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Out of the Shadows, Into the Limelight: Parliaments and Politicisation

Editors

Christine Neuhold and Guri Rosén

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Editorial

Introduction to “Out of the Shadows, Into the Limelight: Parliaments and Politicisation”

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Abstract

The Lisbon Treaty gave the European Parliament extensive new powers and its consent is now required for the vast majority of EU international agreements. At the same time, national parliaments—and even regional ones—are increasingly asserting their powers over areas of European governance that were traditionally dominated by the executive. Exerting influence and conducting oversight is time-consuming, however. Particularly at the EU-level parliaments cannot influence or scrutinise every policy dossier with equal rigour. A key factor directing parliamentary attention seems to be the ‘politicisation’ of an issue. In other words, the amount of contestation and attention given to a particular issue seems to affect parliamentary activity. This thematic issue seeks to assess *how* politicisation affects the role parliaments play within the system of EU governance. In particular, the contributions aim to answer the over-arching question of whether politicisation has an impact on how parliaments seek to influence policy-making and hold the EU executives to account. Furthermore, we raise the question of whether and how politicisation affects the role of parliaments as arenas for contestation and communication of different political interests. Jointly, the findings provide the empirical foundations for a more comprehensive debate regarding the democratic implications of politicisation. Politicisation puts pressure on parliaments to act, but parliamentarians themselves may also find it in their interest to instigate contestation. This thematic issue addresses these questions by shedding light on both the European Parliament and national parliaments and examines different policy-fields reaching from climate change and trade, to financial affairs and the Common Fisheries Policy.

Keywords

democracy; European Central Bank; European Parliament; national parliaments; politicisation; Common Fisheries Policy

Issue

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1. Introduction

In October 2016, the small region of Wallonia in Southern Belgium made world headlines when it interrupted the ratification of the Comprehensive Economic Trade Agreement in the Council. This incident is emblematic of two key developments which set the scene for this thematic issue.

First, through the Lisbon Treaty, we have seen the empowerment of the European Parliament (EP), whose

consent is now required for the vast majority of EU international agreements. At the same time, national parliaments—and even regional ones—are increasingly asserting their powers over areas of European governance traditionally dominated by executive actors. Trade is one example, but we also find similar tendencies in the realm of finance and security.

Second, considering that exerting influence and conducting oversight is time-consuming—particularly at the EU-level—parliaments cannot influence or scrutinise ev-

ery policy initiative with equal intensity. A key factor directing parliamentary attention seems to be the ‘politicisation’ of an issue. In other words, the amount of contestation and attention given to a particular issue seems to affect parliamentary activity.

This issue seeks to assess *how* politicisation affects the role parliaments play within the system of EU governance. In particular, the contributions aim to answer the over-arching question of whether politicisation has an impact on how they seek to influence policy-making and hold the EU executives to account. Furthermore, we raise the question of whether and how politicisation affects the role of parliaments as arenas for contestation and communication of different political interests. Jointly, the findings of this thematic issue provide the empirical foundations for a more comprehensive debate regarding the democratic implications of politicisation. Politicisation puts pressure on parliaments to act, but parliamentarians themselves may also find it in their interest to instigate contestation. The subsequent question is under which conditions such contestation takes place.

This thematic issue contributes to two canons of literature that have for the most part remained rather distinct (see, however, Bellamy & Kröger, 2016, for a special focus on national parliaments and the impact of politicisation of EU integration as such):

- The academic debate of the politicisation of EU policies and the (differentiated) impact on EU policy-making processes (e.g., de Wilde, Leupold, & Schmidtke, 2016);
- The role of legislatures within the EU system of multi-level governance (e.g., Heftler, Neuhold, Rozenberg, & Smith, 2015).

This thematic issue studies the phenomenon of politicisation *across* different policy fields—from trade, finances, and climate policy to fisheries—as well as different types of legislatures; by including national parliaments and the EP. It captures the role parliaments play within ‘politicised’ policies, covering a range of issues that either have an external or internal dimension. Furthermore, it looks at how parliaments contribute to the politicisation of policy issues but also explores the mechanisms of depoliticisation. Particularly in the literature on EU politicisation, the latter is not extensively discussed, perhaps because the research in this area has grown in parallel with the increasing contestation of European integration. In addition, as Gheyle (2019) argues in this thematic issue, parliamentarisation is closely associated with politicisation. This might be another reason why much of the literature has focused on how parliaments function as arenas for, and how parliamentarians are actors in, public debate, rather than studying how and why they aim to alleviate conflict.

Taken together, the multifaceted perspective of this thematic issue enables us to not only broaden our empir-

ical insights but also contribute to the conceptual debate on politicisation. All contributions to this thematic issue engage with the concept of politicisation. Politicisation is seen as an essentially discursive phenomenon that builds on political communication (Gheyle, 2019). Although authors might disagree on the causes and consequences of politicisation, there is broad agreement that politicisation of issues include at least three dimensions: First, policies must be salient. Following Hutter and Grande (2014, p. 1004): “Only topics that are frequently raised by political actors in public debates can be considered politicized.” Among the empirical examples investigated in this thematic issue are European Central Bank (ECB) issues for the German Bundestag (Högenauer, 2019), the Transatlantic Trade and Investment Partnership (TTIP; Rosén, 2019), and the Brexit negotiations (see Meissner, 2019). Secondly, politicisation entails the polarisation of opinion. This can be in parliament, or in public opinion, but the main point is that without an increasing contestation between diverging opinions, it is difficult to speak of the “expansion of the scope of conflict” (Hutter & Grande, 2014, p. 1003). The same is the case for the range of actors involved in debates (de Wilde et al., 2016). If a debate takes place solely among elites, no matter how heated, it does not signify politicisation.

In his article on the external dimension of the Common Fisheries Policy (CFP), Zimmermann (2019), shows how it is characterized by an uneven distribution of politicisation. He suggests the concept “layered politicisation” to explain the resulting pattern. Two decisive elements are seen to shape this ‘layered’ politicisation: the increasing prominence of normative discourse and the parliamentarisation of the CFP as a consequence of the Lisbon Treaty (layer of rules). Parliamentarisation allowed a plethora of actors to access the decision-making process, such as expert committees and civil society organisations (Zimmermann, 2019). Gheyle’s (2019) article also offers an attempt at conceptualising the relationship between parliamentarisation and politicisation. He argues that parliamentarisation is not a sufficient component of politicisation, but that in order to get a comprehensive grasp of politicisation one needs to take the process of parliamentarisation into account: “It is visible, polarized, parliamentary communication (most likely seen in plenary debates) that is considered the (necessary, yet insufficient) component of the broader (discursive) politicisation of an EU issue” (Gheyle, 2019, p. 231). The close link between both concepts also has normative implications. Widespread public debate and the particular translation hereof in parliament is “argued to be a constitutive force of democratization” (Gheyle, 2019, p. 232).

Thus, politicisation takes many shapes and forms, has many objects and different consequences, and is driven by a range of factors (de Wilde & Zürn, 2012). Accounts of politicisation must, therefore, start with a careful specification of the phenomenon under study, not least the arena in which it takes place (Greenwood & Roederer-Rynning, 2019). As such, Baglioni and Hurrelmann (2016,

p. 106) propose a simple distinction of arenas where politicisation can take place:

- 1) A citizen arena, where “laypeople engage in politics”;
- 2) An intermediary arena, made up of actors with a professional interest in politics (such as political parties, interest groups, the media);
- 3) An institutional arena, which is at “the core” of the political system, such as the EP and national parliaments.

EU researchers unanimously agree that EU issues are increasingly politicised. The permissive consensus that might have been pervasive many decades ago has definitively come to an end (Hooghe & Marks, 2009, 2019). As the contestation of the EU grows, the role of parliaments as sources of legitimacy becomes more important for the EU (Auel, 2019).

The media is a key mediator between the parliaments and the public. Although there is a bias in the media towards conflict and the media have their own agenda, the media continue to play a crucial role, “because it is where the general public can gain access to information about executive decision making and the stances of political actors who challenge decisions” (Statham & Trenz, 2015, pp. 291–292). The subsequent question is to what extent parliamentarians are featured in the media, but also who actually gets to raise issues and attain visibility. The rise of the right-wing, notably during the two most recent EU-elections, has gained a lot of attention. From this perspective, Auel’s (2019) finding that somewhat counter-intuitively, Eurosceptics do not get to dominate media coverage on EU issues is noteworthy.

The media provide a key arena for parliamentarians to convey their message to the EU citizenry. Parliamentarians not only respond to politicisation, but they also attempt to make politicisation happen by evoking public concerns. They use responsive claims to “demonstrate that they react to public concern, but also to draw attention to their own position and mobilise the public” (Rosén, 2019, p. 275). In other words, parliaments are not simply passive receivers of societal pressures that they then translate into political action. They are an “integral cog in a wider politicization dynamic” (Gheyle, 2019, p. 232).

Several contributions within this issue focus on the institutional arena, exploring the link between parliamentarisation and politicisation. Saliency is of key importance, more so than parliamentary powers, in accounting for parliamentary engagement, as shown by Meissner (2019) in her comparison of the high level of involvement of the German Bundestag with the rather peripheral role played by the Austrian Nationalrat in the Brexit debate. Högenauer (2019) delves further into the institutional effects of the politicisation in her case study of the Bundestag’s debates regarding the ECB during the

Eurozone crisis. She shows how politicisation has bred increasing scrutiny of the ECB, as well as growing dissatisfaction, despite there being support for the independence of central banks.

While politicisation appears to lead to a higher degree of scrutiny, the relationship between politicisation and influence is more complex. Going beyond how national parliaments provide arenas for contestation and actors in processes of politicisation, a number of contributions to this thematic issue look at the EP’s interaction with the Council and Commission during decision-making processes. They demonstrate how the politicisation of issues is shown to have an impact on the negotiations, but not necessarily in the direction one would expect. Somewhat paradoxically, as a policy becomes more politicised, it becomes more likely that it will be negotiated within secluded arenas. Using trilogues as an example, Ripoll Servent and Panning (2019) show how this trend is exacerbated when mainstream parties dominate negotiations and are able to hammer out a compromise between themselves. Interestingly this seclusion of inter-institutional negotiations is also seen by members of the EP (MEPs) as a way to politicise—not depoliticise—EU law-making vis-à-vis the Council by bringing salient issues to the centre stage of negotiations. Here civil society organisations are seen to play a key role in aiding MEPs’ attempts to politicise issues (Greenwood & Roederer-Rynning, 2019). Still, uncovering the various de-politicisation mechanisms within the EP are among the prominent contributions of this thematic issue. The full legislative involvement of the EP in decision-making in a potentially highly politicised policy area can thus work as a “constraining factor for the politicisation” of parliamentary activity (Wendler, 2019). Within the area of global governance and climate, the EP’s position has grown closer to the Council’s over time, thereby presenting itself as a “maturing actor in the EU’s climate diplomacy” (Delreux & Burns, 2019, p. 347). While politicisation may serve to increase parliamentary scrutiny of EU executives, de-politicisation of issues is seen as key to secure policy gains at the international level as well as during legislative processes.

2. Contributions in This Thematic Issue

Niels Gheyle (2019) starts off the debate by conceptualising the parliamentarisation and politicisation of European policies. He starts from the assumption that over the last two decades, two related dimensions of EU governance have generated lively academic discussion. The first approach focuses on the politicisation of European integration. This is seen to be a multi-faceted concept bringing together a “multitude of political and societal manifestations underlying an increasing controversy of the EU” (Gheyle, 2019, p. 227). A second strand of academic debate concerns the parliamentarisation of the EU, referring to the increasing role (national) parliaments play in controlling, scrutinising, and

debating EU issues. Gheyle probes the relationship between these two developments from a conceptual and analytical point of view. His key point is simple, but arguably often glossed over: (Behavioural) parliamentarisation is a necessary, possibly insufficient, component of the politicisation of the process of European integration or specific EU policies. He claims that these processes cannot be seen as separate from one another. (Behavioural) parliamentarisation is not equal to politicisation, but if one wants to come to a 'comprehensive' understanding of politicisation one cannot eclipse the process of parliamentarisation.

Hubert Zimmermann (2019) examines the EP's role within the external dimension of the CFP where the EP became a key player following the Lisbon Treaty. This new role gave rise to a shift towards stronger politicisation of a previously rather technocratic policy field. However, rather than displaying clear evidence of such a process, Zimmermann (2019) shows how this policy field remains characterised by an uneven politicisation, where the larger public has yet to mobilise. To explain this pattern, he proposes the concept "layered politicisation," coined to describe an incomplete and less comprehensive pattern of politicisation. While, in the case of the external dimension of the CFP, the degree of political controversy is thus not comparable to "fully" politicised policy fields, one can decipher some similar political dynamics. As Zimmermann (2019) shows in his two case studies, increasing politicisation is shaped by the mounting controversy surrounding the EU's fisheries policy, as well as the empowerment of the EP, which has opened the field to more external actors. Thus, despite lower levels of issue salience, he finds that external fisheries policy is now a contested policy field, with the parliament as a core arena. While this complicates decision-making, it potentially also renders EU fisheries policy more legitimate.

Katrin Auel (2019) then probes how parliamentary actors communicate with citizens through news media. Her starting point is the role played by national parliaments in "legitimising" EU politics. Their capacity to fulfil this role crucially depends on citizens "being actually aware of parliamentary involvement in EU affairs" (Auel, 2019, p. 248). This requires a study not only of whether and to what extent the media covers EU parliamentary affairs, but also of which actors actually acquire media visibility. Auel (2019) analyses the visibility of parties in news media, based on a dataset that includes all articles covering parliamentary involvement in EU affairs in six member states during a four-year period. A key question is: Do Eurosceptic parliamentary party groups and their members dominate parliamentary EU news or does the media coverage conceal Eurosceptics? Although earlier research has shown that public salience seems to lead to an increase in media coverage of EU parliamentary issues more generally, Auel shows that Eurosceptic actors do not seem to benefit from this tendency. Still, she finds that although Eurosceptics by no means take centre stage in media coverage, only a couple

of newspapers provide a "truly balanced coverage," especially when using parliamentary activity as the benchmark (Auel, 2019, p. 260).

Guri Rosén (2019) continues the exploration of the visibility of parliamentarians in news media in her analysis of the case of the TTIP, the recent trade negotiations in the EU that are seen to have "provoked unprecedented levels of controversy" (Rosén, 2019). One crucial channel for public contestation is seen to be the EP, which after the Lisbon Treaty entered into force has to give consent to international agreements. Against this background, this contribution sets out to answer the question of whether MEPs were engaged in debates about TTIP, and if so, what characterised their engagement? Did they act responsively and did they contribute to the politicisation of EU trade policy, as many feared they would after the empowerment of the EP? Building on an analysis of newspaper coverage of TTIP in Germany, Sweden, and the UK, as well as EP plenary debates, the article presents a mixed picture. While many supporters of TTIP attempted to de-politicise the debate, a consistent finding is that opponents most frequently evoke 'the voice of the people', being an example of how responsive statements were used to politicise TTIP. Thus, the author underlines that MEPs not only respond to politicisation, they also attempt to make politicisation "happen by evoking public concerns" (Rosén, 2019, p. 266). Rosén argues that one of the contributions of the article is to draw attention to the multifaceted relationship between responsiveness and politicisation, and how responsive claims are used both to increase contestation and alleviate it.

Katharina Luise Meissner (2019) shifts the focus from trade to the Brexit negotiations and the institutional arena of national parliaments. Most research on Brexit so far has focused on the EP or the UK parliament, while few have paid much attention to parliaments in the other member states. Hence, the article aims to broaden the scope by tracing the Austrian and German parliaments' activities in the Brexit negotiations.

Among the national parliaments of the EU, both stand out as strong legislatures in EU affairs. Yet, during the negotiations with the UK, their involvement has been of varying intensity. This puzzle is the point of departure for Meissner's (2019) article, where she sets out to explain why this is so. She finds that despite similar institutional strength, the German Bundestag is more extensively involved, particularly on an informal level, compared to the Austrian Nationalrat. The reason, Meissner argues, is Brexit's varying saliency in the two member states—"given their different levels of exposure to the UK's withdrawal" (Meissner, 2019, p. 279). Interestingly, the automobile company BMW appears to be a crucial component of German interests in these negotiations. Brexit talks are about pushing (German) national interests through international negotiations and German MPs consider it important to scrutinise Brexit issues based on the expected material costs for Germany and its regions. In Austria, on the other hand, Brexit is neither part of the

public debate nor salient with civil society organisations. No genuine Austrian interest prevailed in the context of the Brexit negotiations and Austria remained back-stage in the so-called Article 50 talks.

Anna-Lena Högenauer (2019), in turn, examines the effects of politicisation within another policy field—that of finances—and within another parliament. Based on analysis of plenary debates from 2005 to 2018, she analyses the relationship between the ECB and the German Bundestag. During the Eurozone crisis, the ECB became one of the key actors, but its prominent role also caused political controversy. Although it contributed to the stabilisation of the Eurozone, the ECB was seen to have gone beyond its mandate and to have expanded its policy remit. Its technocratic approach to the crisis reduced the opportunities for democratic contestation and led to “frustrations” that provoked politicisation (Högenauer, 2019). Högenauer studies how and to what extent this politicisation affected the perception of the ECB in the German Bundestag. She argues that the Bundestag is an unlikely case for politicisation because Germany was very much in favour of a highly independent ECB. Moreover, it has no “active scrutiny culture” even when it comes to its national central bank, and until recently no Eurosceptic right-wing parties were represented in parliament (Högenauer, 2019). However, Högenauer finds that the ECB’s policies have become politicised. The salience of ECB policies has increased, as has the polarisation of opinion in the parliament and the range of actors participating in the debates. While there is no clear government-opposition divide when it comes to the level of parliamentary activity, the criticism is seen to stem from opposition parties, and especially from the far left and right (Högenauer, 2019). Thus, politicisation has led to increased dissatisfaction with the ECB as well as growing scrutiny.

Next, Ariadna Ripoll Servent and Lara Panning (2019) look at preparatory bodies as “mediators of political conflict” in the trilogues, which have become a key feature in preparing EU decisions. They represent a form of “secluded decision-making,” which makes it difficult to understand how “institutional positions are formed and managed and which actors are better positioned to influence policy outputs” (Ripoll Servent & Panning, p. 303). Trilogues are increasingly preceded by so-called shadow meetings, which are *de facto* decision-making bodies. The authors compare the use of shadow meetings in politicised and non-politicised issues by looking into the revision of the statute as well as funding and foundations of the EU political parties and at the asylum package. Building on ethnographic data of participant observation and elite interviews they show how the former dossier received little external attention, but that the two largest still used shadow meetings to enlarge this support also to smaller parties. By contrast, the asylum package was highly politicised, and the EP highly divided. Still, it needed to present a united front against the Council and shadow meetings became the key arena for

compromise building. The authors see a paradox emerging: the more a file is politicised, the more likely that it will be negotiated behind closed doors. This seclusion is seen to be predominant when mainstream parties dominate negotiations and are able to hammer out a compromise between themselves. This, in turn, may empower the Eurosceptic parties, who accuse the EP of lacking transparency and being exclusive.

Justin Greenwood and Christilla Roederer-Rynning (2019) also examine the (effects) of the politicisation of trilogues but turn the focus towards civil society organisations and their relationship with the EP. They argue that while secluded decision-making allows EU institutions to depoliticise law-making, trilogues have become politicised, stemming in part from the relationship between the EP and civil society organisations. The authors substantiate this argument based on insights from the politicisation and historical institutionalist literatures and advance two ideal types of trilogue politics. They then probe these types using interview material and find that, contrary to the Council, most MEPs currently see the seclusion of trilogues as a way to politicise—not depoliticise—EU law-making by bringing salient issues centre stage of the negotiations. The EP is depicted as the main driver of this process by relying on civil society organisations and in particular on NGOs. Moreover, the authors find that EP is “able to assert itself *vis-à-vis* the Council of Ministers by using the ‘noisy politics’ of NGOs” (Greenwood & Roederer-Rynning, 2019, p. 323). Some NGOs even see themselves as agents of “political communication” with the Council on behalf of the EP. Greenwood and Roederer-Rynning (2019) argue, therefore, that civil society organisations can play a key role in politicising issues in a policy-making system that is otherwise out of public sight.

Frank Wendler (2019) remains within the realm of EU law-making but shifts our attention to the area of climate change. By comparing decision-making in external and internal climate change policy, he examines the link between the role of the EP as a “political actor” and an arena for “party political conflict” (Wendler, 2019, p. 328). This presents him with the following puzzle: Does EP involvement in negotiations on legally binding legislation encourage or constrain polarisation across political cleavages, compared to when the EP makes declaratory statements about future goals of climate action? Based on a discursive institutionalist theoretical framework, he compares EP resolutions about international climate conferences, Conferences of the Parties 20 to 24, with the revision of four legislative acts for Phase IV of EU Climate Action. His findings are somewhat counterintuitive: Despite the importance and often very contested content of agreements, politicisation, which Wendler defines as public contestation and polarisation, hardly occurs. He claims that discursive institutionalism offers plausible theoretical arguments to explain this observation (Wendler, 2019). MEPs try to find policy agreement by way of coordinative discourse rather than making po-

larising claims aimed at the wider citizenry. The governance of EU climate action is thus seen as “largely policy-oriented, technical, and relatively immune to more fundamental disputes about the severity of climate change or principles of its mitigation” (Wendler, 2019, p. 336). Overall, the case studies thus indicate a low level of external politicisation.

Finally, Tom Delreux and Charlotte Burns (2019) also look into climate policy and the EP but try to understand the involvement of the EP in the climate negotiations of the UN. Here climate change is seen as a site of increased politicisation at the global level, where concomitantly, a parallel process of EU parliamentarisation has taken place. Whilst the EP has enjoyed important powers in internal policy-making on climate issues since the Lisbon Treaty (2009), the EP has also gained the right to veto the EU’s ratification of international agreements. The authors thus probe the question of the impact that these increased powers of the EP have had on its involvement in UN climate diplomacy. This question is examined through an evaluation of policy preferences prior to international climate conferences (COPs) and the EP’s activities during those meetings. The authors find evidence that the EP’s preferences have become more moderate over time, while the EP is also more active at COPs. Rather in line with Wendler’s (2019) observations, the authors find little evidence that the EP’s involvement in international negotiations is significantly different when it holds veto power. Instead, the EP is depicted as keen to politicise internal EU climate negotiations in order to secure policy gains at the international level.

3. Conclusion

To conclude, there are three main takeaways from this thematic issue on parliaments and politicisation:

- 1) Parliamentarisation and politicisation are intimately connected, politicisation being a key factor in instigating parliamentary scrutiny of executives at both EU and national levels;
- 2) However, parliamentarisation may also correlate with de-politicisation and secluded decision-making, especially in the case of highly salient policy issues;
- 3) As is clear from the various contributions to this thematic issue, this means that it is still an open question whether and to what extent increased politicisation in parliaments contributes to more democratic policy-making.

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Conflict of Interests

The authors declare no conflict of interests.

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Article

Conceptualizing the Parliamentarization and Politicization of European Policies

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Abstract

In the past 20 years, two related literature strands have gradually moved centre stage of the attention of EU Studies scholars. The first is preoccupied with the ‘politicization of European integration’, a multi-faceted concept that aims to tie together a multitude of political and societal manifestations underlying an increasing controversiality of the EU. A second concerns the parliamentarization of the EU, referring to the changing (institutional) role and EU-related activities national parliaments engage in. The key point of this contribution is simple, but often overlooked: We can and should be seeing parliamentarization as a necessary, yet insufficient, component of a wider process of politicization. Doing so goes beyond the often ad hoc or pars pro toto theoretical assumptions in both literature strands, sheds new light on the normative consequences attached to these phenomena, and furthers a more complete understanding of how a ‘comprehensive’ politicization of European policies develops.

Keywords

communication; Europeanization; parliamentary; parliamentarization; politicization; national parliaments

Issue

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1. Introduction

It is by now long overdue to state that the EU no longer flies under the political and societal radar. What was once characterized by a stance of indifference (or a ‘permissive consensus’) by the wider public, has slowly but steadily turned into an expansion of the scope of conflict surrounding the EU (De Wilde, 2011a; Hooghe & Marks, 2009). This change has its origins somewhere around the mid-1990s and has become a focal point of scholarly attention since the failure of the Constitutional Treaty in 2004. ‘Politicization’ was argued to have kicked in, referring to a state of political and societal debate characterized by features such as an increasingly polarized public, frequent media visibility, electoral positioning, and Euro protests. All of this directed towards the EU itself or particularly salient policies, which together was seen as an “awakening of the sleeping giant” (Van der Eijk & Franklin, 2004). Since then, politicization scholars have

set out the task of conceptualizing this complex phenomenon, constructing analytical frameworks to study its forms and appearances, explain its origins and dynamics, and evaluate the (normative) consequences (for conceptual overviews see De Wilde, Leupold, & Schmidtke, 2016; Gheyle, 2019).

