutional adaptation to Europeanization pressures. How does the literature on Europeanization and domestic change explain variation in institutional adaptation?

Some scholars refer to the concept of “misfit” (Börzel and Risse 2000; 2003) for explaining different adaptational processes of domestic institutions, arguing that variation in institutional response can be explained by the varying degree of adaptational pressure Europe exerts on the domestic level (Hansen and Scholl 2002). But first, all national parliaments in the EU face the same “misfit” – the restriction and partial loss of traditional parliamentary functions- and accordingly the same pressure to adapt to European rules and procedures. Second, the existence of a “misfit” is a necessary, but not sufficient condition for domestic change. As a sufficient condition for domestic change, the literature has identified mediating factors on the domestic level which determine the degree of change (Börzel and Risse 2000, 2003; Cowles et al. 2001).

¹⁵ This conceptualization also emphasizes the *relative* impact of European institution-building (Radaelli 2000), taking into account that domestic change can also result from other factors. This is particularly important in the case of parliaments, since the literature has identified a “crisis of representative democracy” (Norris 1999; Putnam/Pharr 2000), affecting not only European, but all trilateral countries. In this perspective, analysing how European institution-building has affected national parliaments is dealing with one possible cause of institutional change.

According to the concept of “actor-centred institutionalism” (Mayntz and Scharpf 1995), the Europeanization literature conceptualises the process of institutional adaptation as determined by both the decisions of (political) actors and the institutional context they are embedded in. Actors are the “driving force” of domestic change (Cowles et al. 2001: 11). However, their preferences are not fix and stable, but they are influenced by the institutional environment they are embedded in. In this perspective, the role of national parliaments in European politics is the result of the MPs’ choice whether and how they take part in EU affairs, but their decisions are constrained by the domestic institutional structure (within and outside the parliament).

In order to know in which way the institutional structure impacts on the actor’s preferences, the literature draws on elements of both rational choice and sociological institutionalism (Cowles et al. 2001, Börzel 2002). From a rational choice perspective on the one hand, institutions consist of formal rules, procedures and norms which provide resources to domestic actors and regulate their mutual exchange (Börzel 2002: 19). Since they define the distribution of resources, institutions define the **capacity** of domestic actors to react on Europeanization pressures. But they also affect the **willingness** to react on Europeanization by determining the opportunity costs of an adaptational reaction. Rational choice mediating factors thus refer to the “logic of consequentialism” (March and Olsen 1989). With regard to the role of national parliaments in EU affairs, the institutional structure can thus affect the cost-benefit-calculation of the MP to actively participate in EU affairs. Intensive parliamentary participation in EU politics can thus be explained with high benefits vs. low costs and vice versa.

Sociological institutionalism on the other hand defines institutions as social and cultural norms which provide actors with “a fundamental understanding of what their interests are and what the appropriate means to pursue these interests are” (Börzel 2002: 23). The institutional structure thus determines the legitimacy or appropriateness of actor’s behaviour. Actors may not pursue an action because they consider it as not being socially appropriate. Institutions consequently also affect the **willingness** of actors respond to Europeanization pressures, but they draw on another causal mechanism. In this perspective, domestic actors might even refuse to initiate domestic change despite of the expected benefits. Sociological mediating factors thus refer to the “logic of appropriateness” (March and Olsen 1989). The effective exertion of EU-specific functions of national parliaments can thus be explained by the fact that MPs perceive a strong involvement of their institutions in EU politics as appropriate.

In sum, for explaining the different role national parliaments play in EU affairs, we have to identify which institutional factors might have affected the MPs' decision (not) to actively take part in EU affairs and (not) to intensively exert EU-specific functions. In the following, I will draw on some domestic factors the literature has already identified as relevant for explaining processes of institutional adaptation and classify them according to their supposed effect on the MPs' behaviour (see Fig. 2).¹⁶

3.2. National parliaments adapting to Europe: rational choice or appropriateness?

3.2.1. Rational choice mediating factors

According to rational choice institutionalism, the role of national parliaments in EU affairs can be explained by factors in the domestic institutional structure which affect the cost-benefit-calculation of MPs to actively exert EU-specific functions. In this perspective, the causal mechanism underlying the MP's (and thereby, the parliament's) decision to play an active European role is on the one hand the extent to which they are able to get involved in EU affairs in terms of resources (*capacity*) and on the other hand the extent to which they benefit from that participation (*willingness*).