During the same time period, a different but related literature strand focused on the role and EU-related activities of national parliaments in the EU multilevel system. The emphasis here is on how national parliaments adapt, institutionally, to take pressures of European integration into account, but also on the question of whether and how they are actively engaging with EU policy-making. The latter occurs by scrutinizing their governments, or communicating European policies much more frequently—here labelled as ‘behavioural’ parliamentarization (Auel, 2015; Goetz & Meyer-Sahling, 2008). All of this despite or because of the fact that they had initially been labelled the ‘losers of European integration’, to the benefit of execu-

tives and/or the European Parliament (Maurer & Wessels, 2001). The further strengthened formal role of national parliaments through the Lisbon Treaty (Neuhold & Smith, 2016) and the visible part some parliaments have played in recently salient episodes, such as the CETA-saga (Bollen, 2018), have only fuelled the attention.

This contribution takes issue with the relationship between these two developments—(behavioural) parliamentarization and politicization—from a conceptual and analytical point of view. The key point is simple, but arguably often overlooked: We can and should be seeing (behavioural) parliamentarization as a necessary, yet insufficient, component of the politicization of European integration or specific policies, and not as separate, independent, processes that react to each other. In other words, (behavioural) parliamentarization is not equal to politicization, but a ‘comprehensive’ understanding of politicization cannot exist without it.

We ‘can’ make this link, first of all, because the conceptual and analytical contributions in both literature strands show very clear overlaps, which often go unrecognized when looking from one point of view. Crucially, we also ‘should’ re-conceptualize the relationship as follows, as this: (i) goes beyond ad hoc or pars pro toto theoretical assumptions that are sometimes used in these literature strands; (ii) sheds new light on the normative consequences usually attached to them; and (iii) furthers a research agenda focused on a more complete understanding of how ‘comprehensive’ politicization of European policies develops. In sum, this discussion is more than a semantic exercise, as it benefits the scholarly discussion of which role parliaments play in salient policies, while at the same time adding to our understanding of the complex politicization concept—both key aims of this special issue.

Beyond these specific conceptual considerations, this contribution has two more overarching goals. The first is to trigger more fine-grained conceptual and analytical reflection about two concepts that are—due to their popularity and importance—sometimes readily used without thorough conceptual consideration. Doing so runs the risk of applying the same broad labels to varying empirical phenomena, hence undermining our collective knowledge. Secondly, it aims to serve as a modest research agenda for studying behavioural parliamentarization as connected to wider politicization dynamics. In doing so, it sets the scene for several empirically grounded contributions in this special issue.

The article is structured as follows: Section 2 turns to the literature on the role and EU-related activities of national parliaments. Section 3 focuses on the ‘politicization’ phenomenon, unpacking its multi-faceted nature, manifestations, and settings. Section 4 then makes the ‘so what?’ of this contribution explicit: Why does it matter that we see (behavioural) parliamentarization as a necessary, but insufficient, component of politicization? Section 5 ends with some concluding remarks and shortcomings that can be taken up by further research.

2. Parliamentarization of the EU

To make sense of the relationship between European integration and domestic political systems, the concept of ‘Europeanization’ is commonly invoked, referring to “an incremental process re-orienting the direction and shape of politics to the degree that [EU] political and economic dynamics become part of the organisational logic of national politics and policy-making” (Ladrech, 1994, p. 69). When the object of Europeanization is the national parliamentary system, some authors speak of the degree of ‘parliamentarization’ of the EU. Herranz-Surrallés (2018), for example, defines parliamentarization as the “greater involvement of parliaments in scrutinizing and shaping regional and global governance” (p. 31). This is a broad interpretation, and as such, a ‘greater involvement’ can point both to the institutional *ability* to be involved in the shaping and scrutinizing of governance (e.g., Roederer-Rynning & Schimmelfennig, 2012), or to the actual *practice* of shaping policy, in terms of scrutiny, coordination, or communication (e.g., Rozenberg & Heffler, 2016). These ‘institutional’ responses, on the one hand, and the ‘attitudinal’ and ‘behavioural’ responses, on the other hand, are recognized categories of the Europeanization of national parliaments (Goetz & Meyer-Sahling, 2008).

Early contributions came to the conclusion of a *de*-parliamentarization of the EU: (the appearance of) a decreasing and eroding role for national parliaments, increasingly unable to shape European governance (Raunio, 2009). The argument went that national parliaments were either uninterested in engaging with EU issues (Auel & Raunio, 2014b), or not able to do so effectively. Given that EU competences were simultaneously growing, this would result in them being the ‘losers of integration’ (Maurer & Wessels, 2001).

Nevertheless, several scholars documented how national parliaments actively started to ‘fight back’ by adapting *institutionally* to deal with this challenge of European integration (Raunio & Hix, 2000). They did so, for example, by establishing specific European Affairs Committees (EACs), increasing their informational rights with respect to EU or national executives, or establishing inter-parliamentary fora to be in a better position to scrutinize their governments (Raunio, 2009). A consensus emerged on the basic point that “national institutions have made substantial efforts in order to cope with the requirements of the Union” (Wessels, Maurer, & Mittag, 2003, p. 414). Raunio (2009) backs this up by concluding in a review article that national parliaments are now generally in a much stronger position to scrutinize their governments than they were in the 1990s. Several provisions in the Lisbon Treaty with respect to national parliaments (such as the establishment of an ‘Early Warning System’) have further strengthened this development of ‘institutional parliamentarization’ (Neuhold & Smith, 2016).

The more pressing question, then, is whether national parliaments actually make use of these provi-

sions to assert themselves in the EU multi-level system. Indeed, as Auel (2015) argues, institutional opportunities remain latent until they are utilized. Hence, to fully make sense of the parliamentarization of the EU, analyses of: (i) attitudes and role conceptions of members of parliament (MPs); and (ii) their EU-related behaviour and activities over time, are necessary. First, changes in attitudes and role conceptions of MPs can result in an increased willingness to actually be involved in EU policy or scrutiny of the government (Auel, 2015). In this respect, Wessels (2005) analysed contact patterns of German MPs, their involvement in EU policy-making and their perceptions of the control of power over time (1997–2003), and concluded that ‘attitudinal parliamentarization’ certainly takes place, but only at a very slow pace.

To evaluate actual parliamentary behaviour, secondly, it makes sense to turn to the traditional parliamentary functions, to see how these have evolved in an EU context: electing governments, drafting legislation, scrutinizing the government, and communicating to the wider citizenry (Auel, Rozenberg, & Tacea, 2015). It is widely acknowledged that the first two of these functions do not readily apply to national parliaments, because in an EU context the European Parliament has largely taken these over. Hence, the focus is on scrutiny of the government, and more recently on the communicative function, to assess if and how ‘behavioural parliamentarization’ takes place.

When it comes to parliamentary control and oversight, the main conclusion is one of differentiation across time and countries (Raunio, 2009; Winzen, 2012). Auel et al. (2015) tested six institutional and motivational hypotheses on a unique dataset of 27 parliaments, and found that it was mainly the institutional strength in EU affairs and (more limitedly) the type of parliamentary system (majority or consensus) that explained the divergence in the time spent in EACs, and in drafting resolutions. However, Senninger (2017) also convincingly shows that partisan competition has a defining influence on parliamentary EU oversight, as EU issue-based incentives across parties have been shown to explain the content and timing of oversight activities. National parliaments have over the years also established horizontal links with other parliaments, resulting in inter-parliamentary fora in order to be better able to follow European policies and share best practices (Raunio, 2009).

Furthermore, building on normative and democratic concerns, it is particularly the communicative function that has moved centre stage over the past five years (Auel & Raunio, 2014b). Democracy depends on a lively and viable public debate, where policy alternatives are presented to citizens to make informed choices. In this respect, national parliaments are argued to be in a unique position to translate EU policies, ‘bring the EU home’ and normalize its existence (Auel, 2007; Kröger & Bellamy, 2016). As such, communication by national parliaments (and its members) can add to the democratic legitimacy

of the EU polity as a whole. The extent to which they do this, “and are seen by citizens to carry out such actions” is hence arguably fundamental for the legitimacy of the political system (Auel & Raunio, 2014b, p. 3).

However, while it might be theoretically true that “national parliaments provide a major space for public debate and are thus ideal arenas for the deliberation of important European issues” (Auel, 2007, p. 498), there is not a great deal of empirical knowledge about whether they actually do so. National parliaments can play this role in different ways (Auel & Raunio, 2014b): informing the electorate, asking parliamentary questions, or making transcriptions of debates publicly available. A major role is however envisioned for plenary debates. The plenary is an ideal forum to articulate specific positions on a variety of (European) issues, commonly placing them next to other parties and politicians. The literature does, however, acknowledge that a translation of these debates to the mass media is often required to be able to make these debates actually visible to the public (Auel, Eisele, & Kinski, 2018).

Despite its theoretical importance, early results led to fairly depressing conclusions. In a special issue specifically focused on the communicative function of national parliaments, Auel and Raunio (2014b) summarized that, generally speaking, national parliaments “seem not to live up to their task of bringing ‘Europe’ closer to the citizens or enabling them to make informed political choices and to exercise democratic control in EU affairs” (p. 10). Especially in plenary debates, the EU remains “a rare guest” (Auel & Raunio, p. 7). While some institutional determinants seem important (such as the formal rights granted to parliament, or the existence of a ‘talking’ instead of a ‘working’ parliament, see De Wilde, 2011b), it appears that incentive structures play a more decisive role in accounting for plenary debates and communication in general (Auel & Raunio, 2014a; Auel et al., 2015).

In this respect, it is often the ‘public salience’ criterion that reappears in analyses of the communicative function, disguised in different topics (Auel, 2015). The topic of the euro crisis, for example, was shown to be a better predictor of parliamentary debates than some institutional factors, simply because the public salience surrounding it was so high (Auel et al., 2015; Auel & Höing, 2014; Wendler, 2013). Miklin (2014) equally shows that in Germany and Austria, national parliaments discussed the EU Services Directive heavily, but only after the public salience of the issue had grown. In EU foreign policy as well, recent studies have found national parliaments in different Member States heavily debated EU free trade negotiations (with Canada and the US), but only after the public salience of these issues had grown significantly (Bollen, 2018; Gheyle, 2019).

All in all, the current literature documents that a process of institutional parliamentarization of the EU has definitely taken place while raising several questions regarding the existence of a pattern of attitudinal and behavioural parliamentarization. The former appears to be

moving slowly, while the latter varies widely between countries, and according to specific (salient) episodes in time—especially when it comes to parliamentary communication and debates. In other words: The ability to deal with EU issues is, generally speaking, present, but incentive structures seem to inhibit their use. Following Raunio (2009), national parliaments may hence not be ‘late comers’ to the EU debate, but simply rationally not engaging having weighed up the pros and cons.

3. Politicization of EU Integration and Policies

In the past 20 years, the so-called ‘permissive consensus’ towards European integration has abruptly come to an end (Hooghe & Marks, 2009). Different manifestations—listed in the introduction—are testimony of the fact that both support for and contestation against the EU have gradually become integral components of contemporary societal and political life (Zürn, Binder, & Ecker-Ehrhardt, 2012). This arguably has profound consequences for European integration and its democratic functioning. On the one hand, scholars argue that the fact that publics are now “looking over the shoulders” of EU elites, and that the EU has become an element of mass politics, constitutes a ‘constraining dissensus’ for further integration (Hooghe & Marks, 2009). On the other hand, (public sphere) scholars see a large democratizing potential in frequently debating (and conflicting over) the EU, and in doing so providing citizens with alternatives, contestation, and options to fight for—the core elements of a vibrant democracy (Follesdal & Hix, 2006; Statham & Trezn, 2015). Whatever the stance, the politicization of European integration, in any case, seems to be understood as having a profound impact on further European (dis)integration, which makes it a key research topic for years to come.

From an academic point of view, the first tasks are therefore to conceptualize the politicization phenomenon and its relation to ‘politics’, as well as to analytically capture its varying manifestations, in order to measure its occurrence and extent. From a conceptual point of view, politicization implies a special case of ‘turning something political’, combining the visible and contested aspects of ‘the political’ (Palonen et al., 2019). The underlying idea is hence that the existence of the EU, or its policies and decisions, are debated and no longer escape the wider public’s attention (Rauh, 2016). This means that the commonly executive, elite-driven process of European integration is no longer taken for granted, and frequently falls prey to heated and mass public debate (Rauh, 2016). Analytically, the starting point is often the contribution by De Wilde (2011a), who defined politicization as “an increase in polarization of opinions, interests or values and the extent to which they are publicly advanced towards the process of policy formulation within the EU” (p. 566).

Given the broad scope of this operational definition, there is an on-going debate on how to measure and make sense of politicization, specifically in terms of the types of

‘manifestations’ and ‘settings’ it comprises; the ways in which the phenomenon becomes visible for researchers to study its existence and extent (see Gheyle, 2019, for an exhaustive discussion). Various contributions have initially led to a convergence around the idea that three sub-processes constitute politicization: salience, actor (or audience) expansion, and polarization (De Wilde et al., 2016). Nevertheless, the different interpretations that can be generated by these terms, have led to two overarching approaches to analysing politicization: as a purely (or predominantly) discursive phenomenon, or as a much more encompassing phenomenon.

In the first, widely-held approach, politicization is seen as an essentially discursive phenomenon that builds on political communication. As Hurrelmann, Gora and Wagner (2015) put it, in this approach, it is “not sufficient that actors become aware, or able to form opinions, but it must become salient in political communication that seeks to influence decision-making” (p. 45). Applying the sub-processes here means seeing politicization as a visible, discursive, expansion of the scope of conflict, whereby different types of groups or political actors publicly conflict over a certain topic, fuelled by different opinions, ways of framing, or legitimations of the EU or its policies (Gheyle, 2019; Statham & Trezn, 2015). As such, the focus is on the “communicative processes that lead to an increasing intensity and controversy of debates” and on the settings or arenas where this can visibly play out (Schmidtke, 2014, p. 3).

To speak of politicization in this view entails two things: (i) there are *actors* present who deliberately raise issues; and (ii) that these issues are raised in public, in front of an *audience*. Politicization, therefore, does not happen automatically but builds on societal or political actors seeking publicity and resonance with a wider audience who are able to witness these actions (De Wilde, 2011a; Statham & Trezn, 2015). Where these discursive interventions can take place—and hence where we could eventually see evidence of politicization—are in those settings or arenas where there actually is a larger audience able to follow an unfolding debate. Parliaments, the mass media, ‘on the streets’, town hall assemblies, or scientific conferences all fit that description (De Wilde, 2011a). Several authors have therefore come up with a classification of three types of settings in which to find and study politicization: institutional, intermediary, and citizen settings (Baglioni & Hurrelmann, 2016; De Wilde et al., 2016).

The institutional setting mainly comprises parliamentary arenas, where professional politicians engage in political debate about different (European) issues. The length of parliamentary debates or the polarization between different parties about core EU policies is therefore sometimes used as indicators of a politicized object (Green-Pedersen, 2012; Wendler, 2013; Wonka, 2016). The second intermediary setting serves as the link between political decision-making and the broader citizenry and civil society. While there is some research on

party manifestos (Guinaudeau & Persico, 2013) and public protest (Hutter, Grande, & Kriesi, 2016), the main focus is on the public sphere carried by the (mass) media (De Wilde et al., 2016; Hoeglinger, 2016). With its wide audience reach, and its central place in contemporary ‘audience democracies’ (Manin, 1997) the mass media arguably serves as the *primus inter pares* location to study politicization (Gheyle, 2019). Finally, the citizen setting has been least studied (but see Baglioni & Hurrelmann, 2016). It comprises arenas made up of laypeople engaging with politics, coming together, for example, in debating groups or on social media.

The main focus in politicization research in all of these settings is on domestic arenas: national parliaments; domestic public (media) spheres; or domestic protest. This is because structural barriers, such as language differences or the nationally structured media systems, still inhibit pan-European debates or conflict expansion. For this reason, a multitude of institutional and agency-related variables are said to result in a “differentiated politicization of European governance, in which patterns vary substantially across settings and time” (De Wilde et al., 2016, p. 9). This pattern has been confirmed in several empirical studies (see Zürn, 2018, for an overview), and has fuelled the theoretical debate about which structural and agency related variables may explain the divergence (Gheyle, 2019; Zürn, 2016).

Besides the discursive-centred approach, a second approach claims that politicization analytically implies much more than just public debate or political communication (Hooghe & Marks, 2009; Rauh, 2016; Zürn et al., 2012). Driven by a different account of what ‘the political’ implies, it is argued that several other manifestations can also point to the fact that something is politicized (Zürn, 2016). Changing attitudes and beliefs about the EU (or core policies), various group activities, such as lobbying, coalition formation, voting trends, or the (in camera) parliamentary scrutiny of European issues are in this sense also testimony of its politicization. While these accounts acknowledge that communication is important, and that politicization can play out in different settings, they argue we need to take these other types of manifestation into account. Especially when we take a longer-term view of the politicization of the EU. In Table 1, three recurring manifestations are summarized, with examples of what could be seen as evidence of politicization.

The key insight here is that the three manifestations of politicization in the institutional setting largely overlap with the *attitudinal* and *behavioural* parliamentarization of the EU as introduced in the previous section. The parliamentary communication function logically overlaps with political communication in the institutional setting. Increased parliamentary scrutiny of EU affairs is less visible to the wider public but is still a political activity that implies a heightened importance of the EU or a certain policy. Even the increasing awareness of MPs about their role in multi-level policy-making, or about the importance of a certain EU policy, can be seen as evidence of politicization (in the broader approach). In sum, different types of parliamentarization of the EU can be conceptualized as (as I will argue: necessary, yet insufficient) components of a broader politicization dynamic.

This means that the choice for the narrow or broad approach towards politicization is important to assess the relationship between parliamentarization and politicization. In the broad approach, attitudinal parliamentarization and the scrutiny aspect of behavioural parliamentarization might be labelled particular manifestations of the politicization of the EU. While this obviously has its merits to analyse longer-term dynamics in the EU multi-level polity, it can also lead to contradictory tendencies. Christiansen, Högenauer and Neuhold (2014), for example, theorized that institutional parliamentarization, and the related scrutiny practices, may also result in increased bureaucratization and depoliticization, as tighter scrutiny practices may favour expert bureaucrats, to the detriment of more visible and polarized political discussions in plenary.

For this and other reasons (see Gheyle, 2019, Chapter 2), I argue it is most helpful to think of politicization in the narrow view set out above, as a primarily discursive phenomenon that builds on the other manifestations functioning as latent potentialities. This narrow approach is also more suited to deal with short-term politicization phenomena, as is the case when focusing on European policies. Doing so also clarifies the relationship between (the communicative aspect of) behavioural parliamentarization and politicization. It is visible, polarized, parliamentary communication (most likely seen in plenary debates) that is considered the (necessary, yet insufficient) component of the broader (discursive) politicization of an EU issue. In the next section, I argue that

Table 1. Examples of manifestations of politicization across different settings.

	Institutional setting	Intermediary setting	Citizen setting
Beliefs/attitudes	MP views on EU integration	Expert views	Public opinion
Political activities	Scrutiny or follow-up of EU issues	Associational activity, protest, lobbying, coalition formation	Public protest, electoral turnout, voting behaviour
Political communication	Parliamentary debates in plenary	Mass media, party manifestos, press releases	Layperson’s discourse

Notes: Own elaboration, inspired by Zürn (2016) and Hurrelmann et al. (2015). ‘Narrow’ approach to politicization comprises the third row, while the broad approach comprises all three.

we not only *can* but also *should* be seeing these phenomena as intertwined.

4. The Importance of an Integrated View

In the previous part, I argued that it is analytically possible to see (the communicative aspect of) behavioural parliamentarization as a component of a wider politicization phenomenon. In this penultimate section, I add that we also *should* be seeing the former as a necessary, yet insufficient, component of politicization, for three reasons: (i) it goes beyond often ad hoc or pars pro toto theoretical assumptions in both literatures; (ii) it sheds new light on the normative consequences usually attached to both; and (iii) it furthers a more complete understanding of how ‘comprehensive’ politicization of European policies unfolds.

4.1. From ‘Partial’ to ‘Comprehensive’ Phenomena

A first reason to study these phenomena together is that we no longer have to resort to ad hoc or pars pro toto theoretical assumptions related to the original concepts. The literature on parliamentary communication, for example, often has to include publicly salient topics, or the introduction of broad variables such as ‘Euroskepticism’ in order to explain the existence and extent of communication (e.g., Auel et al., 2015). Arguably, it cannot be the aim to identify—a priori—all possible salient issues in order to explain this parliamentary function, nor is ‘Euroskepticism’ a readily interpretable indication of why some issues pop up in parliamentary debates while others do not. Explaining parliamentary communication makes more sense from the point of view of the issue, rather than the institution or characteristics of the country (even though these can play mediating roles). This could be attained by linking with the wider concept of ‘politicization’ of European policy.

Furthermore, national parliaments are not simply passive receivers of societal pressures that they must then translate into political action. They are an integral cog in a wider politicization dynamic, often able to decide whether to add visibility to certain EU issues, or whether to silence them. In his study of the EU Services Directive, Miklin (2014) for example, found that left parties aimed to “increase public pressure further and hence prevent the directive from being adopted” (p. 86). De Wilde (2014) states that “national parliaments can contribute to the politicization of Europe by exercising their communicative role, but the main communicative arena that reaches citizens is constituted by mass media, rather than parliaments” (p. 46). It, therefore, seems almost inevitable that the function of parliamentary communication is studied in parallel with the study of mass media (Auel et al., 2018).

In the politicization literature, secondly, it is often the case that evidence of one manifestation is taken to mean full-blown politicization. Some authors equate

politicization with political parties picking up an issue, irrespective of whether the issue is visible to a wider public or not (e.g., Green-Pedersen, 2012; Hooghe & Marks, 2009). Herranz-Surrallés (2018) identifies an increasing polarization between political parties (in the European Parliament) and labels this as politicization. Miklin (2014) argues that we need to assess how ‘EU politicization’ can increase in order to affect the way national parliaments deal with these issues, implying that the former is something independent from parliamentary involvement. Zürn et al. (2012) label the increasing involvement of NGOs at the international level as politicization. Lastly, many contributions focus on the mass media setting as the most important location to study politicization but in doing so run the risk of narrowing the phenomenon to media visibility (see Zürn, 2016).

Recall that politicization is a complex, multi-faceted phenomenon, that aims to tie together different (types of) manifestations in different settings. There is therefore arguably a risk in labelling something ‘politicization’ if it only manifests itself in one way or one particular setting. Just as a complex concept such as ‘democracy’ is not reducible to one constitutive element (such as free elections), so politicization is not present as soon as there is ‘protest’ or ‘media visibility’. It, therefore, makes sense to claim that political or societal debate in only one setting should be labelled a ‘partial’ form of politicization and if there is a spillover between different settings (parliaments and mass media) as ‘comprehensive’ politicization. Doing so would also (partly) address the thorny question of the ‘extent’ of politicization (What is high or low? Is there a threshold?), by arguing that we should at least be seeing parliamentary and mediated communication.

4.2. Normative Consequences

Besides theoretical and analytical reasons, there are also normative considerations that justify a closer connection between behavioural parliamentarization and politicization. Recall that both politicization and parliamentarization imply a normative, democratic component: Widespread public debate, and the particular translation hereof in parliament, is argued to be a constitutive force of democratization. Here too, however, it seems incorrect to assume that these far-reaching beneficial outcomes result from their partial manifestations only.

For national parliamentary debates this is acknowledged, and intuitively clear: If parliamentary debates do not spill over beyond the assembly walls, it is quite difficult to attach far-reaching normative consequences to the fact that they have taken place. Who saw them, what informing, aggregating, or polarizing function did they have? As Auel et al. (2018) succinctly put it: “Despite a remarkable increase in parliamentary involvement in EU affairs, the added value in terms of democratic legitimacy will remain limited if citizens are not aware of their activities”. While social media may have a role to play

here (even though there is doubt regarding the extent to which it can provide a balanced picture), the mass media remains the primary transmission channel for carrying these debates to the wider public.

The same reasoning applies for those contributions that study politicization as manifested in the *primus inter pares* setting, the mass media. While undoubtedly important, the point is that the existence of polarized and mediated debates about EU issues may not be sufficient to attribute large normative consequences if, for example, these do not imply any domestic conflict (De Wilde & Lord, 2016). What deliberative, normative, consequences should we attach to those debates about and between foreign or European actors, making EU issues seem as remote, or as if played out between others, and not us?

Arguably, what matters from a normative point of view is a connection between the (deliberative) opinion-making process and the decision-making level (Papadopoulos, 2013, p. 77). MPs, and the parliament itself, play a major role in (selectively) increasing the resonance of this public debate, increasing (potential) responsiveness by executive actors. If the existing power structures (such as governments or the European Commission) are disconnected from (or relatedly: irresponsible to) wider public debates, we should not hold public debates in such high (normative) regard simply because they happen. This could just as well constitute a 'dialogue of the deaf' (Crespy, 2014), which in the end fuels the (perceived) lack of legitimacy of the EU (Crespy, 2016). In sum, to genuinely speak of a politicized issue, outside debates need an inside translation, or they could evaporate in the already crowded public sphere.