Institutional factors affecting the capacity of parliaments to participate in EU affairs

As mentioned above, an effective participation of national parliaments in EU politics demands increased efforts and additional activities compared to participation in domestic affairs. The scrutiny of EU documents for example challenges the institutional organisation, since EU politics often concern several policy sectors and correspond to a different political agenda. For controlling the European politics of the government, national MPs thus need specific knowledge about EU structures and procedures and have to share responsibilities and intensively co-operate with MPs in other specialised committees while facing temporal restrictions. Thus, since parliamentary involvement in EU politics is very "costly", national MPs are more inclined to take part in EU affairs when these additional costs are counterbalanced by either an effective handling of EU affairs within the parliament. Therefore, the general amount of parliamentary *working load* is crucial for the MPs' decision to actively participate in EU affairs (Norton 1996: 10). The first hypothesis is:

¹⁶ In this paper, I will only focus on a few domestic variables identified in the literature on Europeanization and on national parliaments. For a broader discussion of which factors affect parliamentary involvement in EU affairs, see Norton (1996) and Bergman (1997).

H1: The lower the parliamentary working load, i.e. the more effective the way of handling EU affairs within the parliament, the more intensive the national parliament's involvement in EU politics.

Another institutional factor affecting the capacity of domestic actors to adapt to Europe is the existence of veto players in the institutional structure (Cowles et al. 2001). According to Tsebelis (1995), the capacity of political systems to make political decision changing the status quo depends on the number and the ideological distance of institutional veto players, i.e. parliamentary chambers or the parties in government. In terms of Europeanization processes, the concept of veto players means that domestic change as a form of institutional adaptation to Europeanization pressures is the more possible the fewer veto players exist in the domestic political system and the less their ideological distances are (Cowles et al. 2001).¹⁷ Thus, if parliamentary adaptation to Europe is conceptualised as a (permanent) political decision changing the status quo, the capacity of national parliaments to play an effective “European role” as a form of institutional adaptation is determined by the number and ideological distance of coalition parties in the parliament. In this perspective, the degree of consensus of the coalition parties is the “driving force” of effective participation. National MPs of the parliamentary majority willing to actively take part in EU affairs might be hindered by the lack of consensus within the coalition parties whether and how to participate in EU politics.¹⁸ The political decision of playing an important European role then depends on the number of coalition parties and the extent to which they converge with regard to their attitudes towards European integration. The second hypothesis is:

H2: The smaller the number of coalition parties in the parliament and the more similar their attitudes towards European integration, the higher the probability of strong involvement in EU affairs.

Institutional factors affecting the willingness of parliaments to participate in EU affairs

There are several institutional factors affecting the extent to which MPs might benefit from participation in EU policy-making and therefore decide to get involved in EU affairs. First of

¹⁷ The application of this approach to the case of national parliaments is problematic. First, parliaments are themselves conceptualized as veto players. Second, the necessary institutional adaptation – the exerting of EU-specific functions – is an intra-institutional change. Veto players impeding the action capacity of parliamentarians can thus only be part of the parliament. This is the case with coalition parties, since the EU-specific functions can usually only be exerted with an agreement of the majority.

all, MPs are usually interested getting re-elected in their domestic constituency. Generally speaking, the degree of parliamentary adaptation to Europe depends thus on the salience of EU issues in domestic elections (Saalfeld 2002). National MPs are more inclined to take part in EU affairs if this is likely to be “rewarded” by the citizens. The third hypothesis is:

H3: The greater the electoral impact of parliamentary involvement in EU affairs, the more likely MPs will control EU politics and communicate EU issues.

Furthermore, a basic assumption of actor-centered institutionalism is the idea that political actors have an interest in supporting greater organisational autonomy and growth of the institution they are embedded in (see for example Börzel 2002: 28; Kraatz and Steinsdorff 2002: 332). In this perspective, institutional adaptation to Europe is likely to occur when it results in improving the institutional *status quo*. The decision of national MPs to support a strong European role of the parliament then depends on the extent to which the exertion of EU-specific functions provides an opportunity to enhance the institutional position of the parliament within the domestic system.¹⁹ The fourth hypothesis is:

H4: The more intensive participation in EU affairs is likely to enhance the institutional position of the parliament within the domestic system, the stronger the level of involvement of national parliaments.

3.2.2. Sociological mediating factors

While rational choice mediating factors address the cost-benefit-calculation of national MPs in deciding whether and to what extent they participate in EU politics, sociological mediating factors explain parliamentary adaptation to Europe with the perceived social appropriateness. National MPs might decide to use scrutiny rights and to communicate EU issues even if the expected benefits are low and vice versa.