This point is backed up most explicitly by Kröger and Bellamy (2016), who argue that what is lacking, is not (primarily) democracy at the EU level, but a democratic (re)connection between EU decision-making and the nationally-bound citizenry. In the current set-up, national parliaments are crucial in order to domesticate and normalize the EU. Domestication, they argue, is already well underway, since in their view this overlaps with institutional parliamentarization (cf. Kröger & Bellamy, 2016). Normalization, however, means debating "alternative EU policies by non-Euroskeptic parties according to their characteristic ideological commitments" (Kröger & Bellamy, 2016, p. 14). Hence, the (beneficial) normative consequences scholars attach to politicization may only materialize depending on far-reaching domestication and normalization of the EU. This arguably has a better chance when the objects are specific EU policies, where citizens can readily observe the wider societal debates and how political parties deal with those in their domestic parliaments.

4.3. Explanatory Potential

Finally, we should be linking both phenomena together because it helps us advance a more complete understanding of how this 'comprehensive' politicization de-

velops. This firstly means looking for the conditions under which a spillover from wider societal debates to parliamentary settings (or the other way around) occurs. Several of such 'spillover' variables have already been identified, but have not been placed into an overarching framework due to the separate evolvement of these strands of literature. When it comes to the conditions generally considered necessary for political parties to pick up and openly communicate about EU issues, four variables are raised: (i) the issue must be salient; (ii) the party position must be in line with their voters; (iii) the party needs to be internally cohesive on the topic; and (iv) the competitors should take up alternative positions (Kröger & Bellamy, 2016; Miklin, 2014).

Interestingly, the spillover from parliamentary to wider societal settings (e.g., mass media) seems to be based on similar considerations. Auel et al. (2018) studied different supply and (media) demand hypotheses about when parliamentary activity is covered in newspapers, and have found that there is a large role for parliamentary news *supply*. In other words: The media is certainly interested in parliamentary debates about EU issues, but there have to be such events in the first place.

Political parties or specific MPs are therefore key players. However, Kiiver (2007) argues that there is a range of trade-offs involved for MPs that impact their decisions to highlight EU issues, to take up contrasting positions, and to attempt to generate an impact on EU policy outcomes. Hence, further research should investigate not only if plenary debates, or political communication by MPs, about European issues takes place, but also what the underlying motivation is to do so, and when they abstain from it (see Senninger, 2017). This can be related to party variables, such as their ideology, or their place in government-opposition, but also to role division perceptions with the European Parliament, or issue-specific variables, such as distinctions between distributive, regulatory or foreign policy issues, or the way parties are able to link (frame) EU policies to their domestic agenda.

Besides highlighting issues themselves, parties may, of course, react to publicly salient topics, which means we also need to take into account how societal debate expands from initial discursive interventions, to its entrance in (semi-)public arenas and ultimately in parliaments (Palonen et al., 2019). Recent studies on the derailing of the Anti-Counterfeiting Trade Agreement (Crespy & Parks, 2017; Dür & Mateo, 2014) and the Transatlantic Trade and Investment Partnership (TTIP; Gheyle, 2019) have shown how interest groups and social movements succeeded in making complex foreign policy issues publicly salient, after which both national and European MPs picked it up. They point to normative framing strategies, pan-European coalition formation between groups, close ties with parliamentary actors, and outside lobbying efforts in terms of demonstrations and social media campaigns.

While the previous points all suggest agency-related variables, we also need to take into account the struc-

tural variables which inhibit or facilitate conflict expansion. In terms of parliamentary communication, for example, the either ex-ante or ex-post dealing with EU policy issues matters significantly (De Wilde, 2011b). When the issue is initially left to executives and the administration, heated debates often follow at the end of the policy cycle. When close (ex-ante) scrutiny has been paid throughout, less conflict appears to emerge afterwards. Gheyle (2019), furthermore, shows that Irish advocacy groups faced enormous difficulties in getting media attention for their TTIP cause, in part because of a hostile media environment (in contrast with the very open and pluralist German media system). Hence, the introduction of political and/or discursive opportunity structures should help explain the expansion or contraction of conflicts within and across settings.

A modest research agenda should therefore primarily aim to disentangle (through theory-testing process-tracing or qualitative comparative analysis) which combination of variables (or which mechanisms) explain ‘comprehensive’ politicization. Such a case-based research design is all the more important given that these ‘comprehensive’ phenomena might take place much less frequently than we think. Kiiver (2007) even argues that we can at best expect ‘targeted’ politicization: some specific EU policies, which attract deliberate attention by national parliaments, while the bulk of policies pass unnoticed. This is in line with the idea that politicization is essentially about how public and political attention—a scarce resource—flows (Palonen et al., 2019). A certain politicized issue might detract attention, resources, and debate from another, pre-empting a comparative analysis of different issues. A qualitative research agenda unpacking the dynamics of successful ‘comprehensive’ politicized issues is, therefore, better suited than large N projects.

5. Conclusions

In this contribution, I have looked at the phenomena of (behavioural) parliamentarization and politicization from a conceptual and analytical angle in order to set the scene for the empirical contributions in this special issue. The key point I put forward is simple, but arguably often overlooked: We can and should be seeing (behavioural) parliamentarization as a necessary, yet insufficient, component of a wider politicization phenomenon, and not as separate processes that react to each other. By concisely reviewing both literature strands and deconstructing these concepts, I have first of all shown that this is perfectly possible, analytically speaking.

With a further focus on the communicative aspects of behavioural parliamentarization and politicization, I have argued that we also *should* be seeing these as tightly interwoven, as it: (i) goes beyond ad hoc or pars pro toto theoretical assumptions in each separate literature strand; (ii) sheds new light on the normative consequences scholars usually attach to both; and (iii) helps ad-

vance a more complete understanding and explanation of these phenomena.

There are of course several limitations to this contribution. First of all, I have only focused on the role and activities of *national* parliaments, while their functioning and behaviour is also dependent on the place they have been granted (or carve out for themselves) in a multi-level parliamentary system. The relationship between these different levels is complex, even without questioning what multi-level politicization would look like (see Crum & Fossum, 2009). This contribution hopefully serves as a conceptual and analytical stepping stone for further research dealing with these complexities.

Secondly, as Table 1 shows, the citizen setting is also identified as a location for politicization to unfold, yet this is under-researched. An important consideration is if we should take this setting into account as well to make sure that any ‘comprehensive politicization’ we might witness, does not take place before a ‘blind audience’. While it makes sense to *assume* that issues that are contested simultaneously in parliament and in the mass media are also on the public’s attention radar, we cannot rule out the possibility that citizens’ changing media intake (e.g., through social media) fractures these links, and hence impacts the normative consequences attached to comprehensive politicization.

Thirdly, the current contribution identifies overlap predominantly in terms of the location and manifestations of politicization and parliamentarization but says little about the content of the debates that are being held. Any beneficial normative consequences attached to these phenomena obviously also depend on the way the EU is debated, and if position-taking and framing follow traditional political cleavages or if new ones are established (see e.g., Wendler, 2013). While it is here implied that contestation or ‘polarization’ is present as a necessary sub-process of politicization (and can arguably be seen as an empirical likelihood), empirical research should verify this in parallel, instead of only looking at where discursive interventions take place.

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Conflict of Interests

The author declares no conflict of interests.

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Article

The European Parliament and the Layered Politicization of the External Dimension of the Common Fisheries Policy

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Abstract

When the Lisbon Treaty entered into effect, the European Parliament became a core player in the decision-making processes of the EU's Common Fisheries Policy (CFP) and its external dimensions. This new role suggested a shift towards stronger politicization in what had previously been a rather technocratic policy field. However, the CFP is not yet marked by a clear and consistent level of politicization. I use the concept of 'layered politicization' to explain this pattern. Although it is not comparable to the degree of political controversy shaping fully politicized policy fields, some similar political dynamics can be observed. Among them is a transformation in the policy process due to higher ratification requirements; a higher likelihood of political deadlock resulting from an increasing number of veto-players; and a strengthening of the contested legitimacy of EU decision-making. An empirical test of these theoretical propositions is provided here in the form of two case studies; the negotiation of Fisheries Partnership Agreements with Morocco and Mauritania.

Keywords

common fisheries policy, European Parliament, fisheries partnership agreements, politicization

Issue

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1. Introduction

Research on the EU's foreign economic policies has long focused mainly on the impact of the principal-agent dynamics between the European Commission (EC) and the Council, the influence of commercial lobby groups, and the efficiency of EU negotiating strategies. To be sure, concerns about input—and output—legitimacy often provided an implicit background theme to these studies. And yet, in recent years, the elevated level of societal contestation and political controversy reached by debates over EU foreign economic policy, particularly trade policy, has been rather unexpected. As detailed in this special issue, the burgeoning power of the European Parliament (EP) over the past decade has significantly extended the potential for societal contestation, far beyond the situation which existed when the Council and the EC still reigned supreme in foreign economic policy.

The EP has become a focal point for research on this phenomenon, which is usually described as a process of politicization of EU politics.

Politicization as a concept has been used with increasing frequency to analyze heightened political conflict and public controversy in many EU-related policy fields. But there remains an open question; can we also use this concept of politicization to analyze issues that are not as visible on the public radar and not as prominent on the parliamentary agenda as, for example, Transatlantic Trade and Investment Partnership (TTIP) or Comprehensive Economic and Trade Agreement, even though the EP has been empowered in a very similar way in these less prominent areas (Rosén, 2016)?

Indeed, as De Bièvre and Poletti (2019) have shown, many lower profile trade negotiations generate hardly any public contestation. Hutter, Kriesi and Grande (2016, p. 280) talk about "punctuated politicization" which

varies across time, context and country. Hurrelmann, Gora and Wagner maintain that “only the most fundamental aspects of European integration...are politicized in the population, while the EU’s policy-making activities remain largely non-salient” (2015, p. 44). But is this also true for the recently parliamentarized Common Fisheries Policy (CFP) of the EU and its external dimensions? Can we nonetheless speak of politicization in this area, bearing in mind that the June 2019 European elections strikingly demonstrated the salience of environmental concerns for European politics? If so, what does such a pattern of politicization look like? These are the questions this article seeks to answer.

I will first trace the extent of politicization in the CFP, specifically in its external dimension. I will then propose the concept of ‘layered politicization’ to deal with a pattern of politicization that is incomplete and less comprehensive than is the case in the usual empirical studies of politicization (e.g., European integration per se, EU trade policy or European migration policies). Specifically, I will look at the role the EP played in causing this pattern. Finally, I will examine EU external fisheries policies through an analysis of so-called Sustainable Fisheries Partnership Agreements (SFPAs) and discuss the effects of this layered form of politicization.

There is a substantial literature on how to define politicization in a given policy field. For De Wilde, Leupold and Schmidtke (2016) politicization consists of three elements: (i) the growing salience and visibility of a policy, (ii) an increasing polarization of opinions in this field, and (iii) an expansion of the number of actors and audiences involved in decision-making processes related to this policy (for a similar conceptualization, see Hutter, Kriesi, & Grande, 2016, p. 8). Essentially, then, politicization refers to a situation in which a policy field that was previously subject to almost exclusively technocratic and elite-driven policy making with limited public controversy becomes the subject of public debate and polarization (De Wilde et al., 2016).

A number of scenarios can give rise to politicization. These include civil society groups and (often forgotten) commercial groups vigorously taking up a particular topic in an attempt to win strong public attention; political parties making the issue part of their platforms (Hooghe & Marks, 2009, pp. 18–19); and mainstream media outlets regularly publishing on the topic. In this way, a policy which was previously characterized by an insider discourse, insider bargaining and insider dealings without public debate is transformed.

Inevitably, however, this definition begs the question as to when the threshold is reached at which a previously non-politicized issue becomes politicized. As noted by, for example, Faber and Orbie (2007), trade policy making always involved a variety of actors and was debated intensively among them. It is also possible that some aspects of an issue are contested strongly (see the investor-state dispute settlement in TTIP), whereas the bulk of it is still dealt with behind closed doors.

Such an uneven pattern of politicization also seems to characterize the CFP and its external dimensions. The CFP is certainly not an issue that regularly captures the headlines. At the same time, it has undoubtedly become more controversial and, despite the comprehensive 2013 reform, it usually has a negative press. A substantial number of environmental NGOs have become active in this area, while highly successful documentaries have highlighted the parlous state of the marine environment. It is usually in such contexts that the CFP is targeted.

To establish a measure of the politicization of the CFP, I will use the three generally accepted dimensions of politicization mentioned above (salience, polarization, mobilization). I will trace the development of the CFP with respect to these three factors, paying particular attention to its external dimension. As we shall see, this analysis reveals a hybrid pattern of politicization, which I try to capture with the concept of ‘layered politicization’. I will also briefly discuss the effects of this development. The existing literature has generally identified two broad sets of consequences of politicization. Zürn (2014, pp. 58–59) and others have stated that politicized policy fields are less prone to being captured by special interests, and are more responsive to broader societal concerns and diffuse interests. This imposes losses on particular lobbies, leading to more transparency and better access for societal groups. Conversely, the more problematic consequences of politicization include less efficient policy-making in terms of output, with a significantly higher rate of ratification failures (Hooghe & Marks, 2009). Can these effects also be observed in a (partially) politicized CFP?

1.1. Research Design and Data

The politicization literature has employed a variety of methods to measure politicization in a given policy field. Scholars have examined the reflection of politicized EU policies in party manifestos (De Vries & Hobolt, 2015; Hooghe & Marks, 2018), the activities of lobby organizations (Dür & Mateo, 2016), the intensity of mass media debates (for example, Hutter et al., 2016; Schmidtke, 2016), and trends in public opinion research (Hurrelmann, Gora, & Wagner, 2015).

This research has analyzed some of the most common indicators of politicization over time. I measured the salience of EU fisheries policy by tracing its prominence in national newspapers from four of the largest member states, three of which are home to large fishing industries (i.e., France, Spain and the UK; Germany is the fourth country). Articles were searched in the respective languages on whether they mentioned the CFP or elements of the external dimension of EU fisheries policies, such as partnership agreements. Party manifestos of party groups in the EP prior to the 2019 elections were investigated for evidence of heightened concern with fisheries policies. The expansion of actors was traced through a review of the evolution of the CFP, with a focus on exter-

nal governance, and through an analysis of the involvement of new actors in decision-making. This also testifies to a measure of polarization, because it shows how a relatively closely-knit community of decision-makers in fisheries policies has greatly expanded over time.

The case studies themselves are based on a detailed tracing of the negotiation processes, primarily through a comprehensive analysis of official documents from all major EU institutions involved in the negotiations, as well as from specialized agencies, evaluations by think-tanks and NGOs, and press articles. Some open questions were clarified in confidential interviews with a high-ranking official from the EU's Directorate-General for Maritime Affairs and Fisheries (DG Mare).

2. Politicization of Fisheries Policy in the EU?

For decades, fisheries have been a neglected aspect of European integration. Even today, it has almost no place in most textbooks on the EU. Indeed, the CFP was barely mentioned in the Rome treaties. It was initially considered part of the Common Agricultural Policy (CAP), and thus subject to supranational governance. Only with the accession to the European Community of important fishing nations, such as the UK, Spain or Portugal, did fisheries become an issue of concern for European politics.

The principles of the CAP were used in the first fisheries regulations. They provided for a common market in fisheries products and structural aid for fishing regions (Penas Lado, 2016, p. 22). The external dimension of EU fishing policy was even more sparsely regulated, and there were few rules that governed the activities of EU vessels. In 1982, however, the United Nations Convention on the Law of the Sea was signed into effect. This law gave marine states jurisdiction over an Exclusive Economic Zone (EEZ) that stretched 200 nautical miles from the shoreline. Partly as a reaction, the EU formally adopted the CFP in 1983. About a quarter of the fish taken by EU vessels came from waters outside the EU, which lent a vital importance to international policies and agreements. Since the 1990s, the EU has intensified the external dimension of its fisheries policy by negotiating access rights via so-called partnership agreements and by participating in international fisheries management organizations.

The early CFP was governed by a marine-industrial complex in which the distribution of quotas and the writing of complicated regulations was negotiated behind closed doors (Lövin, 2012; Wakefield, 2016, pp. 55–57). This process was dominated by the core fishing nations of the EU in the Council, particularly Spain and France. Big sector organizations like *Europêche* and the French and Spanish fisheries organizations with their permanent representatives in Brussels exerted a strong influence through lobbying, much as influential agricultural groups had in the CAP (Griffin, 2013; Payne, 2000). Scientific advice was requested, but the recommendations were usually disregarded (Daw & Gray, 2005).

To be sure, there have been a few flare-ups, such as the Cod Wars between the UK and Iceland in the mid-1970s and the Spanish–Canadian turbot war of 1994–96. Generally, however, the execution of the CFP at the EU-level was characterized by low public salience and was subject to control by a limited number of decision makers (Penas Lado, 2016, pp. 275–276). Conflicts were usually dealt with in the Council without significant public involvement. Protests against the CFP were highly concentrated in local fishing communities that felt disadvantaged by EU regulations, such as Scottish fishermen (a constituency which, predictably enough, voted for Brexit). Despite clear signs of mismanagement and unsustainable exploitation, no substantial changes occurred until the turn of the millennium. It was at this point that the environmental consequences of over-fishing became glaringly obvious (Penas Lado, 2016, pp. 232–249).

In 2002, these grave problems were acknowledged for the first time by a comprehensive CFP reform. The agent of this new emphasis on sustainability was not the public but rather the EC. Certainly, this new-found enthusiasm clearly reflected the rise of environmental parties and civil society organizations within the EU. Starting with the reform of 2002, the EU claimed to switch the focus of its agreements with foreign partners. The latter were now re-branded as fisheries partnership agreements (FPAs), replacing a pure concern with access rights to a broader agenda encompassing structural and logistical aid for partner countries as well as environmental considerations (Witbooi, 2008; Witbooi, 2012). The reform also created so-called Regional Advisory Councils to allow for a greater involvement of diverse stakeholders. The narrative of the negotiations changed substantially and the number of involved actors increased. However, the actual content of the agreements and the activities of the EU fishing industry did not yet reflect this (Daw & Gray, 2005; Gegout, 2016).

Thus, despite the reform, complaints by NGOs and scientists about the exploitation of the seas and the role of the EU became stronger, and public alarm grew accordingly. The EC sought to present itself as a progressive force, which resulted in 2009 in the publication of a Green Paper (EC, 2009). A public debate on the proposals was initiated, which generated 394 responses mostly from industry and the general public. 63 statements by civil society organizations and 65 from national or regional governments were received (EC, 2010).

On 1 January 2014, a comprehensive CFP reform went into effect. This reform stressed the normative dimension of fisheries policies. The FPAs were renamed SFPAs. The reform process was decisively shaped by the new range of actors who weighed in on the debate. For example, numerous NGOs seized on the opportunity provided by the Ocean2012 coalition, which united 193 groups in 24 member countries. Most importantly, however, the Lisbon Treaty empowered the EP by giving it co-decision making powers in the CFP, which en-

compassed the external dimension. Due to this development, any agreement in this area now requires the EP’s endorsement according to the consent procedure (that is, after a single reading, the EP is given the option to accept or reject the results, but not to amend them). Prior to the vote in the plenary, the EP Fisheries Committee (PECH) discusses the draft agreement and gives its opinion. In recent years, there were often sharp divisions within the Committee. Other EP Committees, in particular those on Development and the Budget, usually also discuss the draft agreement and recommend approval or disapproval. Once the EP gives its consent, the Council can ratify the agreement. As in trade policy, both the EP and the Council have veto power when it comes to the ratification of agreements.

After the Lisbon Treaty was ratified, the EP immediately became very active in fisheries policy. Greene and Cross (2015, p. 8) found that plenary speeches by MEPs on CFP topics rose strongly after the Green Paper was published by the EC. In a 2012 resolution on the external dimension of the CFP, the EP called on the EC to negotiate not with the main objective of “obtaining fishing rights for EU vessels but [rather]...with the aim of attaining comparable sustainable management rules as the EU in the third partner country” (EP, 2012). And indeed, regulation 1380/2013 of December 11, 2013, which codifies the reformed CFP, essentially comprises a statement by the Council and the EP stressing their commitment to such objectives in partnership agreements (EP & Council of the European Union, 2013). The long deliberative process of the reform firmly entrenched sustainability as the dominant discourse in the EU’s CFP. This also reflected public opinion in most EU countries (see, for example, Client Earth, 2018).

Given this external normative pressure, the EC began to closely coordinate negotiations with the EP

(Zimmermann, 2016) and systematically tried to enlist the EP’s legitimization resources (see Rosén, 2016). The Lisbon Treaty thus ensured that rules guiding decision-making involved many diverse actors. The formerly technocratic decision-making process that had characterized this policy field was thus severely compromised. The emergence of the EP as a key player gave many actors a new forum to make their voices heard.

Despite all of this, the CFP and its external dimensions only partially exhibit the characteristics of a politicized policy field. There is clearly a continuous expansion of relevant actors in the decision-making process (criterion iii) and there are sharp divisions among them, with the attendant strong contestation of the CFP and its components (criterion ii). However, the public salience of the issue (criterion i) remains rather limited.

This is substantiated by a comprehensive search in the media regarding the public attention garnered by the CFP over the past twenty years (that is, the approximate time period in which public contestation of European fisheries policies began to extend beyond the confines of regional fisheries communities). A Nexis search of English, German, French and Spanish language newspapers showed that the CFP was not very frequently the object of articles. This pattern remained constant until 2016, though there was a small spike during the debate about the CFP reform. The precipitous rise in English-language papers after 2016 is due to Brexit, particularly the widely reported protest activity of Brexit campaigners against the withdrawal deal with the EU. This culminated in the dumping of dead fish into the Thames by Nigel Farage and his co-campaigners. Given the much higher number of British papers in the database, British published opinion is over-represented (Figure 1).

The same trend is visible if one searches the same terms in selected ‘quality’ journals (Figure 2).

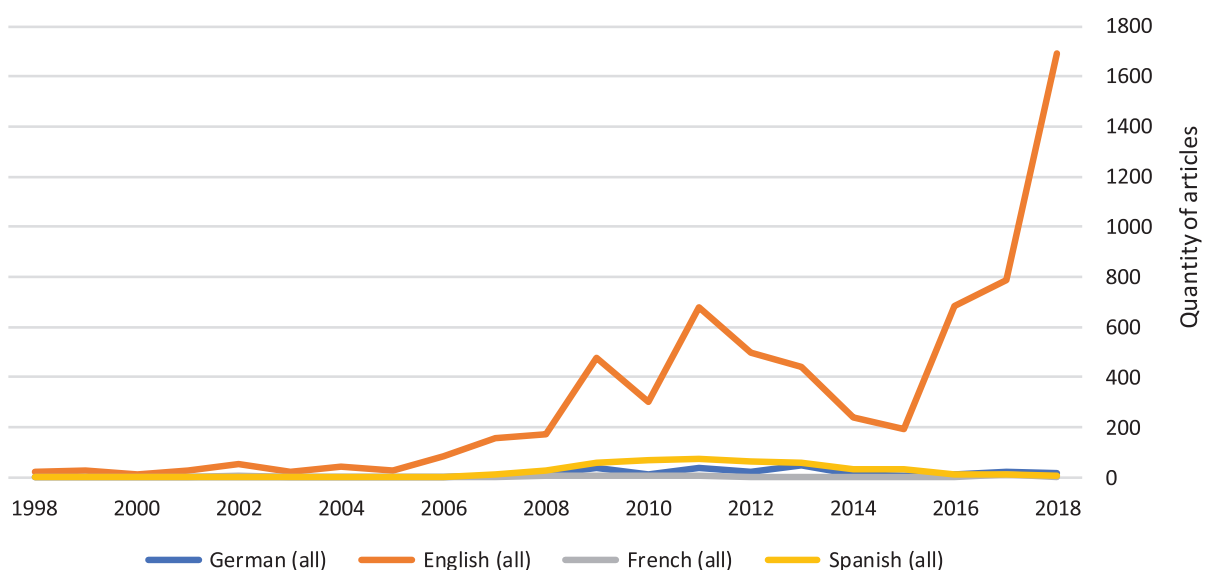


Figure 1. Search in Nexis Database of about 2300 European newspapers (among those 211 German, 211 French, 1113 British, 61 Spanish). Search Terms: Common Fisheries Policy, EU Fisheries Policy, European Union + Fisheries Policies (and translations of these terms in German, French and Spanish).

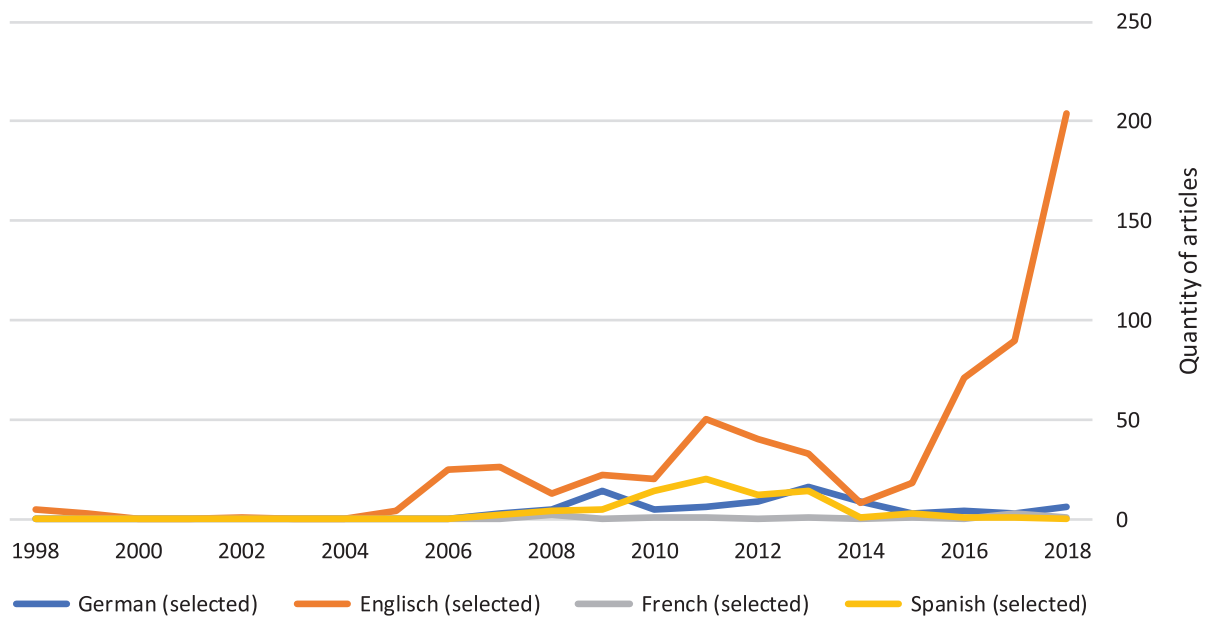


Figure 2. Search in Nexis Database on Selected Newspapers. German (Tagesspiegel, taz, die tageszeitung, Die Welt, Die ZEIT, Welt am Sonntag); English (The Daily Telegraph, The Guardian, Daily Mail, The Daily Mail and Mail on Sunday); French (Le Monde, Le Figaro, Le Figaro Online); Spanish (El Pais, El Mundo). Search terms are the same as in Figure 1.

Overall, then, there seems to be no sustained public debate in EU countries on fisheries, at least not one that is reflected in newspapers.

The same pattern emerges from an examination of the manifestos of the party groups of the EP. Only the Greens and the Left briefly mentioned fisheries in their 2019 manifestos. The overall picture remains rather unclear, suggesting very punctuated politicization. Does this mean that an analysis of the CFP and its external dimension through the lens of politicization will inevitably yield few benefits?

3. The ‘Layered Politicization’ of the CFP

This short review of the development of the CFP suggests that any use of the concept of politicization to analyse less prominent areas of EU external policies is problematic. Is there anything to be gained from using this concept to understand the dynamics in this policy field? I argue here that, with a more fine-grained conceptualization of politicization, we can still capture increasing contestation, and explain effects such as an increasing likelihood of ratification failure. One way to move towards this goal is to take into account recent advances in the literature on institutional change. This encompasses both the descriptive and prognostic dimensions of politicization (Rixen & Viola, 2015; Streeck & Thelen, 2005).

While many conceptualizations developed by the institutionalist literature are potentially useful, the recent framework presented by Lowndes and Roberts (2013) offers a good starting point. These authors see institutions as composed of three layers: narratives, rules and practices. This disaggregation makes institutions not only

more intelligible; it also better helps us to understand their effects and their reaction to politicization (Lowndes & Roberts, 2013, p. 63).

Summarizing briefly, narratives designate the most important discourses within an institution. Politicized narratives suggest a highly contested discourse with conflicting interpretations about correct policies. Lowndes and Roberts conceptualize rules as written clauses, regulations and laws. Such rules structure the political process. If the rules of decision-making have developed in such a way that they easily provoke intense political conflict and involve many potentially competing actors, we can speak of politicized rules. Finally, practices describe the conduct and policy-output of institutions. If the implementation of agreed policies is publicly contested, politicized practices can be observed.

In each of these three dimensions, the parliamentarization of the CFP might have resulted in substantial change. The involvement of the EP has given voice to new actors. These actors may look to influence decision-making by focusing directly on MEPs. Obviously, the layer of rules has also changed greatly due to the introduction of a new veto player.

Combining the three institutional layers with the dimensions of politicization cited by most of the relevant literature yields the following table:

This table suggests the possibility of an ‘incomplete’ or ‘layered’ politicization in which not all the boxes will be ticked. Narratives might be highly polarized and visible, whereas rules and practices might remain quite technocratic. It is also possible to imagine a policy field with a highly politicized narrative and mobilized rules (due to a wide array of actors), but which nonetheless fails to take

Table 1. Layers of politicization.

Dimensions of politicization	Layers of Institutions		
	<i>Narratives</i>	<i>Rules</i>	<i>Practices</i>
<i>Salience/Visibility</i>	Salient Narrative	Salient Rules	Salient Practice
<i>Polarization</i>	Polarized Narrative	Polarized Rules	Polarized Practice
<i>Mobilization</i>	Mobilized Narrative	Mobilized Rules	Mobilized Practice

on much broader salience, and therefore does not generate much media attention. This is apparently the case with the CFP.

Confronting this framework with the effects of politicization yields various propositions. For example, it is possible that, despite a politicized narrative, policy output remains technocratic. This might be the result of strongly path-dependent decision-making rules, or the empowerment of important veto-players. By contrast, thorough politicization would shape not only politicized narratives; it would also result in a process in which decisions are made in an openly political contest within politicized institutions (such as parliaments but not necessarily parliamentary committees). This would lead to practices and results that are different from those of a purely technocratic environment.

To detect layered politicization in the external dimension of the CFP, I will first trace the course of recent negotiations of important SFPAs. The aim is to establish whether or not these have become more controversial, in particular as a consequence of the involvement of the EP. Second, this will allow me to identify a potentially larger set of actors that are involved in the decision-making process. As in the first section of this article, a search on Nexis regarding the external dimension of the CFP has been undertaken. This resulted in almost no hits.

4. Layered Politicization and SFPAs

The EU has signed more than twenty bilateral agreements with third countries that deal with the access of EU vessels to the exclusive economic zones of these countries. The protocols governing these agreements are periodically renegotiated, with almost half of them currently dormant. The EU pays a fee for access, and the EU fishing industry is allowed to take the surplus yield. According to the EU, these agreements set the standard for international fisheries in terms of sustainability, benefits for the local population and transparency. Nonetheless, they are often depicted as exploitative. In the last decade, the overall contestation of some of the agreements has risen considerably. The following case studies use the framework established in the preceding paragraphs to trace this pattern of politicization and the role of the EP in this process. I will then assess the impact of politicization on the negotiation of SFPAs. As case studies, I have selected the EU fisheries agreements with Morocco and

Mauritania, as these are perhaps the most important and the most contested.

4.1. Morocco

Morocco was once a reliable fishing ground for the EU, particularly for Spanish and Portuguese vessels. Early fisheries agreements concluded in the 1980s and 1990s were uncontroversial. In 1999, however, Morocco refused to sign a new protocol, citing the exhaustion of fish stocks. Despite strong efforts by the EC, a follow-up protocol proved elusive until 2007. Following intense lobbying by the fishing industry, the EC finally presented a new draft agreement. This draft provoked some controversy in the Council. The reason was not the economic or environmental dimension of the protocol, but rather the very political problem of the inclusion of the waters of the Western Sahara. This territory, formerly occupied by Spain, has been governed by Morocco since 1975, against strong resistance by the local population. The EU is internally divided on whether Morocco's often brutally enforced annexation should be condoned. These divisions are clearly shown by the convoluted moniker given in EU official language to the region: a "non-self-governing territory 'de facto' administered by the Kingdom of Morocco".

And yet this unusual territory also includes the best fishing grounds (especially since Moroccan coastal waters are already quite empty). Many member states and NGOs (such as Fishelsewhere.com, founded in 2006 by Western Sahara activists) claim that the EU's FPAs implicitly recognize Morocco's sovereignty over the territory and lead to the exploitation of marine resources, to the detriment of the inhabitants of Western Sahara, the Saharawis. In 2007, Sweden voted against the EC's draft in the Council because of this problem. Other countries also voiced their concerns. Nonetheless, the protocol was ratified quite smoothly, reflecting a low level of public salience and a technocratic decision-making process that created only a few ripples within European public opinion.

In 2011, when the agreement was on the verge of expiration, Spain lobbied hard for an extension. However, scientific evaluations of the previous protocol gave its sustainability record a very poor rating (Oceanic Développement, 2010). The EC had recently published its Green Paper on the sorry state of the CFP. It thus tried

to gain time for a new approach by requesting an extension for just one year. Even within the EC, opinions about a new agreement were divided: DG Mare argued that the waters of the Western Sahara should be excluded, while other DGs stressed the overall importance of relations with Morocco (Jönsson, 2012, p. 29). A similar division revealed itself within the Committee of Permanent Representatives, which prepares Council meetings.

Despite these divisions, the Council gave the EC a mandate to open negotiations in order to avoid a new disruption of EU fishing activities. On this basis, in February 2011, the EC quickly reached an agreement with the Moroccan government that included the Western Sahara. In June, the Council approved the result with a narrow majority. In December 2009, however, the Lisbon Treaty had entered into force, which meant that the EP was now required to give its consent. The PECH was still dominated by Spanish and French Representatives, and it sided with the EC and the Council. The Budget and Development Committees, however, recommended that the EP withhold its consent (Jönsson, 2012, p. 42).

Consequently, an intense debate developed in the parliament. The controversy over the self-determination of the Saharawis, the ecological consequences of large-scale fishing in Western African waters, and the developmental implications of the agreements became much more visible with the mobilization of the EP. Previously, this kind of polarized narrative had been stifled by technocratic rules. But now it came dramatically to the surface. What's more, critical groups suddenly had an institutional target beyond individual member states. Indeed, in December 2011, the plenary of the EP rejected an extension of the agreement on the grounds that the EC had not demonstrated its ecological sustainability or economic viability, or that it would be beneficial to the Saharawis. The EP demanded that any new protocol should respect international law, that it should be sustainable, both in economic and ecological terms, and that the uses of EU funds should be made transparent (Passos, 2016, p. 93).

As a result of the EP vote, Morocco closed its fishing grounds to all EU vessels. After vociferous protests by the fishermen and the governments representing them, the Council authorized the EC to continue the talks and to push for an improved agreement, in particular with respect to the concerns expressed by the EP. The EC then drafted a new protocol with more detailed provisions on how the money would be distributed within Morocco, specifically to the Saharawis (Interview with EC Official; EP, 2013). The Council discussed the draft agreement in early November 2013. Sweden and Denmark voted against, while the UK, Netherlands and Finland abstained. This was enough for a qualified majority.

On 10 December 2013, after extensive and heated debate, the EP voted for the agreement with 310 votes against 204 no-votes and 49 abstentions. In its resolution, the EP demanded participation in the implementation of

the agreement by, for example, sending observers to the EU-Moroccan joint committees set up by the protocol (EP, 2013a). Naturally, the fishing industry was delighted to gain access to Moroccan waters. But opponents of the agreement, such as the Greens in the EP and NGOs supporting the cause of the Saharawis, denounced the vote as shameful. The episode showed that rules and practices in the negotiation of this agreement had become polarized, and it demonstrated the increasing number of actors that were mobilized during the process of policy formulation. The days of a permissive consensus on the negotiation of fisheries agreements with Morocco were long gone.

The following years underlined this new reality. In 2014, the Frente Polisario, Western Sahara's liberation movement, launched a case at the European Court of Justice to contest a separate agreement on trade in agricultural products. In December 2015, the Court ruled that trade agreements with Morocco could not apply to the Western Sahara, causing Morocco to freeze its relations with the EU. The Council appealed against the decision and recently won the case (Court of Justice of the European Union, 2016). NGOs fighting for the recognition of the rights of the Saharawis, however, were emboldened. They challenged the fisheries agreements at the Court. In fact, in February 2018, the Court published another resolution in which it stated that a new agreement could not cover the waters adjacent to the Western Sahara, although the fisheries industry and Morocco claimed that a considerable portion of the benefits of the agreement accrued to the population of the disputed territory. Consequently, the EU attempted to broaden the negotiations by consulting representatives of all the relevant territories. However, the Polisario declined to participate. This did not stop the EC and the Moroccan government from implementing a new agreement, after consultations with as many local representatives as seemed possible under the circumstances.

When it came to a vote in the EP, the Greens demanded that once again the text should be referred to the European Court of Justice (The Greens/EFA, 2019). On February 2, 2019, however, Parliament finally gave consent to a new four-year agreement, allowing about 130 EU vessels for a sum of €208m to fish in Moroccan waters, including the Western Sahara territory. 415 MEPs voted for the deal, with 189 against and 49 abstentions, despite vociferous protests by NGOs (EUObserver, 2019). The majority of the EP maintained that the agreement would not constitute the recognition of Moroccan sovereignty over Western Sahara. On March 4, the Council gave its consent with a similar statement.

This case study shows unambiguously that, over the past decade, both political contestation and the number of actors dealing with negotiations has risen continuously. The role of the EP has been crucial in this respect. The involvement of the Court is particularly noteworthy. And yet the public salience of the issue remains limited. A search of newspapers indexed in Nexis from

1998–2017 showed that FPAs were discussed only in very few articles. Most of the debate occurs in specialized internet publications, often those published by NGOs.

4.2. Mauritania

In terms of volume and financial contribution, the agreement with Mauritania is the EU's most important SFPAs. The renewal of the protocols thus attracted particular attention from the fishing industry, NGOs and, more recently, the EP itself. It did so only in the last decade, however. The 2012 renegotiation of the 2006 protocol turned out to be riven with conflict, and it resulted in a compromise that was rejected by the EU fishing industry and their allies in EU institutions.

The normative discourse established during the run-up to the 2013 CFP reform and the empowerment of the EP strongly influenced the decision-making process. It gave particular clout to scientific evaluations which argued that previous protocols had caused depleted fish stocks, to the detriment of the Mauritanian fishing sector (Oceanic Développement, 2011). In May 2011, the EP adopted a resolution which demanded that the EU fleet should only target the surplus of fish—that is, the sustainable quantity above the level that was reached by Mauritanian fishers. The EP further argued that the most valuable species, octopus, should be excluded from the new protocol (Corten, 2014, p. 3).

Negotiations with Mauritania began in June 2011 and quickly became protracted, as the Mauritians seized on the new mood and ramped up their demands. They were supported by vocal European and African NGOs (Nagel & Gray, 2012). The fishing industry warned the EC that a new protocol in line with Mauritanian conditions would not be commercially viable (Corten, 2014, p. 4). In July 2012, days before the expiration of the old protocol, the EC presented a provisional extension of the 2006 protocol, pending consent of the EP. It went very far in meeting Mauritanian demands and reflected the philosophy of the 2012 Green Paper.

As soon as the provisional text became known, protests began. The EU fisheries industry lambasted the agreement as commercially useless (EP, 2013b). Subsequently, most EU vessels effectively ceased fishing in the Mauritanian EEZ. And yet most member states supported the result, even some with fishing interests in Mauritania. They were presumably responding to pressure by NGOs in their countries (Corten, 2014, p. 7). Another factor influencing member states' support for the agreement was their interest in stabilizing Mauritania given ongoing unrest in Mali at the same time (Interview with EC Official). Thus, the Council signed the protocol in December 2012 and agreed to its provisional application, until the EP gave its consent.

In February 2013, the EP Committee on Development recommended consent. However, three months later, the PECH, under its Spanish rapporteur Gabriel Mato, recommended that the EP withhold its consent since the

protocol made no economic sense (EP, 2013c). In the ensuing months, Spain initiated a strong campaign to convince MEPs to vote against the agreement (Jönsson, 2012). However, numerous NGOs lobbied the parliamentarians, and in the end they easily carried the day (EP, 2013b). In October 2013, the EP voted for the protocol with 467 votes in favor and 154 votes against, with the latter coming especially from the European People's Party. This was signed in November.

The whole process underlined the 'layered politicization' of the external dimension of the CFP. The parliamentarization of SFPAs negotiations mobilized new actors who were able to politicize the process. This gave rise to serious conflicts within all three major EU organs. However, an evaluation of the subsequent media coverage of these developments shows that public engagement with the issue was still rather limited. While there was polarization and mobilization in the layers of narratives and rules, the low degree of salience remained.

A similar pattern was observable in the next round of negotiations which ended, in November 2015, with a new protocol coming into effect. In the early stages of the negotiation of this protocol, the EP produced a resolution on the external dimension of the CFP which promoted the Mauritania deal as a potential model (EP, 2016). The resolution and the report on which this was based (EP, 2015) was strongly influenced by the results of a conference of the Long Distance Advisory Committee (LDAC), an advisory body established by the Council and EC in 2007. The LDAC combines representatives of industry, NGOs, European states and member states. In its recommendations, the Committee states that:

The essence of the partnership between African countries and the European Union should be the joint promotion of sustainable environmental, social and economic development based on transparency and the participation of non-governmental stakeholders, especially the professionals who depend on fishing for their livelihood. The conservation of resources and the protection of the marine environment are essential in order to guarantee sustainable fishing for future generations" (LDAC, 2015).

This was reflected in the protocol, despite strident protests by the fishing industry (North Africa Post, 2015). In addition to its strong normative content, the SFPAs again contained a provision which obliged Mauritania to publish all agreements with other states or private entities which were entitled to access to Mauritanian waters. This was to ensure that other agreements with lower standards would not undermine the objectives of the EU SFPAs and allow for other states to out-compete the EU. As a result, Russia launched a complaint at the World Trade Organization, opening another arena of contestation (EP, 2013b).

Overall, however, the process was less conflict-prone than the earlier renegotiation. The protocol passed

through the EP with a comfortable margin, although it was strenuously denounced by critical NGOs (AEFJN, 2016). This probably reflects the fact that civil society groups were more embedded in the process, while parliament was more frequently consulted. In this sense, the polarization and the mobilization of the rules dimension became less pronounced.

One reason for the vote might have been the refugee crisis of 2015. This drew attention to the fact that Mauritania is a transit country, and that it has a long common border with troubled Mali. This provides another opening for contested meanings that different actors will attach to the agreement. The impending renegotiation might become yet another partially politicized process.

5. Conclusions

Politicization is a concept that has been developed to account for the increasing but often diffuse contestation of global and European governance. In their comprehensive study on the politicization of European integration in the past 50 years, Hutter et al. argued that there was no consistent pattern or trend towards the politicization of EU politics. Instead, they observed significant variation across time and country, which they termed 'punctuated politicization' (2016, p. 280). However, their research concentrated on the big turning points and crises of European integration. It is thus quite reasonable to expect that, in a less prominent arena such as the CFP and its external dimension, this pattern would be even more pronounced.

As this article has demonstrated, some elements of politicization can indeed be identified in the CFP, but they are far from consistent and they have not yet mobilized a broader public. To account for this incomplete pattern, the concept of 'layered politicization' has been employed. Two decisive elements shape this 'layered' politicization: the increasing prominence of a normative discourse on fisheries policy that was institutionalized with the reform of the CFP (layer of narratives) and the parliamentarization of the CFP as a consequence of the Lisbon Treaty (layer of rules). Parliamentarization allowed for many more actors to gain access to the decision-making process. Such actors include expert committees and civil society groups. Crucially, these actors now have a much better chance to influence policy outcomes. External fisheries policy has become a contested policy field, and the EP has become a core arena. Faced with a divided council, its clout is considerable.

This also allows the EC to use the EP in a similar way as US trade negotiators use Congress: as potential a veto-player in a two-level game with counterparts in international negotiations, but also as a potentially legitimizing actor. Consequently, negotiations have also become more complicated, with some fisheries protocols lapsing and EU counterparts becoming increasingly upset about the intrusiveness of the agreements. While many NGOs still see the EU's fisheries policy as exploitative, their in-

clusion in the process has made their arguments less strident. The incomplete politicization of the external dimension of the CFP has had the same effects that were identified for cases of comprehensive politicization: less efficiency, but more legitimacy. Overall, then, the use of a more fine-grained concept of politicization might enable future research to more systematically link specific forms of politicization to particular policy outcomes.

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Conflict of Interests

The author declares no conflict of interests.

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Article

Eurosceptics into the Limelight? Eurosceptic Parliamentary Actors and Media Bias in EU Affairs

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Abstract

In the spotlight for some time now, the potential of national parliaments to legitimise EU politics has become even more salient given the growing politicisation and public contestation of EU issues. Their ability to realise this potential depends, however, vitally on citizens being actually aware of parliamentary involvement in EU affairs. Academic as well as political attention has therefore more recently turned to the communication function of parliaments, and here the media play a crucial role. Important is not only whether EU parliamentary affairs are covered in the media, but also *who* within parliament gets the opportunity to raise European issues in the media. In the context of this thematic issue, the question of media visibility is of particular interest with regard to Eurosceptic parliamentary party groups and their members. Do Eurosceptics in parliament get to dominate parliamentary EU news in the media and thus to take ownership of EU issues—or do the media freeze parliamentary Eurosceptics out of the coverage? Both would seriously undermine the legitimising potential of national parliaments. The article therefore analyses to what extent we can find a visibility bias in the print media coverage of Eurosceptic parliamentary actors and explores the factors that contribute to such bias. For the analysis, it draws on a quantitative dataset of all newspaper articles covering parliamentary EU affairs in six member states (Austria, Finland, France, Germany, Poland and the UK) over a period of four years (2010 to 2013).

Keywords

communication; European Union; Eurosceptics; media bias; media coverage; national parliaments

Issue

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1. Introduction

The 2016 referendum in the UK on leaving the EU and its aftermath not only sent shock waves through the Union, it has also brought home two very uncomfortable truths. First, it made, again, powerfully clear how deep the rejection of, but also the disconnect between, at least parts of the citizens of the EU and the Union is and, second, how little many citizens actually know about the EU.

Both insights are not exactly new, and have been discussed for some time now under the broad umbrella of the EU’s infamous democratic deficit. Described as a move away from the ‘permissive consensus’ (Lindbergh & Scheingold, 1970), that is the friendly ignorance of citizens towards the EU, towards a more ‘constraining dis-

sensus’ (Hooghe & Marks, 2009) or even ‘destructive dissent’ (Daddow, 2012), this development has, inter alia, also led to a greater interest in the role of national parliaments in EU affairs, and in their communication function in particular (Auel, Eisele, & Kinski, 2016; Auel & Raunio, 2014; Rauh, 2015; Rauh & De Wilde, 2018; Wendler, 2016; Winzen, De Ruiter, & Rocabert, 2018). By communicating EU affairs to their citizens, the argument goes, parliaments can not only legitimise national politics in EU affairs, but also overcome the disconnect between citizens and the EU:

The communicative performance of national parliaments in EU affairs is directly related to the often discussed democratic deficits of supranational gover-

nance: if MPs raise European issues, they offer a remedy to the otherwise opaque procedures, the overwhelming complexity, and the difficult attribution of political responsibility in decision-making beyond the nation state. (Rauh, 2015, p. 118)

The ability of national parliaments to connect their citizens to the EU and EU politics does, however, depend crucially on whether they are actually able to reach a wider audience. The internet has clearly facilitated parliamentary communication via social media, websites, web streams or parliamentary TV. Yet although we lack systematic data, it remains questionable whether citizens actually make broad use of these opportunities. Here, the mass media still play an important role as a *relais* between politics and the citizens. Traditional media, such as newspapers and TV are certainly no longer ‘the only contact many [citizens] have with politics’ (McCombs & Shaw, 1972, p. 176), but surveys consistently show them still to be among the important sources of information about political issues (e.g., Reuters Institute, 2018).

In contrast to social media or websites, which establish an unfiltered, unmediated line of communication between MPs and citizen, traditional media are not simply an arena that can be strategically occupied by political actors, but autonomous players that engage ‘in making European news’ (Trenz, Conrad, & Rosén, 2009, p. 343, emphasis added) and thus contribute to the shaping of public discourse about the EU. Various studies have linked the coverage of EU news in the media to public perceptions of the EU (Schuck & De Vreese, 2006; Vliegenghart, Schuck, Boomgaarden, & De Vreese, 2008; for an excellent discussion see Galpin & Trenz, 2017) as well as turnout and vote choice in the European Parliament (EP) elections (Van Spanje & De Vreese, 2014) or in EU-related domestic referendums (Elenbaas & De Vreese, 2008). This raises not only the question to what extent the media cover parliamentary engagement in EU affairs more generally, but also *who* within parliament gets the opportunity to raise European issues in the media, to explain procedures and to attribute responsibility.

With regard to the former, studies have shown that parliaments generally tend to play a minor role in national EU news compared to domestic executives or EU actors (De Wilde, 2014; Koopmans & Statham, 2010). Still, Auel, Eisele and Kinski (2018) find that parliaments are still routinely covered in the media and, moreover, that the more active parliaments are in EU affairs, the greater the attention they gain in the press. Yet so far, we know little about the latter, namely about the visibility of different parliamentary actors in the media when it comes to the coverage of parliamentary EU affairs. A number of studies have investigated the media visibility of parliamentarians (see Vos, 2014, for an overview), but with very few exceptions (e.g., Gattermann & Vasilopoulou, 2015), these studies focus on domestic rather than EU politics.