A first factor affecting the appropriateness of national parliamentary participation in EU politics is the relationship between the government and the parliament (Bergman 1997: 381).

¹⁸ However, it also implies that effective participation of national parliaments in EU affairs is rather difficult, since the coalition parties can also agree on *not* getting strongly involved in EU politics.

¹⁹ The whole adaptation process is certainly a means for enhancing the role of national parliaments in European affairs in general, trying to approximate the *status quo ante*, that is *before* their loss of competencies. The term used in this chapter only refers to the opportunity to strengthen national parliaments in a way that goes even beyond the *status quo ante*.

Since the European role of national parliaments mainly consists of controlling the politics of the national government, a co-operative relationship between the two powers might impede an intensive control of the legislature. The intensive use of scrutiny rights necessarily implies that parliaments put pressure on the government by insisting on getting information about EU issues and being considered in the policy-making process. But even if the parliament as a whole would benefit from an intensive scrutiny of EU politics since even the parliamentary majority has lost considerable influence, a (public) confrontation with the government might not be considered as appropriate because of the “functional dualism” in parliamentary democracies (Beyme 1999). The fifth hypothesis is:

H5: The weaker the separation of power and the more co-operative the relationship between the executive and the legislature, the less likely national parliaments control the European politics of the government.

A second “sociological” mediating factor affecting the appropriateness of parliamentary participation in EU affairs is the attitudes of parliamentary parties towards European integration. National MPs adhering to a party which is favourable towards the integration process might consider that a greater involvement of national institutions is not appropriate since it impedes the deepening of European integration. On the contrary, MPs adhering to more Euro-sceptical parties are more inclined to participate in EU affairs as a means to control the impact of Europe on the domestic level. The last hypothesis is:

H6: The more favourable the attitude of parliamentary parties towards European integration, the less likely the national parliament is strongly involved in the EU policy-making process.

In the following, I will discuss the explanatory power of the different hypotheses for the different role the *Bundestag* and the *Assemblée Nationale* play in EU affairs.

4. New opportunities and Euro-scepticism: explaining the European role of the German *Bundestag* and the French *Assemblée Nationale*

4.1. The impact of working load

Concerning the working load of the two parliaments, the *Bundestag* is more heavily burdened than the *Assemblée Nationale*, since the internal procedures of handling with EU documents are less efficient. First, the *Bundestag* gets all relevant EU documents as well as abundant oral information. Second, like in domestic affairs, the parliamentary work is organised in a decentralised way. The scrutiny process is also more complex since EU affairs often concern several ministerial departments. A lot of different parliamentary bodies and actors are involved in the examination procedures. An effective control of the government's European politics thus demands the knowledge of the selection mechanisms and the deliberation stages of all participating committees, and an intensive co-operation of different committee members and employees as well as of different party groups. Third, the fact that the specialised committees - which examine already domestic legislation proposals - get all policy-specific EU documents and have to select them subsequently represents an additional working load. Fourth, even the EUA is heavily loaded with work, since it is mainly responsible for the examination of all "general" EU documents and co-responsible for nearly every other document. EUA members themselves explain a certain lack of parliamentary control by this working load. It is mainly the little party groups which do not have enough human resources (deputies and staff) to intensively control the government. The abundance of information and the parliament's organisational fragmentation might impede on the parliamentarians' capacity to intensively examine the EU documents and to react quickly and flexibly on European issues.

On the contrary, the *Assemblée Nationale* is less heavily burdened since it deals more efficiently with less information. First, the number of committees is limited within the logic of the *parlementarisme rationalisé*, which means that there are less parliamentary bodies and actors which are involved and have to co-operate in the scrutiny process. Second, since the French government co-ordinates its European policy through the SGCI, the *Assemblée Nationale* might receive information on European issues more quickly than parliaments in decentralised political systems (Weber-Panariello 1995: 141). Third, the central organisation of examination procedures offers the opportunity to examine documents more intensively and provides for synergy effects. For example, the number of parliamentary staffs participating in the examination procedure is as high in the *Bundestag*. But employees, though they are responsible for different policy areas, are working together in the "*Division des Communautés et de l'Union Européenne*". This avoids time consuming cooperation between different parliamentary bodies at this level. Fourth, the selection of documents and the additional information provided by the DUE relieves the committee's examination procedures. The central par-

liamentary organisation and the relatively low working load thus give French parliamentarians a greater capacity to control European politics. In sum, the different levels of working load represent a possible explanatory factor for the observed variation in institutional adaptation.

4.2. The impact of veto players

In Germany, government usually consists of only two coalition parties, which then have to agree on the exertion of the EU-specific control and communication function. This was also the case in the 1990s, after the introduction of Art. 23 Basic Law, providing participation rights for the *Bundestag* in EU affairs. In addition, there are no profound ideological differences between German parties in the *Bundestag* concerning their attitudes towards the European integration process. Parliamentary parties are characterised by a broad European “permissive consensus” (Lindenberg and Scheingold 1970). Regarding the number and the distance of veto players, we would expect that the *Bundestag* easily adapts to Europeanization pressures. Since it does not exert the EU-specific functions very actively, the empirical results are in contrast to the predicted outcome. Accordingly, the veto player hypothesis has no explanatory power for the *Bundestag*’s reaction.

Paradoxically, the conditions for slow or no domestic change are given in the case of the *Assemblée Nationale*, which is more actively engaged in controlling and communication European affairs than the *Bundestag*. The practice of forming governments varies between one-party to five-party government, like in the case of the recent government *Jospin* (1997-2002), which consisted of the Communist party (*PCF*), the Green party (*Verts*), the Citizen’s Movement (*MdC*), the Radical Left Party (*PRG*) and the Socialists (*PS*). In addition, there is a greater divergence concerning the parties’ position to European politics.²⁰ This constellation is a possible explanation for the variance in exerting EU-specific functions observed *within* the *Assemblée Nationale*. Since a two-party coalition (*RPR/UDF*) was in government from 1993 to 1997, Szukala and Rozenberg (2001: 240) argue that the number of public debates decreased since 1997 because the government “avoided public votes about resolutions given the fragmentation of the parliamentary majority and its division about Europe”. However, the veto player concept does not account for the variation *between* the two parliaments.

4.3. The salience of European issues in domestic elections

²⁰ Concerning the recent five-party government for example, the *PCF* and the *MdC* have a very euro-sceptical position, whereas the other coalition parties have a favourable attitude towards European integration. This is also true for the former centralist-gaullist *UDF/RPR* government (1993-1997), in which the *UDF* was a very pro-european party and the *RPR* had a distinct minority of Euro-scepticists.

The impact of European issues in domestic elections is considered as being relatively low in all EU member states. For the German parliament, Rometsch (1996: 78) assumes that “EC legislation (...) in electoral terms, is not profitable to deal with.” If Germany has a high level of support for European integration (Korte and Maurer 2001: 203), the German electorate does not show great interest in European politics. For example, the turnout in elections for the European Parliament is usually 30% lower than in *Bundestag* elections. In addition, European issues do not play an important role in the domestic political agenda or during electoral campaigns (Saalfeld 2002: 12). Finally, the already mentioned “permissive consensus” does not favour an active participation of MPs in European politics, since it provides no opportunity to demonstrate alternatives to the positions of political opponents. The lack of interest in European politics of the electorate is thus a possible explanation for the fact that even the parliamentary opposition does not frequently use control rights like the interpellation of the government. Furthermore, the low electoral impact of European issues can account for the low number of public debates about Europe.

However, the impact of European issues is equally low in French elections. For example, the French electoral turnout in elections to the European Parliament in 1999 was only about 50 % (Buffotot and Hanley 2000: 165). And even in national elections, European issues have no important impact. Moreover, the French electoral system favours an engagement of MPs or candidates in local and less in national or European affairs (Weber-Panariello 1995). The electoral impact of parliamentary involvement in European projects does thus not constitute an incentive for parliamentarians to actively participate in EU politics. In sum, as there is no significant variation between the electoral impact in Germany and France, it cannot account for the different role the two parliaments play in European affairs.

4.4. The impact of “new opportunities”

Concerning the *Bundestag*, the new scrutiny instruments provided by Art. 23 GG mainly serve to approximate the *status quo ante*. Thus, the provisions state that the *Bundestag* should obtain all relevant information from the government and that it may pass resolutions on it which have a politically binding character. In the domestic legislation process, the German parliament also gets all necessary information concerning a legislation proposal of the government, since the *Bundestag* has to decide on it. In this perspective, the provision of Art. 23 GG does not enhance the role of the *Bundestag* beyond the *status quo ante*. Concerning the voting on resolutions, the German parliament actually had this right before Art. 23 GG. It could pass resolutions on all topics, including European issues (Ismayr 2000: 402). As a re-

sult, the new provision only improves the legal basis of the *status quo ante* by introducing it in the Constitution. The use of the participatory rights of Art. 23 GG does thus not additionally empower German parliamentarians. However, a new right which does not correspond or approximate the *status quo ante* is the power of the EUA to state an opinion at the place of the *Bundestag*, since it provides a type of flexible reaction the parliament does not have in domestic affairs. As mentioned above, the EUA does not frequently use this right –despite of expected benefits.