In the context of this thematic issue, and especially given the recent surge in public Euroscepticism throughout the EU as well as the successes of Eurosceptic parties, the question of media visibility is of particular interest with regard to Eurosceptic parliamentary party groups (PPGs) and MPs. Research has shown that the relative visibility of parties and candidates can also have a strong impact on vote choice (Eberl, Boomgaarden, & Wagner, 2017; Takens, Kleinnijenhuis, van Hoof, & van Atteveldt, 2015). At least as important is the question who within parliament gets to take public ownership of EU issues. Do Eurosceptics in parliament get to dominate parliamentary EU news in the media—or do the media freeze parliamentary Eurosceptics out of the coverage? Both would indicate a bias in the media and seriously undermine the capacity of national parliaments to fulfil their communication function, which depends crucially on whether they succeed in making ‘*the choices and political alternatives*’ involved in European integration visible to the wider public they mean to represent’ (Rauh, 2015, p. 117, emphasis added).

Against this background, the article analyses the print media coverage of Eurosceptic compared to non-Eurosceptic parliamentary actors and explores the factors that contribute to a more or less balanced coverage. Drawing on the concept of media bias, the aim is to make a contribution at three levels: first, empirically, by providing the first investigation into the question of the relative visibility of Eurosceptic parliamentary actors in the domestic media coverage of parliamentary EU news, thus contributing to the literature on parliamentary communication in EU affairs, but also the media’s role in shaping public discourse on the EU; second, methodologically, by developing two different types of visibility bias that take the relevance of Eurosceptic parliamentary actors in terms of their seat share and their level of activity in EU politics into account; and third, conceptually, by treating media bias not as an independent but as a dependent variable and exploring factors that might contribute to a bias in the first place. The article is structured as follows: the next section develops the two different types of visibility bias and discusses potential factors contributing to bias, distinguishing between partisan and structural bias and drawing on the notion of ‘newsworthiness’. Section three presents the data and operationalisation, followed by the empirical analysis in section four. The final section discusses the findings and concludes.

2. A Certain Kind of Flavour? Measuring and Explaining Visibility Bias

Bias can be defined most basically as ‘any tendency in a news report to deviate from an accurate, neutral, balanced and impartial representation of “reality” of events and social world’ (McQuail, 2010, p. 549). Related to media coverage more generally, bias means that a specific actor or group of actors gets a consistently different coverage than others according to a predefined of bench-

mark for balance or neutrality (Hopmann, Van Alst, & Legnante, 2012; see also Eberl et al., 2017). The problem is, of course, to define what should be taken as the benchmark for a *balanced* coverage of political actors or groups.

2.1. Measuring Media Bias

A first option is treating all (groups of) actors equally, i.e., providing them with the equal amount of coverage. This is often the benchmark used in two-party systems and especially for the news coverage of presidential elections in the US (D'Alessio & Allen, 2000). For European multi-party systems, however, equal shares of the news coverage ignore the relative size and thus relevance of the PPGs. Indeed, in many European countries the relative amount of parties' coverage during election campaign is regulated for public broadcasting to achieve balanced coverage through allocated shares (see Hopmann et al., 2012, for examples). In line with much of the literature, a first measure of bias will therefore be based on the definition of balanced coverage as a share of the coverage that is equal to the relative size of the Eurosceptic group(s) in parliament, and thus to their *share of the seats*.

Yet measuring bias solely in the basis of the seat share ignores what groups actually do in parliament. It is entirely possible, for example, for smaller groups to be very active in parliament, especially in policy areas of importance to them. The second measure of visibility bias therefore takes the activities within parliament into account. This measures how much Eurosceptics are engaged in EU affairs within parliament compared to non-Eurosceptics, and thus their comparative news supply. In addition, given that PPGs and MPs have to make a conscious choice to invest scarce resources in EU affairs—rather than in domestic affairs—it captures how salient EU affairs are for Eurosceptics in parliament compared to non-Eurosceptics. Visibility bias here is thus defined as a share of the coverage that does not reflect the Eurosceptic parliamentarians' share of activities in EU affairs.

2.2. Explaining Media Bias

To explore factors that may explain bias in the news coverage, I draw on the distinction between partisan and structural bias (McQuail, 2010; Van Dalen, 2012): partisan bias is the result of journalistic decisions driven by an ideological rationale leading to systematically greater attention to parties on a specific side of the political spectrum. Historically the press in Europe was indeed rather closely linked to specific political parties (Hopmann et al., 2012; Seymour-Ure, 1974). Reporting in a politically unbiased manner has become much more of a journalistic norm since, yet newspapers still feature editorials and opinion pieces that more or less explicitly promote certain political views, actors, candidates or parties, while criticising others (Takens, Ruigrok, & van Hoof, 2010). Moore and Ramsay (2017), for example, have found the

media coverage of the UK referendum campaign to be highly partisan. Studies have generally shown that partisan views expressed in editorials tend to seep into the general news coverage (Brandenburg, 2006; Kahn & Kenney, 2002). Thus, partisan bias, or at least biases towards a specific political position, can still be expected to be present in the media (Hopmann et al., 2012). A first expectation is therefore:

H1: The relative visibility of Eurosceptic PPG and MPs is positively affected by a matching editorial line of the newspapers.

Structural bias, in turn, is the result of journalistic routines and the judgement and selection of events for coverage based on their newsworthiness (Van Dalen, 2012, p. 34). Since the seminal study of Galtung and Ruge (1965), news value research focuses on the criteria that guide journalistic judgments regarding the selection of specific events or actors for coverage. 'This news judgment is the ability to evaluate stories based on agreed-on news values, which provide yardsticks of newsworthiness and constitute an audience-oriented routine' (Shoemaker & Reese, 1996, p. 106). Here, studies have shown that some news values are rather consistently applied to political events across a range of news organizations: in general, events that involve powerful actors or institutions (*power/influence*), have an entertaining or dramatic (*negativism/conflict*) element, or are perceived as relevant to a significantly large audience (*relevance*), are more likely to be selected than those not featuring one of these factors (for a comprehensive overview see O'Neill & Harcup, 2009; also Brighton & Foy, 2007; Eilders, 2006).

The basic guiding assumption for structural bias is therefore that visibility bias is the result of newspapers according Eurosceptic parliamentary actors *greater or lesser newsworthiness* than non-Eurosceptics in EU affairs. Here, I distinguish between two sets of news factors or values that potentially impact media bias: 1) news values related directly to the object of coverage, i.e., Eurosceptic parliamentary actors; and 2) news values related to expectations of the addressees of the coverage, i.e., the readership.

2.2.1. News Factors Related to Eurosceptic Parliamentary Actors

First, I assume the position of Eurosceptics towards the EU to have an impact. Here, Taggart and Szczerbiak (2002, p. 7) famously distinguish between 'hard' and 'soft' Euroscepticism. The former refers to principled opposition to the EU that might be associated with demands to leave the EU or halt further integration, the latter to a more qualified opposition to specific EU policies or institutional choices, and Eurosceptic positions can be located on a continuum between the two, an approach also followed by the Chapel Hill Expert Survey (CHES;

e.g., Bakker et al., 2015; for a discussion of conceptualisations and measurements of party Euroscepticism see Vasilopoulou, 2017). Given the importance of news values such as *conflict* and *negativity*, I expect:

H2: Eurosceptics with a more hard-line stance on the EU have greater relative newsworthiness and thus relative visibility than those with more moderate views.

The underlying assumption is that journalists expect readers to be engaged by political conflict, but bored by political consensus (Vliegthart, 2012).

Political conflict as a news value, however, also indicates the importance of taking the position of the other parliamentary actors and the overall level of conflict over EU issues within parliament into account as well (Van der Pas & Vliegthart, 2016). As Auel et al. (2018) show, for example, a greater conflict potential regarding EU issues within the governing coalition has a clear positive effect on parliamentary news coverage. This suggests that where the potential for conflict within parliament is overall higher regarding the EU, media attention for parliamentary EU affairs will generally increase, thus reducing the relative attention paid to Eurosceptics. Accordingly, I expect:

H3: Eurosceptics have greater relative newsworthiness and thus relative visibility, the lower the overall level of conflict within parliament.

2.2.2. News Values Based on Readership Expectations

Second, newsworthiness as an audience-oriented concept also depends on public opinion, and thus on the relevance of EU affairs for the potential readership. In line with the argument about the importance of *negativity* as a news factor, it can be assumed that stronger public Euroscepticism is more likely to increase the relative newsworthiness and visibility of Eurosceptic parliamentary actors. ‘People naturally pay attention to things that are [or that they perceive to be, the authors] dangerous or threatening’ (Shoemaker, 2006, p. 107), and Eurosceptics voicing such concerns can be expected to have greater relative news value in member states, where public opinion is more critical towards the EU. In addition, it has been argued that what matters for media coverage of EU affairs is not so much the general public attitude towards the EU (Brüggemann & Kleinen-von Königslöw, 2009), but whether EU issues are actually salient in public opinion, i.e., *relevance* as a news factor. Where citizens do not really care about EU politics, journalists have little audience related incentive to focus on EU coverage beyond mere routine reporting, in general, and thus on the views or activities of Eurosceptic PPG or MPs, in particular.

Yet the relationship between public opinion and media coverage is not a one-way street. As mentioned

above, and as the literature on media effects more generally shows (see Schuck, 2017, for an overview), the media are not only ‘mirrors’, but also ‘shapers’ of public opinion. Indeed, De Vreese (2007, p. 280) found public Euroscepticism to be, ‘at least partially, a function of the diet of information that citizens consume about European affairs’. Similarly, the extent to which the media cover EU affairs may also have an impact on how salient the public regards EU politics. Thus, assuming a more reciprocal rather than straightforward one-directional relationship, I expect:

H4: Parliamentary Eurosceptics’ relative visibility is positively associated with the level of public Euroscepticism.

H5: Parliamentary Eurosceptics’ relative visibility is positively associated with the salience of EU issues in public opinion.

3. Data and Research Design

The empirical analysis focuses on Austria, Finland, France, Germany, Poland and the UK. These six member states provide a representative subgroup in terms of size, length of membership, geographical location as well as public opinion on EU integration. Importantly, their parliaments differ in terms of the size of Eurosceptic PPGs, the degree of their Euroscepticism, as well as their position on the left–right political scale.

The basis for the analysis is a dataset including all articles covering parliamentary involvement in EU affairs in three newspapers per member state over four years (2010 to 2013, N = 5589). For each member state, the two largest quality broadsheets (one conservative, one liberal) and the largest tabloid were selected (see Table A1 and further information on the coding process in the Appendix). Each article was coded according to whether it mentioned Eurosceptic or non-Eurosceptic actors their own, together or not at all. The distinction between Eurosceptic and non-Eurosceptic parliamentary actors was made based on the CHES 2010 (Bakker et al., 2015), and from 2012 onwards, the CHES 2014 (Polk et al., 2017). PPGs, and accordingly their MPs, were considered as Eurosceptic if they had a score of 3.5 or below¹. Measuring Euroscepticism for MPs using party data is, of course, somewhat fuzzy, as parties can be internally split. There is, however, no reliable comparative data accessible on the position towards the EU for individual MPs.

Figure 1 gives an overview over the distribution of articles featuring either Eurosceptics or non-Eurosceptics alone, together or not at all, across newspapers. As the figure shows, in all newspapers we find a sizable share of articles that focus on parliament as an institution and do not mention PPGs or MPs at all. In turn, across almost all newspapers the proportion of articles that feature *both*

¹ The CHES scale ranges from 1 = ‘strongly opposed’ to 7 = ‘strongly in favour’ of European integration.

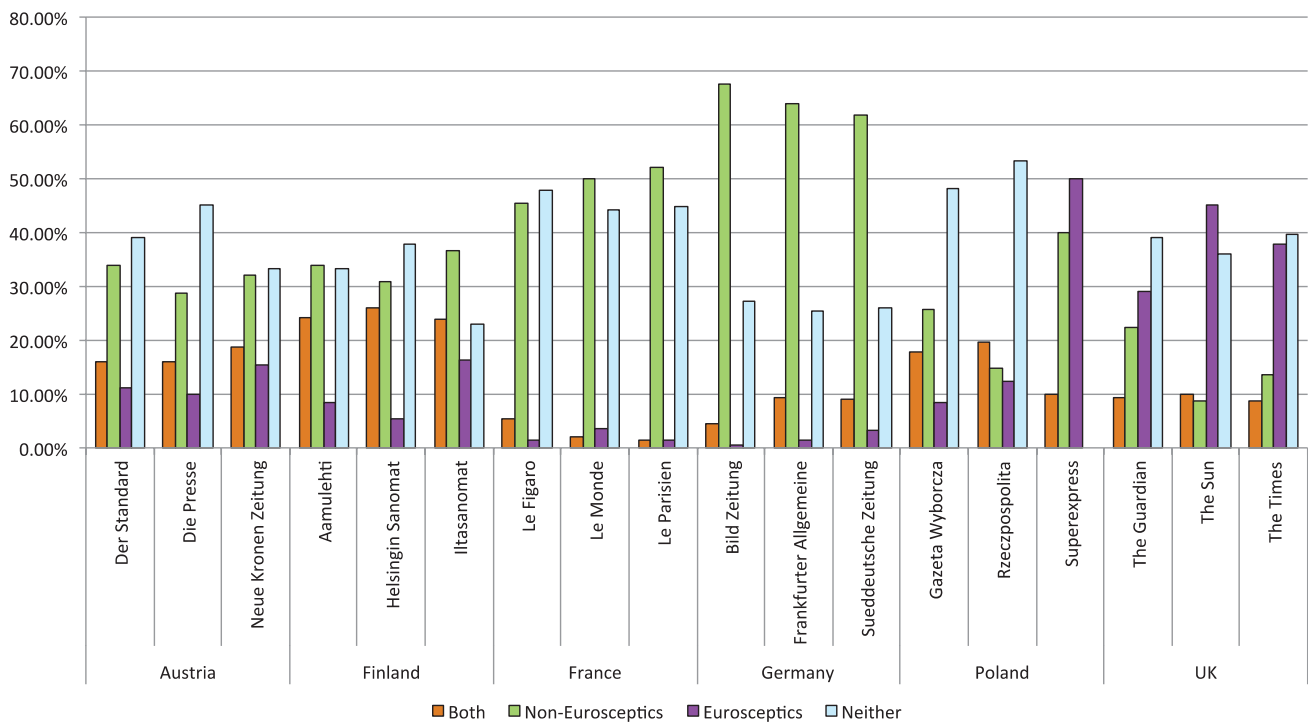


Figure 1. Share of articles mentioning Euroseptic and non-Euroseptic parliamentary actors by newspaper (in percentage points). Note: Due to the extremely small number of articles (N = 9), the Polish Superexpress is omitted from the following analyses.

types of PPGs or MPs is astonishingly low. The Finnish newspapers are the only ones where the share is over 20 per cent. France, Germany and the UK, in turn, are at the very lower end of the scale. Thus, readers in the six countries rarely seem to get both *parliamentary* sides of the story within the same article.

3.1. Dependent Variables: Two Measures of Visibility Bias

For the two measures of visibility bias, I selected all articles where either Euroseptic or non-Euroseptic actors were mentioned on their own (N = 2.535), as articles that mention *both* types of parliamentary actors automatically display a weaker bias, although it may still exist. Mentions included direct or indirect quotes by parliamentary actors as well as references to parliamentary activities by or positions of parliamentary actors within an article. Given that MPs can also have (had) other functions, such as party chair (as opposed to chair of the PPG) or member of the government, a strict rule was applied: articles were only selected if the current role of MP/the status as parliamentary party group was explicitly mentioned or clear from the context, current government members were excluded. I then calculated the share of articles mentioning only Euroseptic actors (in per cent) out of all articles that mentioned either type of actor on their own, aggregated at the monthly level. Where newspapers featured no articles mentioning either Euroseptic or Europhiles *on their own* during a spe-

cific month, the bias was coded as 0 for both measures for that month.

For the first measure of bias, the *visibility bias based on the seat share* (from here on simply termed *seat share bias*), I used the combined seat share of all Euroseptic party groups for each parliament (recalculated after elections) as the benchmark to determine the share of articles they ought to have received to guarantee balanced coverage. I then subtracted their share of seats from their share of articles for each month. If party A had 30.5 per cent of the seats, but was only mentioned in 25 per cent of the articles in a given month, for example, the resulting bias was -5.5 percentage points. The visibility bias thus measures whether Euroseptics receive more or less coverage in any given month than would have been balanced according to their size within parliament.

For the second *visibility bias based on parliamentary activity* (from here on simply termed *activity bias*), the analysis draws on the PACE parliamentary activity dataset, which covers all parliamentary activities in EU affairs within the six member states' parliaments over the same period (Auel et al., 2016). The share of activities by Euroseptic actors was again calculated at the monthly level by selecting all activities, where the identification of the PPG or MP is straightforward, i.e., oral and written parliamentary questions as well as motions and censure motions introduced in parliament. Clearly, these four activities do not fully reflect the overall parliamentary work of MPs or PPGs. All other parliamentary activities, however, such as debates, votes, hearings etc.,

automatically involve both types of PPGs and MPs. The measure also accounts only for the sheer volume, but not the content of the activities, which may be more or less relevant for journalists to report on. Yet parliamentary involvement via questions or motions on EU affairs reflects at least to some extent the overall activity in EU affairs and thus provides an imperfect, but workable proxy. To calculate the bias, I subtracted their share of activities from their share of articles for each month. Thus, the visibility bias measures whether Eurosceptics receive more or less coverage (in percentage points) than would have been 'their due' according to their level of activity in EU affairs within parliament.

3.2. Independent Variables

3.2.1. Editorial Line

To measure the editorial line, two dummy variables were included: the first distinguishes between clearly Eurosceptic (= 1) and other newspapers. As the EU editorial line of a newspaper is often difficult to measure, only those with a rather clear Eurosceptic stance were coded as such. These include the *Kronenzeitung* (Austria), the *BILD Zeitung* (Germany), *The Times* and *The Sun* (UK), but neither a Finnish, French or Polish newspaper (for France, Germany, Spain and the UK, see the country reports of WP3 in EuroPub, 2004; for the UK, see also Daddow, 2012; for Poland see Filas & Planeta, 2009). The second dummy variable indicates whether the editorial line and the position of the party match broadly with regard to their position on the left–right scale (1 = match). The basis are the CHES 2010 and, from January 2012 onwards, CHES 2014 mean scores for left–right party position (scores range from 0 to 10, left to right). Parties were very broadly categorised into left (< 5) and right wing (> 5) and then matched with the respective political orientation of the newspapers.

3.2.2. Party Euroscepticism

Data draws on the CHES 2010 and, from January 2012 onwards, CHES 2014 mean scores for 'EU position' for the Eurosceptic actors.

3.2.3. Conflict Potential over EU (Dispersion)

Drawing on Gattermann and Heftler (2015, p. 314) parliamentary conflict potential is operationalised as the parliamentary party system dispersion:

$$WPPSD = \sqrt{\sum_{j=1} SS_{jk} (P_{jk} - \bar{P}_k)^2}$$

where SS_{jk} denotes the seat share, P_{jk} the position of party j in country k towards EU integration (using CHES data), and \bar{P}_k the weighted mean of all party positions in country k .

3.2.4. Public Euroscepticism

Eurobarometer data on the percentage of citizens stating that they 'tend not to trust the EU' (European Commission, 2010, 2011, 2012, 2013). To test the robustness of the measure, the percentage of citizens stating that they 'have a negative image of the EU' was used as an alternative, but the results remained the same.

3.2.5. Saliency

To measure saliency, I developed an index measuring both stated and actual public interest in EU politics. The index is based on the factor scores for the following variables obtained in a principal component analysis: share of respondents (European Commission, 2010, 2011, 2012, 2013) stating that they had an interest in EU politics, share that had an opinion on their image of the EU (both negative and positive answers), EP election turnout 2009 and EP election trend in turnout 2009 to 2014.

Finally, I added a number of control variables:

3.3. Control Variables

3.3.1. European/National Event

The two variables indicate whether important European or national events took place during individual months (event = 1). European events include European Council meetings and Eurozone summits, national events include the parliamentary ratification of important EU Treaty changes or EU related international agreements.

3.3.2. Election

Assuming that national parliamentary elections will impact media coverage as well as parliamentary activities generally, a dummy control variable was added, with a value of 1 indicating elections taking place in that month.

A detailed overview over all dependent and independent variables can be found in Table A2 in the Appendix.

4. Empirical Analysis

Figure 2 provides an overview over the means of both types of visibility bias for the 17 newspapers. A first immediate result is that the seat share bias is overall far less pronounced than the activity bias. In addition, variation between newspapers and countries is also greater regarding the activity bias. Second, there is also a positive bias in some other papers, especially the French *Le Monde*, but the British papers *The Times* and *The Sun* are the only ones with a strong positive bias across both measures.

Turning to the factors impacting bias, I calculated both types of bias at the monthly level by newspaper and fit an ordinary least squares regression with standard er-

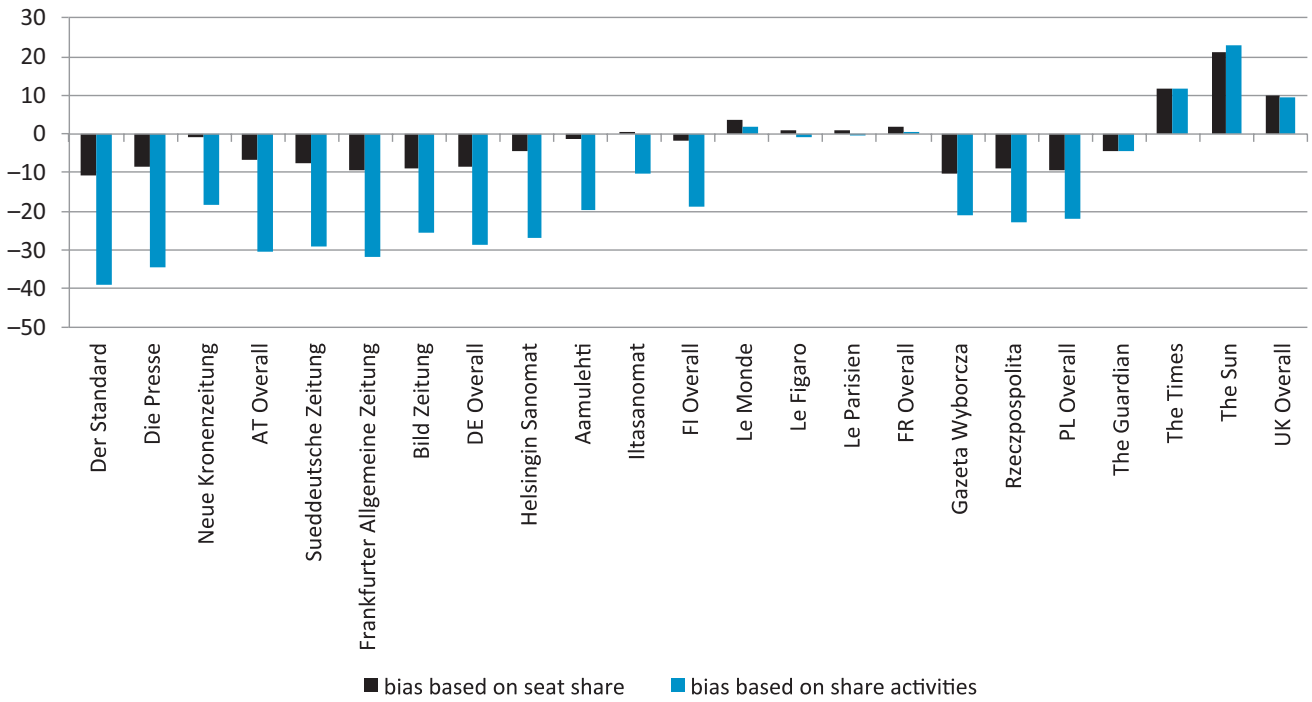


Figure 2. Types of visibility bias by newspaper (means).

rors clustered by newspaper for each. Since the UK is something of an outlier in the sample with the largest Eurosceptic party, which was also in government over most of the period under investigation, I also fit the regression omitting the data for the UK newspapers. The results are presented in Figure 3 (see also Table A3 in the Appendix).