Concerning the *Assemblée Nationale*, the provisions of Art. 88-4 CF represent an opportunity to enhance its role in the domestic system. Since in domestic affairs, the French government has an extensive right to adopt regulations which it frequently uses, the parliament is not fully informed about the law-making process. In contrast, the *Assemblée Nationale* receives numerous information concerning the European legislation process, even if the proposals do not correspond to a policy area in which parliament would have a say if it was a domestic one. At least in terms of quantity, the French parliament has more information on European than on domestic affairs. In this perspective, the right to vote on resolutions constitutes an even more important innovation (Hourquebie 1999: 87). In the Fifth Republic, the French parliament only has the right to vote on resolutions concerning the organization of the parliamentary work, but not on domestic policy issues (for details, see Hourquebie 1999).²¹ Since Art. 88-4 has been introduced in the French Constitution, the *Assemblée Nationale* has an exclusive right to articulate its position concerning European issues, which it does not have for domestic affairs (Huber 2001: 126). The higher number of resolutions voted by the *Assemblée Nationale* – as being part of an effective exertion of EU-specific functions- can thus be explained by this new empowerment. In sum, the opportunity to enhance the role of the parliament constitutes an incentive for French parliamentarians to use the new participatory rights in a more intensive way than their German counterparts.

However, this “differential empowerment” (Cowles et al. 2001; Börzel and Risse 2003) cannot account for *all* aspects of the different role of *Bundestag* and *Assemblée Nationale* in European affairs. First, in contrast to the prediction of the hypothesis, the EUA does not frequently use the power to state an opinion in the place of the *Bundestag*. Second, the opportunity to enhance the parliament’s role only refers to the use of *new* participatory rights. It can therefore not explain a different exertion of other parts of parliamentary functions like the use of interpellation rights. Third, this explanatory factor cannot account for variation *within* the

adaptational process as it is constant over time. Consequently, we have to look for alternative explanations which complete the explanatory power of the “rational choice” mediating factors.

4.5. The impact of the relationship between parliament and government

Concerning the relationship executive and legislative, there are some differences in the French and the German political system. In Germany, the parliamentary majority of the *Bundestag* and the Federal government closely co-operate with each other. This co-operation apparently persists in European affairs, despite of the loss of influence of the parliamentary majority in this policy area. For example, the opinions the EUA stated at the place of the *Bundestag* did not criticise the government’s position on European politics, but referred mainly to institutional questions. As mentioned above, parliamentarians do not frequently use formal control rights or put informal pressure on the government, even if they receive not all relevant information at an early point of time. Like in the domestic context, the parliamentary majority continues to be reluctant on controlling the government. Moreover, even the parliamentary opposition does not insist on putting pressure on the government i.e. by frequently using interpellation rights. Apart from the working load, the lack of “political” willingness is another explanation for the fact that the *Bundestag*’s rather passive role in European affairs.

However, the more active use of EU-specific functions by the *Assemblée Nationale* does not necessarily result from a more competitive relationship between parliament and government. The *Assemblée Nationale* puts more pressure on its government than the *Bundestag* concerning the consideration of its resolutions. But the more frequent voting on resolutions does not primarily represent a means for sanctioning the government. The constitution of the Fifth Republic has established the *fait majoritaire* (Schild 1997: 78), that is the close co-operation between parliamentary majority and government. Benoît (1997: 56) even claims that this co-operation goes as far that the government agrees *ex ante* to a parliamentary resolution for having a diplomatic instrument in Council negotiations. And Szukala and Rozenberg (2001: 240) support the thesis of a close co-operation of parliamentary majority and government, when they argue that the “tabling of a resolution is not an arm that the opposition exploits to undermine governmental business”.²² Equally, the questions to the government during parliamentary question hours were mainly asked by members of the coalition parties (*As-*

²¹ This is a result of the “abuse” of the resolution voting during the Fourth Republic, which had considerably weakened the government’s position.

²² This further supports the hypothesis that the parliament uses its new rights because they improve its role in the domestic system. However, the enhancement does not result in a greater autonomy, but in a more intensive partnership with the government.

Assemblée Nationale 2001) which do not intend a confrontation with or an intensive control of the government.

In sum, the relationship between government and parliament in Germany and France is not so different that they may account for the different institutional adaptation. The *Assemblée Nationale* does not exert the EU-specific functions more intensively because it considers a confrontation with the government as being more appropriate than their German counterparts do. The close co-operation with government might well be an explanation of the *Bundestag*'s role, but it cannot compensate for the deficits of the "rational choice" approach.

4.6 The impact of attitudes towards European integration

Concerning Germany, we find a kind of "cooperative culture" in the attitudes towards European integration of parliamentary parties. Since the 1960s, there has been no anti-European party in the *Bundestag*. The parliamentary majority and the opposition generally agreed on the participation of Germany in the European integration process as being in Germany's vital interest (Risse 2001: 206). In this perspective, a conflict about European politics is considered inappropriate regarding the national interests associated with further integration. Rometsch (1996: 66) summarizes that "Germany always tried to be a kind of "paragon" in European integration". In fact, some scholars explain the passive role of the *Bundestag* even before the treaty of Maastricht with the lack of opposition to European integration (Weber-Panariello 1995). The "permissive consensus" (Lindenberg and Scheingold 1970) gave the respective governments a great autonomy in European politics. Even if the public support for European integration has diminished in the 1990s (Korte and Maurer 2001: 205), there is still no anti-European or even euro-sceptic party in the *Bundestag*. Moreover, the political differences in the EUA are even less clear-cut than in the specialised committees.²³ As mentioned above, the "permissive consensus" might be a possible explanation for the rather passive role of the *Bundestag* in European affairs, since participation is not profitable for MPs in electoral terms. While this draws on the "logic of consequentialism", the European consensus can also affect the "logic of appropriateness". In fact, the coalition parties stated in 2000 that agreeing on this consensus means respecting the German national interests (Korte and Maurer 2001: 209). A controversial discussion in the plenary is thus not appropriate, and public debates often reflect the broad consensus. This undermines an effective exertion of the communication function, since this type of debate does not attract the public. Furthermore, even an intensive control of European affairs might be regarded not as a contribution to solve the democratic deficit, but

²³ According to interviews with members of the EUA in May 2002.

as a form of scepticism towards the integration process. This consensus could also –like the working load hypothesis - account for the reluctant use of control rights by the parliamentary opposition.

In France, support for European integration is generally high. But in contrast to Germany, France’s choice to join the integration process was based on the idea of “Europe as an extension of French *grandeur*” (Drake and Milner 1999: 167). This rather Gaullist view of Europe slightly changed under the Mitterrand’s presidency, who conceived the European identity as being integral part of the French identity (Risse 2001: 212) and even proclaimed a Federal Union at the end of the 1980s (Benoît 1997: 10). However, within the context of the so-called “Maastricht-debate” in 1992, scholars perceive a growing Euro-scepticism which can be observed throughout the 1990s (Benoît 1997; Drake and Milner 1997; Steinhilber 2000). And in contrast to Germany, where support for European integration also decreased in the 1990s, this scepticism also reached French political parties. Apart from the traditional anti-European parties *PCF* or *Front National* (FN), opponents of the Maastricht Treaty became powerful within the traditional pro-European parties or even found new parties²⁴: “For the first time, an anti-European coalition with a defined message (...) emerged as a sizeable political force” (Benoît 1997: 12). If pro-European positions continued to dominate the political discourse, it had become legitimate to articulate Euro-sceptical positions in the public and to criticize European politics.

This change in the attitudes towards European integration could have also affected the exertion of EU-specific functions in the French parliament. Maurer (2002: 29) argues that the active role of the French parliament can be conceived as a reaction to the “Euro”-critical attitudes of French citizens in the 1990s. In the 10th electoral term, the RPR - as a party with a distinct wing of Euro-scepticists - actually formed the parliamentary majority. In addition, *Philippe Séguin* a popular opponent of the Maastricht Treaty, became president of the *Assemblée Nationale*. Since other important positions within the *Assemblée Nationale* (and the DUE in particular) were also given to people of the Euro-sceptic wing of the RPR, it constituted “a *de facto* high-profile platform for Euroscepticism” (Benoît 1997: 54). The active participation in European affairs might thus be explained by a greater willingness of French parliamentarians to control European politics and to articulate their position concerning European issues.²⁵ For example, in contrast to opinions stated by the *Bundestag*, the *Assemblée Nationale*’s reso-

²⁴ For example, the PS- member *Jean-Pierre Chevènement* founded the *Mouvement des Citoyens (MdC)* and former UPF- member *Philipp de Villiers* founded the *Mouvement pour la France (MPF)*.