As Figure 3 shows, there are stable patterns across all models, but omitting the UK data also leads to some important differences. Interpreting the coefficients, however, is somewhat challenging as they only signal the direction and strength of the impact of the variable. Thus, it remains unclear whether a positive effect is, for example, a decrease in the negative bias leading to more bal-

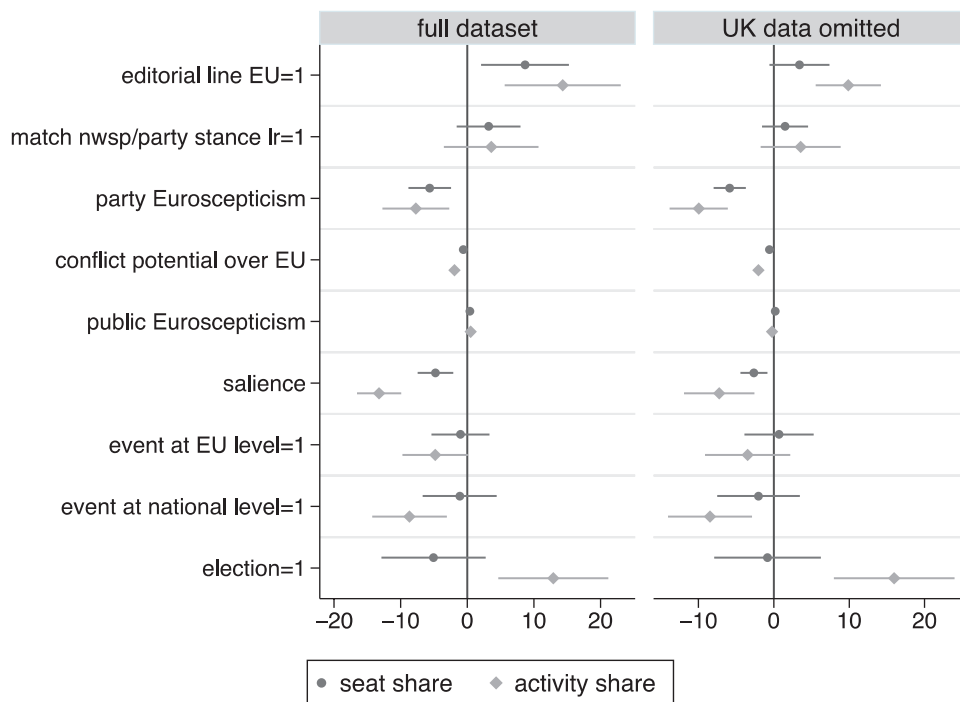


Figure 3. Regression results. Note: The figure provides the OLS regression coefficients with 95 per cent CI (for the coefplot Stata package, see Jann, 2014).

anced coverage, or an *increase* in the positive bias leading to greater overrepresentation. The following figures therefore present the predicted values for the two types of bias for all significant variables (all other covariates held at their means) as the basis for the presentation of the results. The analysis draws on the full dataset unless stated otherwise.

Turning to measures of *partisan bias* first, Figure 4 shows the impact of the editorial stance of the newspaper on the degree of bias. Here, the impact of a Eurosceptic editorial line is positive and quite substantial, although it mainly reduces a negative bias. When the UK data is omitted, however, EU editorial line still has a positive effect, but it is no longer significant at the 95 per cent level ($p = 0.089$) for bias based on seat share. Thus, for seat share bias this result is driven to some extent by the UK. The effect of a match regarding the left–right position is positive as well, but not significant. There is overall only some support for H1 on partisan bias.

Turning to measures of *structural bias*, I assumed that more moderate Eurosceptics will generally have less newsworthiness compared to non-Eurosceptics than hard-line Eurosceptics and thus be less well represented in the media (H2). The effect is indeed significant for both bias measures (Figure 5), with one additional percentage point increase in the position towards the EU (e.g., from 2 = opposed to 3 = somewhat opposed) resulting

in an increase in the negative seat share bias by about 5.5 percentage points and 7.5 percentage points for activity share bias. Both effects become even slightly stronger if the UK data is omitted, H2 is thus confirmed.

Yet although more hard-line Eurosceptics benefit from greater relative visibility—i.e., less negative bias—Eurosceptics overall do not benefit from a greater conflict potential regarding EU integration within parliament (Figure 6). Indeed, conflict potential has a fairly strong negative impact, both with and without the UK data. An increase by 1 leads to a decrease of the seat share bias by ca. 0.6 percentage points and of around 2 percentage points for the activity bias. Although these values may seem small, the effect can be fairly sizeable given the range of the conflict potential from around 6 to a little over 19. Thus, the expectation that where the conflict potential within parliament is overall higher, the relative newsworthiness of Eurosceptics actually decreases, is confirmed (H3).

To explore the relationship between the party position and the overall conflict potential within parliament further, I fit a regression including the interaction between the two (see Table A4 in the Appendix for the full results). The marginal effect is negative in both cases, but only significant for activity bias (Figure 7a) both with and without the UK data. Thus, as the conflict potential within parliament increases, newspapers pay relatively

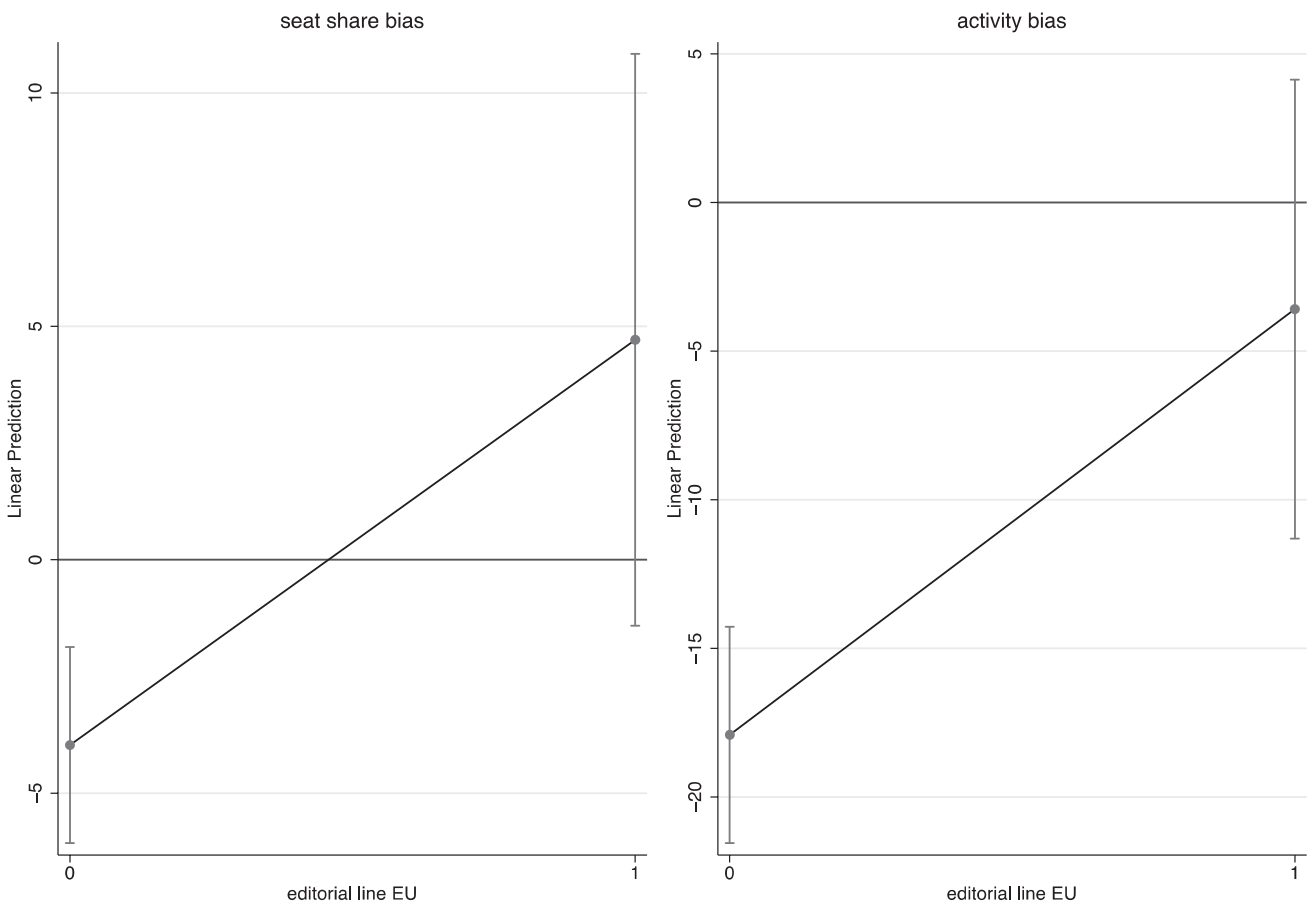


Figure 4. Adjusted predictions for seat share bias and activity bias dependent on EU editorial line with 95% CI.

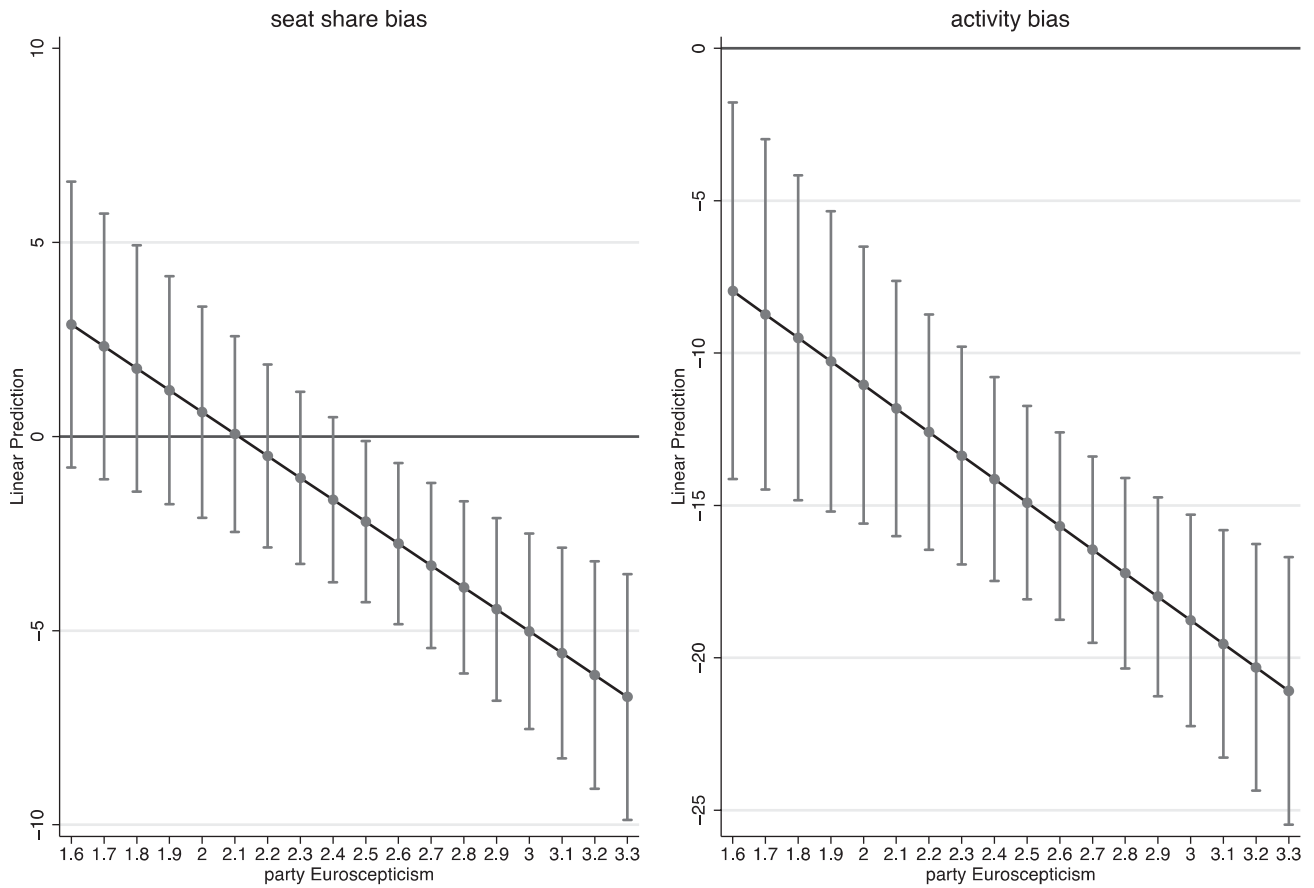


Figure 5. Adjusted predictions for seat share bias and activity bias dependent on party Euroscepticism with 95% CI.

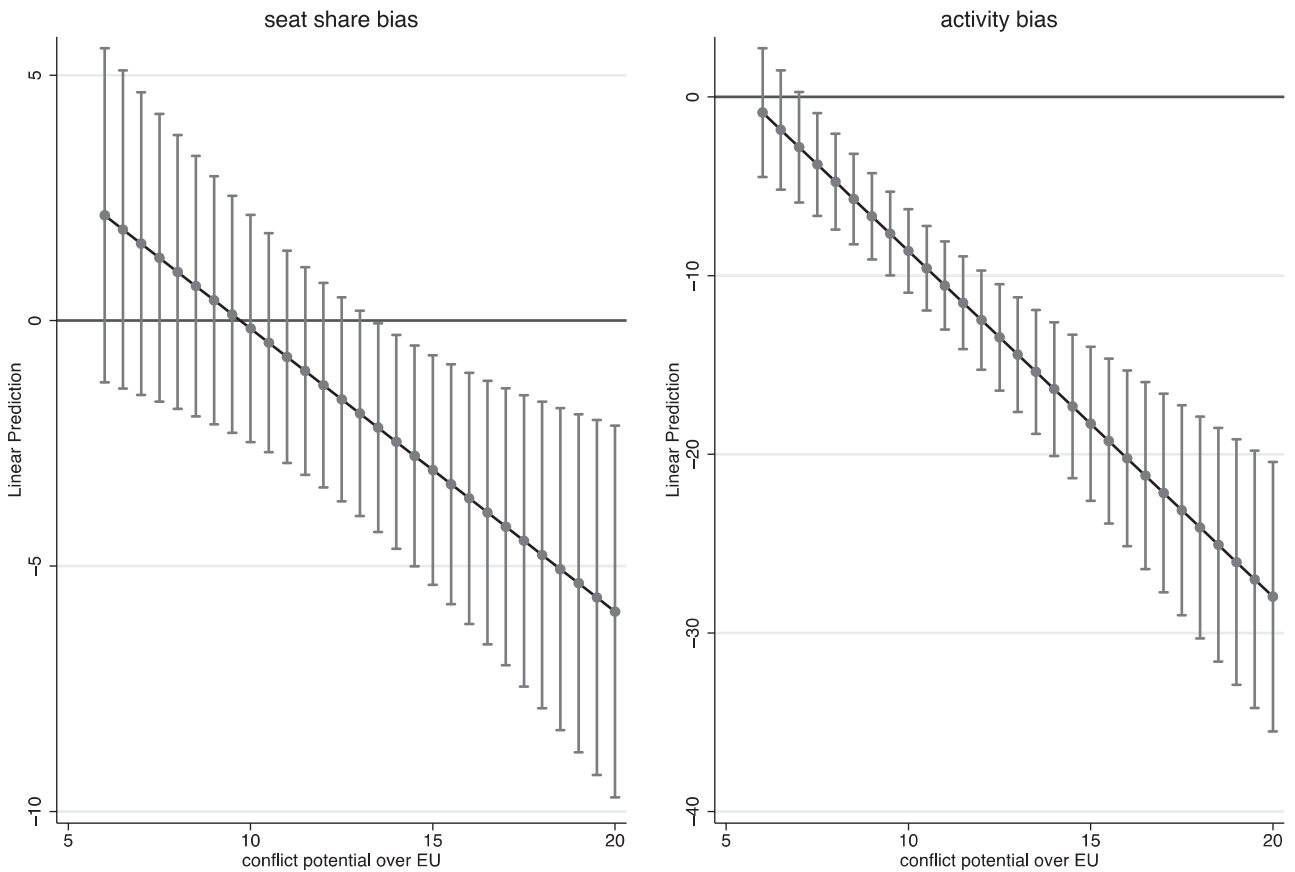


Figure 6. Adjusted predictions for seat share bias and activity bias dependent on conflict potential with 95% CI.

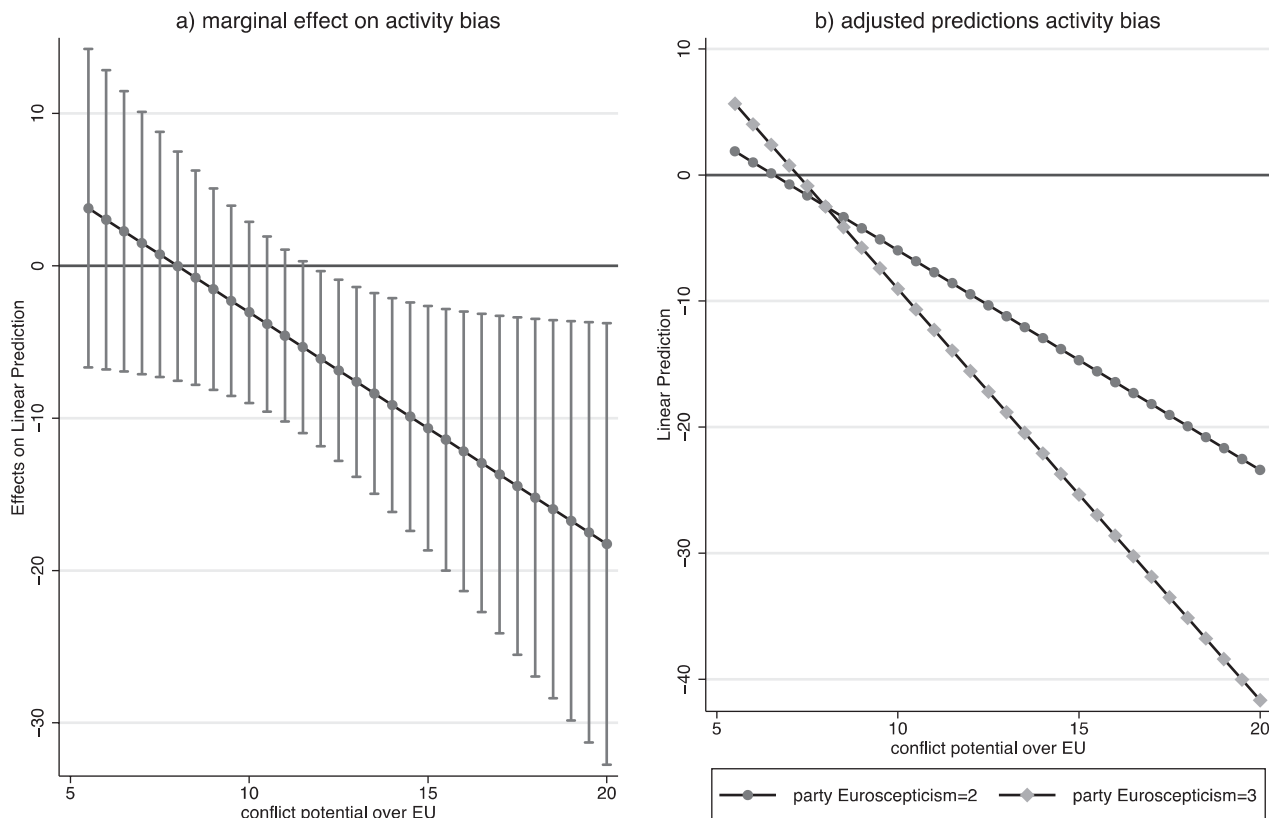


Figure 7. (a) Marginal effects of party Euroscepticism on activity bias dependent on salience; (b) Adjusted predictions for activity bias dependent on party Euroscepticism interacted with salience, both with 95% CI.

less attention to the parliamentary activities of more moderate Eurosceptics. To illustrate the effect, Figure 7b provides the predicted values for party Euroscepticism at 2 = opposed and 3 = somewhat opposed, showing that the difference between more hard-line and more moderate Eurosceptics is rather substantial.

Turning to the impact of *public opinion*, the results are surprising. Figure 8 confirms H4 on the positive relationship between public Euroscepticism and visibility in the full sample, but the effect becomes not only insignificant if the UK data is omitted, the coefficient for activity bias actually becomes negative. Thus, the effect is to a large extent driven by the UK, which is also the country with the strongest public Euroscepticism in the sample.

The expectation regarding the salience of EU affairs in public opinion (H6), in turn, can not be confirmed, quite the opposite is the case (Figure 9): salience has a significant negative impact on both types of bias, and these results remain the same when omitting the UK data. Thus, where the public regards EU affairs generally as more salient, Eurosceptic parliamentary actors have less news value compared to non-Eurosceptic actors.

I also included an interaction between public Euroscepticism and salience, but the effect is not significant in the full sample. It is, however, positive and significant for activity bias if the UK data is omitted (see Figure 10a, for the full regression results see Table A4 in the Appendix). Figure 10b visualises the ef-

fect for public Euroscepticism at the minimum (32 per cent) and the maximum (60 per cent) level in the subsample. It shows that, outside of the UK, a low level of public Euroscepticism has a more positive impact where the public does not care very much about EU issues. The more public salience increases, however, the difference between low and high levels of public Euroscepticism diminishes. Where salience is fairly high, newspapers pay relatively more attention to the activities of Eurosceptics, or at least ignore them relatively less, the *more* Euroscepticism resonates with the public.

5. Discussion and Conclusion

The article investigated potential visibility biases in the print media regarding Eurosceptic parliamentary actors. As the article shows, the benchmark used to calculate visibility bias matters. Overall the coverage in most newspapers reflects the seat share of the groups much more closely than the share of activity. In other words, relevance and electoral support of Eurosceptic actors matter more for their relative media visibility than what they actually do in parliament. Still, in some newspapers, most notably the Austrian and Polish broadsheets as well as the German newspapers, the seat share bias is still fairly negative, reaching between 8 and 11 per cent underrepresentation on average. While the lack of a clear Eurosceptic stance of any of the broadsheets in these

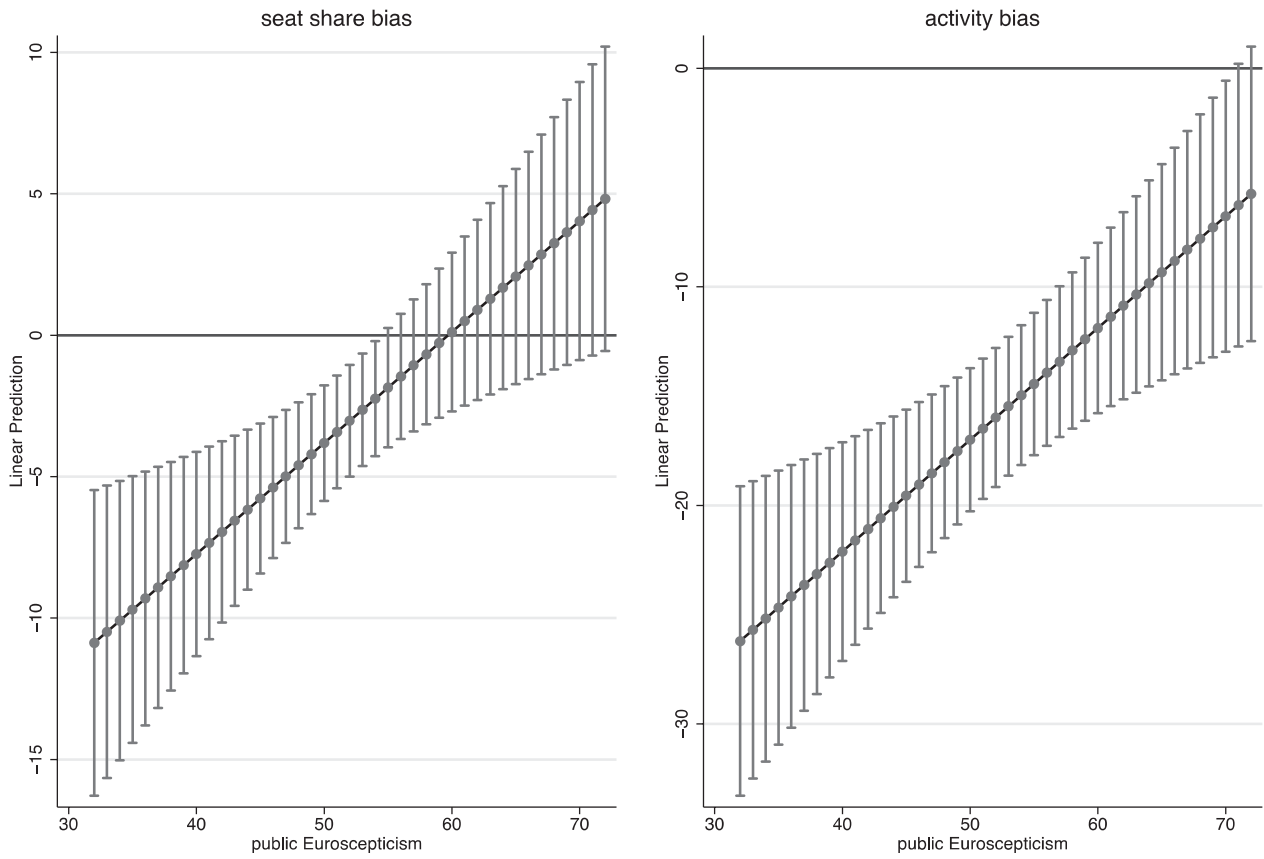


Figure 8. Adjusted predictions for seat share bias and activity bias dependent on public Euroscepticism with 95% CI.

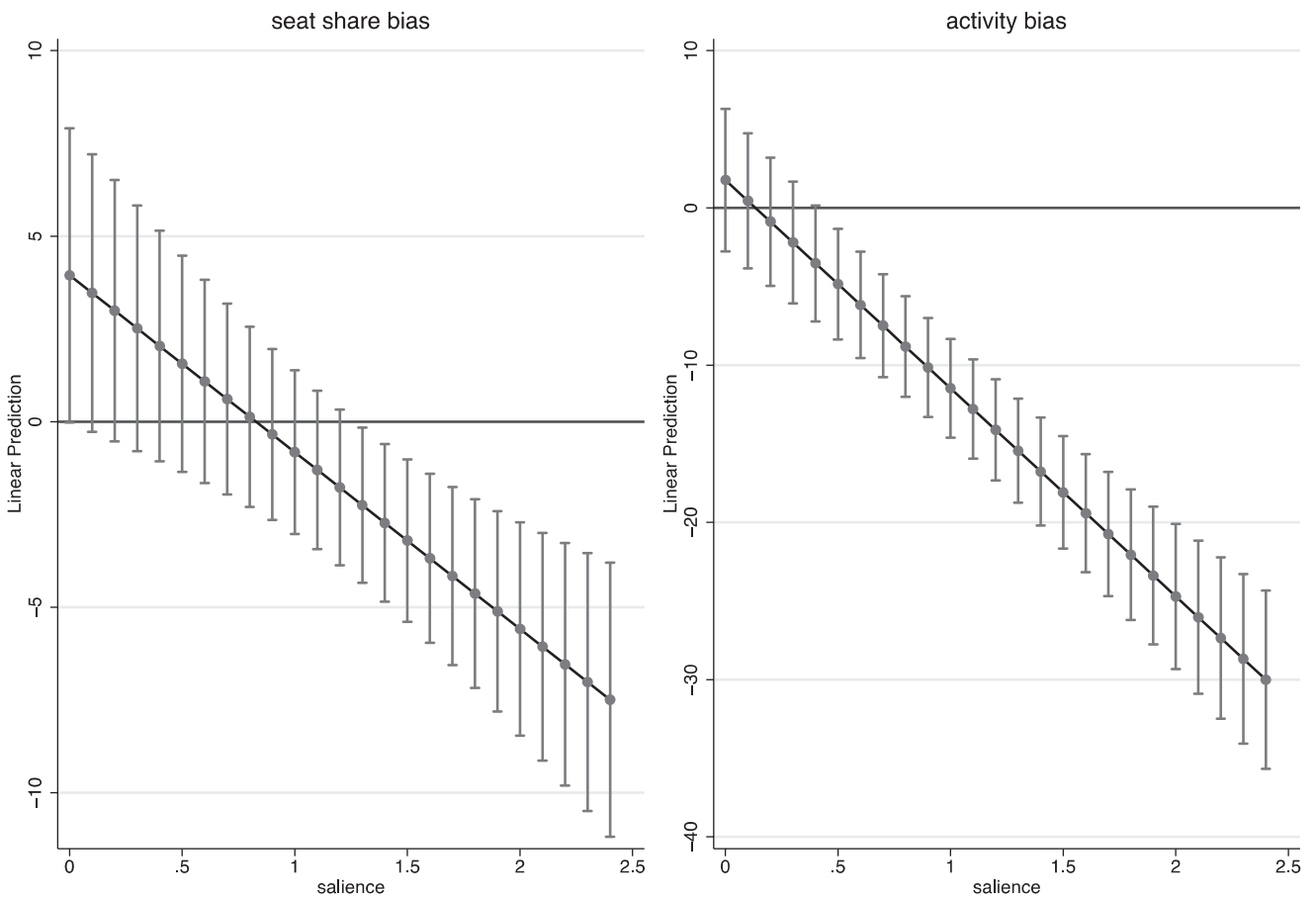


Figure 9. Adjusted predictions for seat share bias and activity bias dependent on salience with 95% CI.

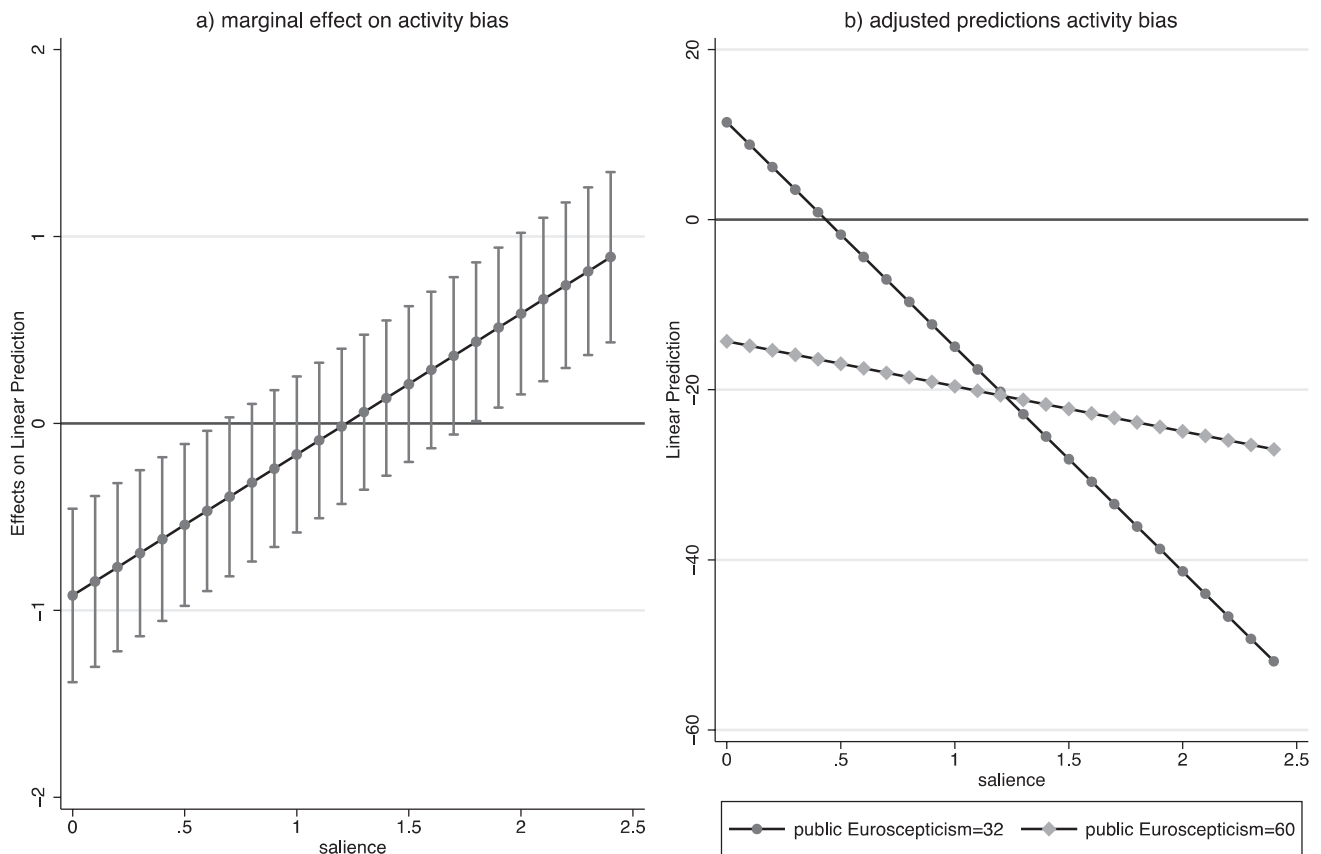


Figure 10. (a) Marginal effects of public Euroscepticism on activity bias dependent on salience; (b) adjusted predictions for activity bias dependent on public Euroscepticism interacted with salience, both with 95% CI.

three countries may explain their more negative bias, the same explanation does not hold for the Tabloids. Both types of bias are indeed less negative in the Austrian *Neue Kronenzeitung*, but the negative bias in the German *Bild Zeitung* is rather close to the German average. Here, at least, the question whether the ideological position of the Tabloids on the left–right scale does (*Kronenzeitung*) or does not (*BILD*) match that of the Eurosceptic PPG does seem to make a difference. The same is true for the real outlier in the study, the UK. While both types of bias are also negative in *The Guardian*, a consistent positive bias regarding the Conservatives was found in *The Times* and *The Sun*.

The results regarding structural bias show that hard-line Eurosceptics are indeed relatively more visible in the media (i.e., suffer less from negative bias) than more moderate Eurosceptics. This suggests that news values such as ‘conflict’ or ‘negativity’ do indeed also matter with regard to bias and not just with regard to absolute visibility. Due to the same news values, by contrast, Eurosceptics are relatively *less* visible in the media, the greater the overall conflict potential regarding EU affairs within parliament. Although this affects moderates more than hard-liners, Eurosceptics, and their activities in particular, are less newsworthy where positions differ more strongly between the non-Eurosceptic groups in parliament as well. This mirrors the findings

by Auel et al. (2018), namely that the conflict potential over EU politics within the governing coalition has a strong positive effect on the general coverage of parliamentary activities in EU affairs. To put it bluntly, where European politics within parliament are overall consensual and thus boring, Eurosceptics are more interesting for the media. Where, in turn, the conflict potential is overall higher, Eurosceptics are relatively less interesting on their own.

Turning to audience related news factors, the results for public opinion, in turn, were surprising. Stronger public Euroscepticism is indeed positively associated with relative visibility of Eurosceptic parliamentary actors, but the result is driven by the UK data and does not hold for the subset without the UK. This supports the argument by Brüggemann and Kleinen-von Königslöw (2009) that public attitudes towards Europe matter less in terms of newsworthiness than the public salience of EU issues, but in an unexpected way: the more salient EU politics are for citizens, the lower the relative visibility of Eurosceptic parliamentary actors in the media. Thus, although Auel et al. (2018) have found public salience to increase the coverage of parliamentary EU news more generally, Eurosceptic actors do not seem to benefit from that trend, at least not in relation to non-Eurosceptic parliamentary actors. This emphasises that if parliamentary EU politics have greater newswor-

thiness in general, due to the overall conflict potential within parliament (see above) and/or due to the public salience of EU issues, the relative newsworthiness of Eurosceptics decreases. Outside of the UK, salience does, however, have an interesting effect when interacted with public Euroscepticism. Overall, the activity bias regarding Eurosceptics decreases the more the public actually cares about EU issues, but the effect also depends on the level of public contestation of the EU. Eurosceptics are more visible (or at least less underrepresented) where salience and contestation go hand in hand, i.e., where both are at a lower or at a higher level.

Before concluding, a number of limitations of the study need to be addressed: First, given the overall research interest related to the communication function of national parliaments, the data only captures the relative media visibility of domestic *parliamentary* Eurosceptic actors. It therefore cannot provide a full picture of visibility bias regarding Eurosceptic actors in general. Clearly, Eurosceptic parties such as UKIP, for example, are not only rather visible in the media despite having no parliamentary representation, but they also have a major impact on public discourses on EU affairs.

Second, the impact of governing status could not be tested in the present study given that only the British Conservatives were in government during the period of observation. As Vos (2014, p. 2249) shows in her meta analysis of studies on politicians' visibility in the news, however, it is not governing status by itself that enhances news coverage, but 'political standing': 'Cabinet members, party leaders, and committee chairs have a higher political standing and therefore receive additional coverage' (Vos, 2014, p. 2448). Accordingly, the bonus attached to governing status in terms of media visibility mainly applies to politicians with a high political office, 'and not to ordinary politicians, such as members of parliament' (Vos, 2014, p. 2448). Green-Pedersen, Mortensen and Thesen (2017), for example, find governing status to be decisive for media visibility, but of the government actors appearing in the media, 79 per cent are either 'the government' in general or ministers (Green-Pedersen et al., 2017, p. 137). Yet the study here focuses exclusively on MPs, excluding Cabinet members from the analysis. With regard to the visibility of PPGs, in turn, the division between Eurosceptics and non-Eurosceptics does not neatly follow the government/opposition distinction in the present sample: in most of the member states in the study, a sizeable part of the opposition consists of non-Eurosceptic PPGs, while the governing British Conservatives, in turn, were in a coalition with the most pro-European party in the UK, the Liberal Democrats. The greater media visibility of the Conservatives may therefore have had more to do with the fact that the Conservatives had a number of intense internal conflicts over EU affairs during the time—most importantly over holding the referendum on the UK's membership in the EU and the related renegotiations of the UK's status in the EU—and thus only indirectly with

their governing status. Still, given that the effect could not be tested, it can also not be ruled out.

Third, the time period under observation in this study (2010 to 2013) covers the most turbulent period of the eurozone crisis. This may not only have affected the coverage of parliamentary activity in general (see Auel et al., 2018), but also the relative visibility of Eurosceptic parliamentary actors in the media, calling for caution regarding generalisations beyond the observed period. As also emphasised by Auel et al. (2018, p. 641), however, the EU has hardly seen calmer times since 2013 due to the refugee crisis or Brexit. It would therefore be interesting to analyse whether the increasing politicisation of the EU impacted not only the electoral fortunes, but also the relative media visibility of Eurosceptics.

To come back to the question posed at the outset of the article, do newspapers support national parliaments in their communication function by providing fairly balanced coverage of different political perspectives on EU issues represented in parliament? As the analysis has shown, an answer is not easy as the assessment depends very much on what a bias is measured against. Overall, the coverage is more balanced when measured against the relative size of the party groups, although it is still negative in a number of newspapers. This is both good and bad news. While the analysis shows that Eurosceptics by no means generally dominate the media coverage of parliamentary EU affairs, few newspapers provide a truly balanced coverage, especially when using parliamentary activity as the benchmark. Thus, which benchmark to use depends on the specific subject of the study, but it is, in the end, also a normative question. Should Eurosceptic and Non-Eurosceptic actors be represented in the media according to their relative strength within parliament (and thus their electoral support), or should it matter what parliamentarians actually do in parliament?

What clearly seems problematic, however, is the fact that newspapers devote a large share of the parliamentary EU coverage (on average between ca. 25 per cent in Germany and just over 50 per cent in Poland) to parliaments (or parliamentary bodies) as institutions in EU affairs—and not the actors and groups working within them. While such articles may provide citizens with information on the parliaments' involvement in EU affairs, they offer little in terms of the different political positions on specific EU issues *within* parliament. Indeed, the share of articles mentioning *both* types of actors was surprisingly low in all countries—reaching above 20 per cent only in Finland. The media thus rarely present their readers with both Eurosceptic and more Europhile political views on EU issues simultaneously, which is precisely one of the main advantages of parliamentary involvement in EU affairs. Yet the possibly most important question remains so far unanswered, namely how this media coverage affects public perception of, and trust in, parliamentary representation in EU affairs—and whether it does so at all.

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Conflict of Interests

The author declares no conflict of interests.

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Appendix

Table A1. Overview over newspapers.

Member state	Conservative broadsheet	Liberal broadsheet	Tabloid
Austria	<i>Die Presse</i>	<i>Der Standard</i>	<i>Kronen Zeitung</i>
Finland	<i>Aamulehti</i>	<i>Helsingin Sanomat</i>	<i>Ilta-Sanomat</i>
France	<i>Le Figaro</i>	<i>Le Monde</i>	<i>Le Parisien</i>
Germany	<i>Frankfurter Allgemeine Zeitung</i>	<i>Süddeutsche Zeitung</i>	<i>Bild Zeitung</i>
Poland	<i>Rzeczpospolita</i>	<i>Gazeta Wyborcza</i>	<i>Super Express*</i>
UK	<i>The Times</i>	<i>The Guardian</i>	<i>The Sun</i>

Note: * The newspaper *Superexpress* was omitted from the analysis, as the extremely small number of articles featuring any type of PPG or MP (N = 9) would have skewed the results.

Using both newspaper-owned online archives (of the print versions) as well as online data bases, articles were searched based on several Boolean search strings combining EU- and parliament-related keywords and then selected manually by mainly native speakers (2 coders per country).

Each coder was responsible for articles from all three newspapers in the relevant member state for 50 per cent of the period of observation with alternating months. Coders received extensive training in two workshops and, where possible, we conducted inter-coder reliability tests for the country teams to ensure both the unitising reliability (article selection) and the coding reliability of our data (Krippendorff, 2004, pp. 214–216). Since the entire universe of articles on national parliaments in EU affairs was coded, 2 per cent of the coded material entered the reliability test. For France and the UK, the results met acceptable standards (Lombard, Snyder-Duch, & Bracken, 2002, p. 593): For the unitising reliability, a Holsti of 0.85, and a correlation of 0.92 were achieved in both cases. The coding reliability was 1 for the formal variables (country, newspaper, date of publication) in both cases and ranged from a Holsti of 0.85 to 0.94 (correlation 0.92 to 0.97) for content variables. The reliability test for Germany, by contrast, revealed both unitising and coding problems. The coders subsequently received intensive further training and feedback on their coding.

Inter-coder tests were not feasible for Austria and Finland (unexpectedly, one coder in each team started much later and had to be trained individually) and Poland (only one coder). For Austria, Finland and Poland—but also for Germany, after the coders received additional training—‘test standard’ reliability tests against the principal investigator (both unitising and coding reliability tests) were conducted for each of the coders individually. Results for unitising (Holsti ranged from 0.84 to 0.95, correlations from 0.92 to 0.97) and coding (Holsti ranged from 0.85 to 1, correlations from 0.91 to 1) met acceptable standards. Additionally, the members of the project team repeatedly and extensively checked all data, and all coders constantly received feedback.

Table A2. Overview over dependent and independent variables.

Variable	Obs	Mean	Std. dev.	Min	Max
Vis. Bias based on share of activities	816	-14.54	34.42	-100.00	100.00
Vis. Bias based on seat share	816	-1.93	21.49	-47.23	97.92
EU editorial line	816	0.24	0.42	0	1
Match nwsp/party l/r	816	0.65	0.48	0	1
Party Euroscepticism	816	2.45	0.59	1.60	3.38
Conflict potential over EU	816	13.06	4.46	5.99	19.35
Public Euroscepticism	816	54.81	8.84	32.00	72.00
Salience	816	1.23	0.75	0.01	2.49
EU event	816	0.52	0.5	0	1
National event	816	0.07	0.25	0	1
Election	816	0.02	0.14	0	1

Table A3. Regression results.

	(1) Bias seat share	(2) Bias activities	(3) Bias seat share, UK omitted	(4) Bias activities, UK omitted
Editorial line EU = 1	8.679 (3.110)	14.33** (4.107)	9.884*** (1.844)	(2.001)
Match nwsp/party stance l/r = 1	3.205 (2.261)	3.589 (3.352)	1.493 (1.412)	3.567 (2.459)
Party Euroscepticism	-5.643** (1.510)	-7.723** (2.366)	-5.845*** (0.992)	-9.958*** (1.791)
Conflict potential over EU public	-0.576* (0.197)	-1.935*** (0.334)	-0.594*** (0.130)	-2.050*** (0.251)
Euroscepticism	0.392** (0.118)	0.512** (0.145)	0.175 (0.0915)	-0.248 (0.254)
Salience	-4.766** (1.261)	-13.24*** (1.571)	-2.643** (0.831)	-7.250** (2.163)
Event at EU level = 1	-1.016 (2.056)	-4.812 (2.318)	0.699 (2.126)	-3.473 (2.615)
Event at national level = 1	-1.137 (2.623)	-8.674** (2.645)	-2.034 (2.537)	-8.466** (2.585)
Election = 1	-5.060 (3.692)	12.92** (3.899)	-0.838 (3.279)	15.97*** (3.704)
Constant	0.401 (9.310)	15.07 (11.82)	10.06 (6.549)	51.93** (14.40)
Observations	816	816	672	672
R^2	0.137	0.207	0.067	0.140

Notes: * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$. Standard errors in parentheses.

Table A4. Regression results with interactions.

	(1) Bias seat share	(2) Bias activities	(3) Bias seat share, UK omitted	(4) Bias activities, UK omitted
Editorial line EU = 1	8.483* (3.030)	14.17** (3.786)	3.546 (2.025)	10.95*** (2.418)
Match nwsp/party stance l/r = 1	3.295 (2.147)	3.721 (3.067)	1.452 (1.349)	3.599 (2.069)
Party Euroscepticism	2.006 (7.410)	12.13 (8.541)	-0.748 (6.154)	7.119 (5.598)
Conflict potential over EU	0.579 (1.243)	1.296 (1.464)	0.284 (1.151)	1.594 (1.122)
Party Euroscepticism # conflict potential over EU	-0.539 (0.611)	-1.520* (0.721)	-0.415 (0.540)	-1.771** (0.499)
Public Euroscepticism	0.439* (0.184)	0.493 (0.247)	0.160 (0.196)	-0.920*** (0.215)
Salience	1.211 (9.246)	-11.65 (14.98)	-4.768 (8.680)	-50.54*** (4.299)
Public Euroscepticism # salience	-0.132 (0.172)	-0.0890 (0.275)	0.0203 (0.165)	0.754*** (0.0763)
Event at EU level = 1	-0.983 (2.071)	-4.750 (2.340)	0.711 (2.140)	-3.505 (2.628)
Event at national level = 1	-1.069 (2.614)	-8.548** (2.648)	-2.048 (2.540)	-8.430** (2.650)
Election = 1	-4.371 (3.630)	14.50** (3.958)	-0.305 (3.144)	17.19*** (3.345)
Constant	-17.33 (14.98)	-22.47 (19.92)	1.432 (13.95)	56.41*** (13.08)
Observations	816	816	672	672
R^2	0.139	0.210	0.068	0.148

Notes: * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$. Standard errors in parentheses.

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Article

Proving Their Worth? The Transatlantic Trade and Investment Partnership and the Members of the European Parliament

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Abstract

Recent trade negotiations in the EU have provoked unprecedented levels of controversy, in particular the Transatlantic Trade and Investment Partnership (TTIP) between the EU and the US. One crucial channel for public contestation is the European Parliament (EP) which, following the entry into force of the Lisbon Treaty, has to give consent to international agreements. Thus, this article sets out to answer the question: During the dispute over TTIP, did members of the EP (MEPs) engage in the public debate, and if so, how? If they engage in debates, what characterises their engagement: Do they engage with voter concerns, do they engage in a responsive manner, and do they contribute to politicisation as quite a few feared? Building on an analysis of newspaper coverage and plenary debates in the EP, the article shows that many supporters of TTIP attempted to de-politicise the debate, while opponents most frequently evoked ‘the voice of the people’ to politicise TTIP. Thus, MEPs do not only respond to politicisation, they also attempt to make politicisation happen by evoking public concerns. The article highlights the multifaceted relationship between responsiveness and politicisation, where claims responding to voter concerns, are used both to incite contestation and alleviate it.

Keywords

European Parliament; European Union; parliamentarisation; politicisation; responsiveness; trade policy; Transatlantic Trade and Investment Partnership

Issue

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1. Introduction

Recent trade negotiations in the EU have provoked unprecedented levels of controversy. Particularly the Transatlantic Trade and Investment Partnership (TTIP) between the EU and the US became divisive. Had the negotiations not faltered, the agreement would have been one of the largest free trade agreements in history, and according to its advocates, have led to job creation and a general increase in living standards on both sides of the Atlantic. With TTIP, however, EU trade policy “went from being contested amongst a relatively small group of actors largely out of public view to being actively challenged in the public sphere” (Young, 2019).

One channel for public contestation is the European Parliament (EP) which, following the entry into force of

the Lisbon Treaty, has to consent to international agreements. Members of the European Parliament (MEPs) are now in a position to defeat EU trade deals, even against the wishes of member states and before national parliaments get to weigh in. EU trade policy has always been a carefully constructed compromise between member state positions that often collide. With the EP’s new powers, the risk is that the difficulty of forging a common position in the EU increases, because the Commission has to cater to even more principals (da Conceição-Heldt & Meunier, 2014). It is perhaps not surprising that a main argument against extending the powers of the EP in trade was that it would politicise debates on trade agreements and legislation, making it even more disruptive (Niemann, 2011; Woolcock, 2008). Against this background—the broad contestation of TTIP, the EP’s

new powers, and the fears of its unruliness—, the question raised in this article is: During the dispute over TTIP, did MEPs engage in the public debate, and if so, how?

Following large parts of the literature, one would not expect MEPs to engage extensively. A prevalent view is that their link with voters is weak due to the way “EP elections (do not) work” (Hix, Raunio, & Scully, 2003, p. 194). Instead of responding to voter preferences, MEPs’ main principals are the national parties, who select the candidates in EP elections, and the supra-national party groups, who control the internal affairs of the EP (Hix, 2002, p. 688). TTIP became a difficult issue for the EP, and particularly so for some of its political groups. The plenary was supposed to decide on recommendations to the Commission in June 2015, but ended up postponing the vote, officially because there were too many amendments tabled. Furthermore, as a newcomer to the field of trade, it is conceivable that the EP would like to appear as a responsible actor and refrain from conflict with the Council or Commission (cf. Ripoll Servent, 2013). As elected representatives, MEPs should pay heed to the concerns of their voters, but at the same time the majority of members in the EP wanted to see the talks succeed and has encouraged member states to make a better effort at selling it to their respective citizens (EP, 2015a).

At the same time, in the case of the Anti-Counterfeit Trade Agreement, where the EP vetoed a trade agreement for the first time, MEPs allegedly reacted to civil society pressure and public protests (Dür & Mateo, 2014), challenging the view of non-responsive MEPs. International trade is an issue where MEPs can claim ownership and are in a favourable position both to monitor and impact negotiations. Consequently, trade should be a good occasion for MEPs to demonstrate their importance. By analysing debates taking place in national media as well as in the EP plenary, the aim of this article is to get a better understanding of the role of the EP in salient policies. To what extent do they engage in debates, and when they do, what characterises their engagement: Do they engage with voter concerns; do they engage in a responsive manner; and do they contribute to politicisation as feared? While we know quite a lot about the EP’s interinstitutional activities in the case of both trade and TTIP (e.g., Coremans & Meissner, 2018; Meissner, 2016), we know less about how MEPs engage with public debate. Thus, by focusing on how they approach voters and their concerns, this article can also shed light on the relationship between MEPs and EU citizens. In addition, through studying the engagement of MEPs in the TTIP debate, the aim is also to explore the relationship between responsiveness and politicisation.