²⁵ There was a far greater number of proponents of further European integration in the *Assemblée Nationale*, but the Euro-scepticists were “more vocal and more influential than their pro-European counterparts” (Benoît 1997: 55).

lutions often concern matters of national interest, reflecting “a specific way of apprehending ‘Europe’ through national lenses” (Szukala and Rozenberg 2001: 236). Thus, instead of criticising the government’s position (see above), resolutions mostly contain a critique of European politics. The fact that the number of resolutions decreased in the 11th electoral term, during which the parliamentary majority was less “Euro”-sceptic, also supports the supposed correlation between Euro-scepticism and intensive exertion of EU-specific functions.

To sum up, the attitudes towards European integration of parliamentary parties can account for the different role of the *Bundestag* and the *Assemblée Nationale* in European affairs, since they vary in the two countries.

5. Discussion: General Implications and the challenge of EU enlargement

5.1. Results and general implications

The aim of this paper was to explain the role national parliaments play in EU politics within the theoretical framework provided by the literature on Europeanization. I argued that the way in which domestic legislatures participate in EU policy-making can be conceived as a process of institutional adaptation to Europeanization pressures. This adaptation consists in exerting a so-called EU-specific control and communication function. The example of the German *Bundestag* and the French *Assemblée Nationale* has shown that adaptation to Europe takes place in a very different way, which is not necessarily positively related to the domestic institutional position of the parliament. The domestically powerful *Bundestag* plays a rather passive European role, while the French parliament is more actively involved in EU politics despite its weak domestic position. In order to account for the different institutional responses to Europeanization, I developed a conceptual framework based on actor-centered institutionalism. I argued that parliamentary adaptation to Europe depends on the MPs’ decision to use scrutiny rights and to communicate EU issues, but that their decisions are constrained by the domestic institutional structure, which affects the opportunity costs and the appropriateness of involvement in EU affairs.

The empirical study of the *Bundestag* and the *Assemblée Nationale* stresses first of all that the way of handling EU affairs within the parliament, the (im-) possibility to enhance the domestic position of the parliament via EU participatory rights and the commitment of parliamentary parties to European integration as the most important factors that enhance or inhibit a strong role of national parliaments in European politics (see Fig. 3). The study thus

shows that the capacity and willingness of national parliaments to respond to European opportunities and constraints depends both on rationalist (efficiency of parliamentary organisation, perceived benefits from use of “European” powers) and sociological (commitment to European integration) factors. Second, a striking result of the empirical analysis is that in contrast to the suggestions of Katzenstein (1984) and Börzel (1999; 2000), a co-operative culture is not only a facilitating factor for adaptation. Thus, the intensive co-operation between the parliamentary majority (and even the opposition) and the government and between the political parties concerning EU affairs has a negative impact on the *Bundestag*’s adaptation process. In both parliaments, the use of EU-specific participation rights, originally intended to re-enhance the autonomy of the parliament vis-à-vis the government, results in an even closer co-operation between the two powers (see also Börzel and Sprungk forthcoming).

What lessons can we draw from the German and the French case for the future role of national parliaments? First, an efficient selection mechanism and a central co-ordination of EU affairs within the parliament seems to be crucial for controlling European politics effectively, as other empirical studies also suggest (Maurer 2001; Hegeland and Neuhold 2002). Second, formal participatory rights are important for an active role of national parliaments. This is mainly the case concerning “weak” domestic parliaments. However, formal rules are only a necessary, but not a sufficient condition for active participation, since MPs must have the willingness to use them. Third, the observed co-operation between parliamentary majority and government which impedes the exertion of intensive control refers to all parliaments in the EU. Giving additional powers and human resources to the parliamentary minority could thus represent a means to a more effective parliamentary participation.

In sum, the analysis stresses the limits of formulating general “remedies” for national parliaments. Whereas the “early-warning mechanism” suggested by the draft treaty for establishing a constitution for Europe might enhance the capacity of national parliaments to have a say in European politics, the actual use of this right depends on domestic factors which determine the willingness of parliamentarians. Formal powers do not necessarily contribute to solve the “democratic deficit”. Consequently, these attempts have to concentrate first on providing an equal action capacity for all EU parliaments. In a second step, the specific situation of each parliament has to be considered, and eventually, incentives have to be provided on the domestic level. Finally, solving the “democratic deficit” means improving the role of both sources of legitimacy of the EU. The role of the European Parliament should not be neglected.

Fig. 1: The EU-specific change of parliamentary functions

Domestic affairs		EU affairs
Elective function	—————→	Non-existing
Legislative function	—————→	Partial loss
Control function	—————→	restricted
Communication function	—————→	restricted

Fig. 2: The impact of Europeanization on national parliaments: a conceptual framework

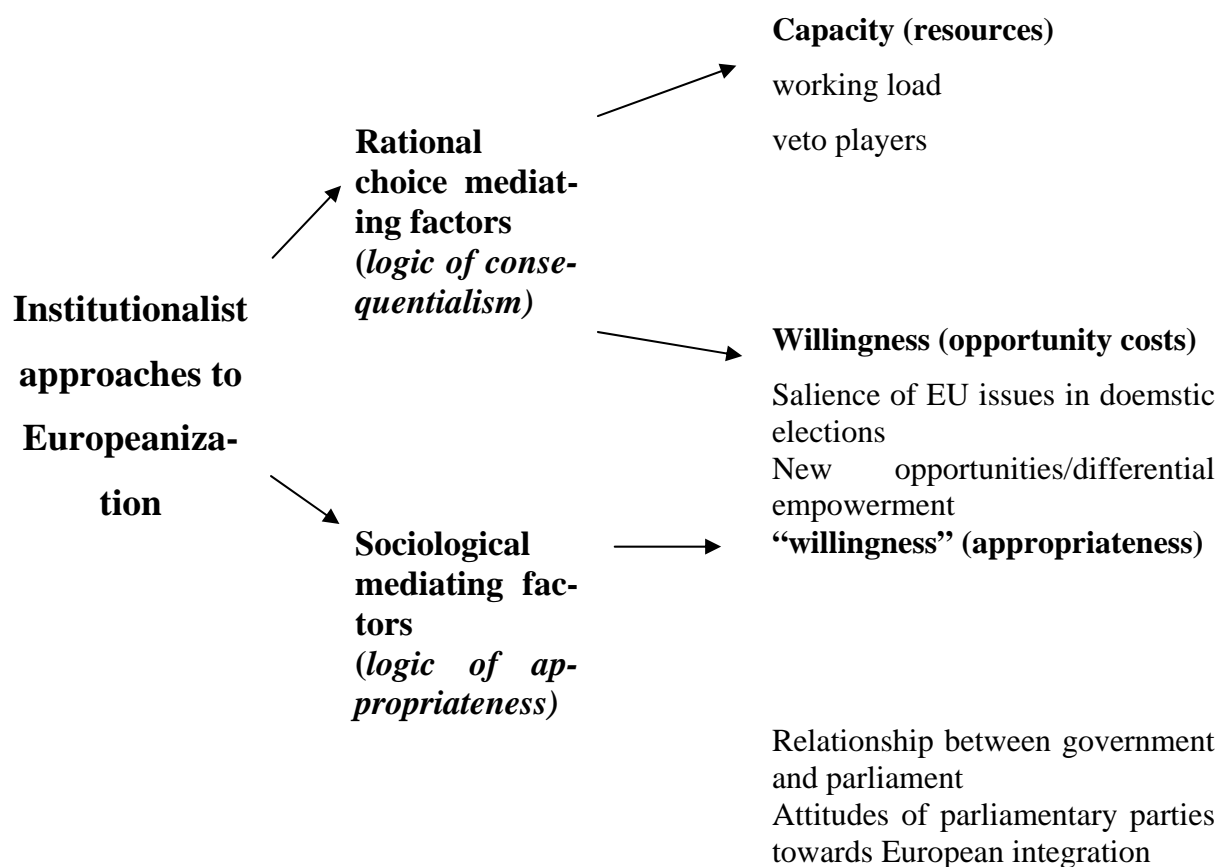


Figure 3: Mediating factors explaining the institutional adaptation of the German Bundestag (BT) and the French Assemblée Nationale (AN)

Theoretical approach (logic of behaviour)		Selected mediating factors	Impact on the adaptation of the BT	Impact on the adaptation of the AN
“Rational choice”- institutionalism (logic of consequentialism)	Referring to the capacity to pursue an action (resources)	Parliamentary working load	-	+
		Veto players	+	-
(logic of consequentialism)	Referring to the willingness to pursue an action (opportunity costs)	Electoral impact of engagement in EU affairs	-	-
		Opportunity to enhance the role of parliament beyond the <i>status quo ante</i>	-	+
Sociological Institutionalism (logic of appropriateness)	Referring to the willingness to pursue an action (social legitimacy)	Relationship between government and parliament	-	-
		Attitudes of parliamentary parties towards European integration	-	+

+ : facilitates adaptation

- : impedes adaptation

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