In what follows, the analytical framework and ensuing expectations are elaborated, before the subsequent section presents the data and method used in the article. The first part of the analysis briefly assesses the levels of salience in three selected countries, while the second part looks at what characterises the engagement of

MEPs. The conclusion suggests some empirical and theoretical implications of the findings.

2. Linking Controversy and MEPs’ Engagement

Central components of the electoral relationship are the acts of authorisation and opportunity to hold elected representatives to account (Pitkin, 1967). Before elections, aspiring candidates are eager to establish that they have done a good job in office and to convince their electorate that they will do a better job than their opponents. Aspiring parliamentarians make great efforts to reach potential voters with their message. In-between elections more attention is directed towards internal processes of policy-making. Deals are made and interests brokered behind closed doors, or at least removed from the glare and stare of the public.

Some policy issues, however, attract substantial attention and stimulate a wider public debate. Such instances of issue salience or contestation require that politicians somehow address voters’ concerns (e.g., Wlezien & Soroka, 2012). If an issue becomes important in public debate—if it engages mass politics (Hooghe & Marks, 2009)—the cost of ignoring the ‘voice of the people’ increases. Thus, issue salience has “developed into one of the leading theories of political communication and political party behaviour” (Budge, 2015, p. 761). Research shows that EU policies are affected by public opinion (e.g., Bølstad, 2015; Rauh, 2019; Toshkov, 2011). De Bruycker (2017) also demonstrates how issues that are salient generate more responses referring to public interest compared to non-salient ones. Others describe how parliamentarians tend to get more engaged in issues that are important to the public (Baumann, Debus, & Gross, 2019), including matters of the EU (e.g., Auel, Rozenberg, & Tacea, 2015; Gheyle, 2019b).

Issue salience has been described a critical denominator of politicisation (Green-Pedersen, 2012; Hoeglinger, 2016), which denotes “an increase in the polarization of opinions, interests or values and the extent to which they are publicly advanced towards the process of policy formation within the EU” (de Wilde, 2011, p. 560). In the words of Hutter and Grande (2014, p. 1004): “Only topics that are frequently raised by political actors in public debates can be considered politicized.” However, politicisation denotes something more than salience in that it entails the “expansion of the scope of conflict within the political system” (Hutter & Grande, 2014, p. 1003). An issue can be salient—achieve a lot of attention in the news media for example—but if it does not engage a broader set of actors or provokes contestation, it suggests that the conflict does not run very deep (see Gheyle, 2019a).

On the one hand, politicians in general are keen to “rid[e] the wave’ of prominent issues because they want to appear responsive to public concerns” (Hoeglinger, 2016, p. 49). On the other hand, they might want to add ‘fuel to the flame’ in order to attract attention to

their own policies, gain support for their own position, or play havoc with their opponents. When an issue—such as TTIP—becomes increasingly salient, MEPs can get engaged in various ways, whether in response to or as an attempt to instigate contestation. Furthermore, responsiveness can also involve attempts to politicise an issue, hence responsiveness and mobilisation are not mutually exclusive. However, the implications for EU trade policy, as well as for our understanding of the role of MEPs in public debate and salient politics will differ.

In addition, one could argue that by getting engaged or acting responsively, MEPs contribute to politicisation, even if not in a pro-active manner. Gheyle (2019a), for example, claims in this thematic issue that parliamentarisation—the communicative behaviour of parliamentarians—should be seen as a component of politicisation. This obviously makes the establishment of causal links difficult. The aim of this article, therefore, is to explore the relationships between issue salience and the role of MEPs, as well as between responsiveness and politicisation.

First, the goal is to see if MEPs engaged with the TTIP debate. As described above, large parts of the literature lead us to expect that the relationship between MEPs and EU citizens is fraught. The subsequent question is whether this putative engagement is responsive in the sense that it aims to accommodate the concerns of citizens. Again, due to the lack of an electoral linkage, and MEPs having to accommodate two principals, there is a certain expectation that MEPs will not be responsive. Finally, the aim is to analyse if and how MEPs responded in a manner that could be seen as contributing to the politicisation of the agreement. The empowerment of the EP in trade caused fears that the trade policy would become more unruly because the EP would politicise the field¹. Moreover, an issue might be salient without being politicised, which is why this article aims to investigate whether and how MEPs sought to expand the political conflict in the case of TTIP.

2.1. Engagement

There is an increasing interest in to what extent and how national parliaments contribute to the politicisation of European governance (see for instance Bellamy & Kröger, 2016). The specific participation of MEPs in national media debates has thus far received less attention. A general impression is that during election campaigns, EU actors take the backseat, while national parties run the show (de Vreese, Banducci, Semetko, & Boomgaarden, 2006). EU-related issues reach the media if national parties decide to make it a priority (Jalali & Silva, 2011, quoted in Adam & Maier, 2011, p. 433). The few studies that have looked specifically at the EP's performance in the news, find that it does receive regular coverage (Gattermann, 2013), but that journalists tend to take a domestic per-

spective, even when they report on the EP (Gattermann & Vasilopoulou, 2015, p. 134).

TTIP, however, was an issue where the MEPs could potentially claim ownership to a greater extent. Although the agreement most likely would have to be ratified by national parliaments as well, MEPs were in a favourable position to monitor—and have an impact on—the talks between the EU and the US. At the outset of the talks, national parliamentarians had great difficulties accessing the necessary documents to monitor the TTIP negotiations. The EP, by contrast, was highly successful in pushing for access to confidential documents for all MEPs (Rosén, 2018). Thus, in contrast to EP elections, or policy debates where the EP plays a more marginal role, one could argue that TTIP was a good occasion for MEPs to demonstrate their importance without too much competition. MEPs are not only dependent on the good will of their voters for re-election, but crucially also on their national parties, who control the nomination processes (Hix, 2002). Having to cater to several principals, means that MEPs do not only face the pressure from the public when a policy is salient, but also from their national colleagues. Studies of voting instructions to MEPs by national parties, for example, have shown that these are not very common (Mühlböck, 2012), and mainly given when an issue is held to be of “fundamental importance” (Raunio, 2000, p. 217). This leads to two different expectations:

MEPs have a high level of engagement on TTIP;

MEPs from countries where TTIP is salient have a lower level of engagement.

2.2. Responsiveness

The subsequent question is how MEPs engaged, if at all, in debates about TTIP. It has been argued that the relationship between MEPs and voters tends to be ignored due to “widely held assumptions that any electoral connection to the EP is weak because of the way EP elections (do not) work” (Hix et al., 2003, p. 194). Hix, Noury, and Roland (2007, p. 28) have argued that because MEPs lack the external motivation of re-election, “political behaviour in the European Parliament is primarily driven by considerations internal to the institution and the EU policy process.” Thus, the contestation over EU trade policy could be argued to leave MEPs with a dilemma, as they have to adjudicate between their commitments to their national party, their EP party group, as well as their voters.

But even if the electoral connection might be weak, this is not the same as saying that it is non-existent, or that the EP and its MEPs are content with the apparent lack of an electoral link. Elections are not the only reason why representatives are responsive to their constituents. A sense of duty may compel politicians to take the in-

¹ In this thematic issue, Zimmermann (2019) puts forward the concept of “layered politicisation” to depict policies that are not fully politicised. He describes the case of EU fisheries policy, where there is polarisation and mobilisation, but low issue salience.

terests of their constituency into account. In addition, it is likely that both are influenced by the same objective events (cf. Bartels, 1991, p. 458). Thus, it is reasonable to assume that MEPs will attempt to respond to the concerns of EU citizens even if they don't have to fear their judgement come election time.

We know less about how MEPs relate to EU citizens in-between elections, as the bulk of research on EU parliamentary democracy has concentrated on EU elections. Key to studies that analyse the interaction between representatives and citizens is responsiveness, which is held to be the mechanism that maintains the representative relationship in-between elections (Esaïasson & Narud, 2013). A main indicator of responsive behaviour is policy adaption. This is the ultimate sign that representatives are acting on behalf of their electorate. According to Manin, Przeworski, and Stokes (1999, p. 9), to be responsive equals adopting policies that citizens prefer. Adaption can also be presented communicatively through promises—Hobolt and Klemmensen (2008, p. 310) use the term “rhetorical responsiveness” for example. This concept captures the extent to which the political issue agenda “reflects the issue most salient to the public” (Hobolt & Klemmensen, 2008, p. 320).

Yet, representatives are not always ready, or able, to adapt to citizens' preferences. There are also ways of responding where representatives do not necessarily take on-board positions of citizens. However, it is crucial that representatives “must not be found persistently at odds with the wishes of the represented without good reason in terms of their interest, without a good explanation of why their wishes are not in accord with their interest” (Pitkin, 1967, pp. 209-210). If representatives are not prepared to adapt to citizens' preferences, they will have to give reasons for why a decision is beneficial even if it might also cause problems. Without attempting to justify their positions in cases where representatives act against citizens' preferences, it is unlikely that their positions will be seen as legitimate, as justification is central to the democratic legitimacy of decisions (Lord, 2013).

One option for politicians is that they explain their views, i.e., account for the reasons they do not act in accordance with citizens' preferences (Esaïasson, Gilljam, & Persson, 2013). Grose, Malhotra, and van Houweling (2015, p. 725), for example, argue that representatives tend to use “tailored explanations in order to compensate for policy choices that are incongruent with constituent preferences, and to reinforce policy choices congruent with constituent preferences.” To alleviate accusations of ignorance, politicians may also signal that they are listening, which would demonstrate that they are aware of citizens' concerns. Furthermore, ‘listening’ has been shown to have a significant effect on citizens' evaluation of policy decisions (Esaïasson, Gilljam, & Persson, 2017).

But if they acted in a responsive manner, what type of responses did MEPs offer their European constituents in the case of TTIP? Drawing on the literature on com-

municative responsiveness (Esaïasson et al., 2013; Grose et al., 2015; Hobolt & Klemmensen, 2008), this article differentiates between three forms of communicative responses: promises to adapt to public opinion; signalling by parliamentarians that they listen to public concerns; and explanations—justifications—for positions or decisions.

Previous studies have demonstrated that the EP tends to present more moderate demands when it acquires more powers (Ripoll Servent, 2013). When more is at stake, the EP becomes more concerned with “doing good” in institutional terms. In other words, it eases the pressure in legislative processes to “enhance its reputation as a reliable legislative partner” (Burns & Carter, 2010, p. 132). First of all, with lower levels of salience, there is less of an audience to respond to. A second possible reason is that MEPs might want to keep the discussion with the executive free from public interference. Finally, making promises could prove futile in a situation of on-going negotiations. Thus, with lower levels of salience one could expect MEPs to rely on ‘softer’ forms of responsiveness, such as signals that they are listening to public concerns. When salience increases, however, one would assume that it puts pressure on parliamentarians to provide more substantive responses. If MEPs are to prove their worth to the European citizenry, one would expect them to amplify their efforts when their audiences grow, by justifying their position or making promises about future choices:

With higher levels of salience, more MEPs make promises and offer explanations.

2.3. Contribution to Politicisation

While it is reasonable to assume that MEPs are more likely to want to appear responsive when they know that an issue is salient to a large public, politicians do not merely react to the political mood, they also try to steer it. Public pressure can be used as leverage in policy-making processes, which means that there is an incentive for politicians to mobilise public opinion to their support. In other words, politicians may contribute pro-actively to the politicisation of an issue by performing the “role of articulating an initial plurality of opinions within society on issues related to the EU, into a more focused and coherent set of claims on policy” (de Wilde, 2011, p. 564). In the case of TTIP, MEPs could have contributed to politicising an already salient issue by encouraging contestation (cf. Adam & Maier, 2011) or by expanding the scope of actors—for example if they put forward their views in collaboration with, or on behalf of, civil society actors. De Bruycker (2017) has demonstrated that governments' responsiveness increases when an issue is salient or when civil society mobilises, while polarisation has little effect on levels of responsiveness. In this article, however, the aim is to see whether and how responsiveness is part of the process of politicisation. If and when MEPs

claim to listen to concerns, make promises, or offer explanations for their position, they may also contribute to politicisation of TTIP by contesting the agreement or by evoking other actors. More salient policy issues have a higher conflict potential, which makes strategic efforts to politicise them more likely (cf. Adam & Maier, 2011; Baumann et al., 2019):

With higher levels of salience, more MEPs seek to contribute to politicisation.

The following section describes how the four expectations are investigated.

3. Data and Method

The sources of data in this article are newspaper articles reporting on TTIP and plenary debates in the EP. To the average citizen, media is the key access point for political communication. Moreover, it is a key area for contestation:

Although it is not the only forum, or form, of public debate, the mass media is crucial, because it is where the general public can gain access to information about executive decision making and the stances of political actors who challenge decisions. (Statham & Trezn, 2015, pp. 291–292)

At the same time, because MEPs are not free to determine their response through the media, plenary debates about TTIP are used to access ‘un-filtered’ statements.

Surveys show that the majority of Europeans are favourably disposed to a trade and investment agreement between the EU and the US, but there are also substantial variations between member states. Germans and Austrians are by far the most sceptical, while countries such as France, Sweden and the UK have displayed a solid majority in favour of the agreement (European Commission, 2014, 2015, 2016). There are also variations in how engaged citizens are across Europe. In the Commission’s public consultation on the investor state dispute settlement (ISDS) mechanism, 79% of the submissions were from Austria, the UK and Germany, and there is a similar pattern for the European Citizens’ Initiative on TTIP (de Ville & Siles-Brügge, 2015). Based on public opinion surveys and patterns of engagement, three countries were selected for investigation. Germany has had a stable majority of opponents to the deal and a high level of engagement, Sweden has had a stable majority supporting the agreement and a moderate level of engagement, while the UK has had a stable majority, but also a high level of engagement.

In each of the countries, two quality newspapers were chosen: *Frankfurter Allgemeine Zeitung* and *Süddeutsche Zeitung* (Germany); *Svenska Dagbladet* and

Aftonbladet (Sweden); and *The Guardian* and *The Times* (UK). Not only is there a greater likelihood that quality newspapers will feature EU actors in their coverage (de Vreese et al., 2006), but they are also generally seen as opinion leaders who are likely to influence other media outlets (Gattermann & Vasilopoulou, 2015, p. 135). Furthermore, the newspapers are chosen to represent both sides of the left–right spectrum. Data was collected from June 2013, when the Council approved the mandate to open negotiations, until the end of December 2015. The sample includes all articles mentioning TTIP during that time period. Search words for Sweden were *transatlantisk**, *handelsavtal** and TTIP; for Germany TTIP and *Freihandelsabkommen*; and for the UK TTIP, *transatlantic trade*, *EU AND trade*. The EP passed two resolutions on TTIP, one in May 2013, just before the launch of the talks between the EU and the US, and one in July 2015, after 9 rounds of negotiations had taken place. Thus, plenary data is gathered from two occasions when the EP debated TTIP, focusing on interventions by MEPs from Germany, UK and Sweden (including explanations for votes; EP, 2013; EP, 2015b).

The article uses claims-making methodology to uncover the patterns of the debate and the MEPs’ engagement and response. Claims-making methodology is a form of content analysis, where the analytical unit is the ‘claim,’ which basically means an actor statement that expresses for instance a political demand, criticism, proposals or calls to action (Statham & Koopmans, 2009, p. 437). Different variables can be assigned to each claim, such as who is making the claim, when and where it is made, what the content of the claim is and to whom the claim is directed (Statham & Koopmans, 2009). In this article, each claim was coded with country, newspaper and time period, then with who made the claim, the content of the claim, the object of the claim, to whom the claim was directed, and the type of justification for the claim.

To identify level of engagement, the focus was on who was making the claim, which allows a comparison between the total number of actors and the share of MEPs, over time. To study the type of responses offered by MEPs, three different codes were assigned if the claim i) contained a promise; ii) signals that the claimant was listening to particular concerns; iii) that reasons were given for the claim. An additional code was added if the justification explicitly evoked an audience, which signals to whom the explanation attempts to respond². This is used as an indicator of attempts to mobilise and expand the scope of actors, i.e., efforts to politicise an issue. An additional code used to investigate how MEPs potentially contribute to politicisation, is to whom a claim is directed. This code indicates whether and how claims by MEPs seek to contest or change TTIP and the negotiations, including instances where opponents make claims towards supporters and vice versa. An example of such a claim is when British MEP, Molly Scott Cato (2015, Greens),

² If a claim is made on behalf of someone, it can also be termed a ‘representative claim’ (de Wilde, 2013). This article, however, does not look at this aspect, but rather if an audience is evoked, signalling to whom someone is attempting to respond, and potentially also to mobilise.

wrote: “This week hundreds of protesters against TTIP have descended on the European Parliament. They are quite rightly concerned about the threat that this treaty poses to the British government’s ability to conduct its affairs in their interests.”

The claims are compared quantitatively, but mainly qualitatively, in order to analyse degree of politicisation as well as if and how MEPs communicate with citizens and respond to their concerns.

4. How Did MEPs Get Engaged in the Debate About TTIP?

The following analysis first addresses the salience of the TTIP debate in all three countries. When studying media debates, one frequently used indicator of salience is the number of newspaper articles that is being written on the topic. In this article, although the reporting on the transatlantic trade negotiations are not compared with other issues (cf. Hoeglinger, 2016), comparing coverage of TTIP across time also gives an indication of change in salience.

Figure 1 shows the number of news articles that mention TTIP in Germany, Sweden and the UK, during the time period under study. In Germany there is a clear pattern of increasing attention to TTIP. Throughout 2013, the debate was almost completely dominated by the spying scandal. After documents released by Edward Snowden revealed that the Americans had been tapping into Angela Merkel’s phone, a lot of actors demanded that the TTIP negotiations had to be stopped. Then from mid-2014 onwards there is a sharp increase in the number of articles. This coincides with the elections for the EP in the end of May, where the possibility of a free trade agreement between the EU and the US became a hot topic. After that, the overall reporting on TTIP in Germany remains on a high level although with a slight downward trend in 2015.

In Sweden, there is no steady pattern of rising salience as in Germany. The overall impression based on the coverage over time, is that the Swedish debate reflects a relatively low level of salience. Over time, the one spike in coverage is around the EP and general elections

in May and September 2014 where TTIP became a contested topic among Swedish parties. Thus, despite low levels of salience, the news reporting is not dominated by surrogate reporting, as was for instance the case for the debate about the EU constitution (Trenz, Conrad, & Rosén, 2009). The media debate in Sweden largely reflects national considerations regarding TTIP, rather than observing for instance the German debate. The results for the UK also reflect a lower level of salience. In 2013, the UK debate is mainly focused on the spying scandal in Germany. However, TTIP was increasingly put in a UK context in the run-up to the EP election in the spring of 2014, and even more so during the months around the UK general elections a year later. It was particularly the issue of the National Health Service (NHS) that instigated discussion—although there is a marked difference here between *The Times* and *The Guardian*, with the former seeming not to pay much attention to the NHS debacle.

Given these variations in salience between the different countries, the subsequent question is, how did MEPs engage in the evolving debates? Based on the expectations above, we would assume all MEPs to be more engaged than members of Parliament (MPs), but that MEPs in Germany have a lower level of engagement over time than in Sweden and the UK.

4.1. Level of Engagement

The set of conjectures delineated above all build on the assumption that MEPs are somehow receptive to citizens’ concerns. Ripoll Servent’s (2013) study of the EP’s influence on the Data Retention Directive before and after the Lisbon Treaty, shows for instance that once a co-legislator, the EP became more concerned about appearing as a responsible actor, rather than pushing for its own agenda. Furthermore, trade policy may also trigger particular national interests, which means that MEPs have to adjudicate between their commitments to their national party, to their EU party group, as well as to their voters. This may have a form of silencing effect that discourages them from participating in debates on TTIP. However, this does not seem to be the case for TTIP—at least not for the MEPs as a whole. Although the share of MEPs in the

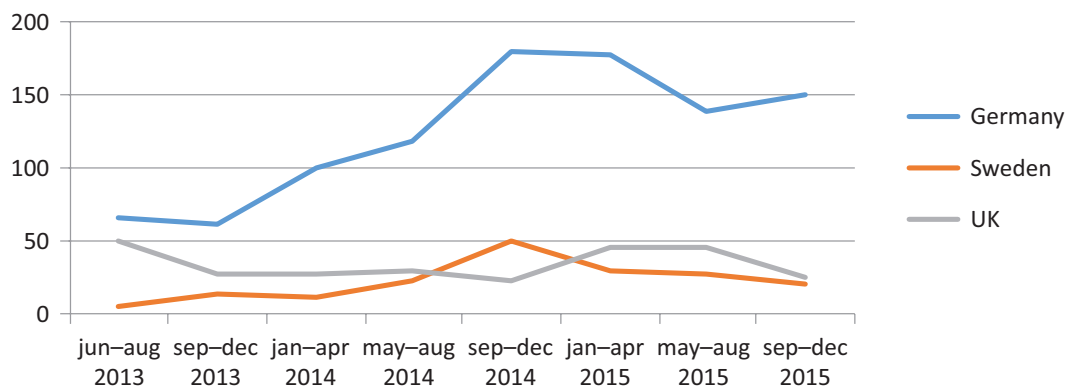


Figure 1. Number of articles on TTIP. Note: Total = 1444.

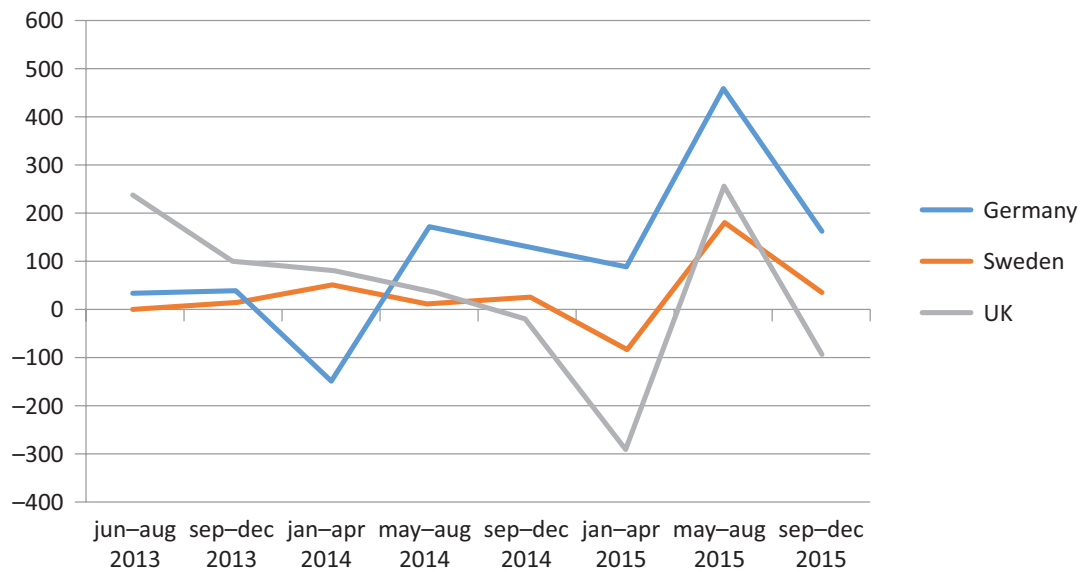


Figure 2. Engagement of MEPs relative to MPs. Note: The number of claims made by MEPs and MPs are weighted according to the share of articles published.

total sample of media debates is moderate with around 11% of the claims made by MEPs, they do feature regularly in the newspaper coverage. In Sweden for example, over half of the non-executive actors in Swedish media debates are MEPs; MPs or other representatives of political parties³.

Another way of analysing the engagement of MEPs is to compare their visibility to that of national MPs. A main assumption of this article is that TTIP is an occasion for MEPs to demonstrate their value to the EU citizenry. If that were the case, one would expect MEPs not only to engage in public debates, but also that they are more engaged than national MPs, which can be taken as an indicator that MEPs take a lead in the TTIP debate—also at the national level. Thus, the figure above shows how MEPs feature in the sample, relative to MPs.

In all three countries there are more claims made by MEPs than by MPs under the period of June 2013 through December 2015. Although there are some fluctuations over time, the predominant pattern is that MEPs feature more than MPs. This testifies to the assumption that TTIP is an issue where MEPs assume ownership. It is important to note here that the media also give voice to EU parliamentarians outside of their own country. Both British and Swedish newspapers covered the controversies Germany extensively. In the UK, for example, most MEPs found in the sample from 2013 are not British, but German MEPs speaking out against the spying scandal. Several of the claims made by Swedish MEPs stem from op-eds. A string of contributions by MEPs discussed back and forth the transparency of the negotiations as well as controversial issues such as the ISDS mechanism. Especially around the time of the EP elections in the spring of 2014, TTIP was a frequent topic,

whilst the months after were characterised more by reactions to events taking place at the EU level, e.g., the July 2015 vote in the EP. Once the British debate turned its focus inwards towards the middle of the time period, British MEPs become more visible, but so do British MPs, who not only dominated the debate about NHS, but also started mobilising around TTIP, especially in the period around the general elections with some Labour members taking a very strong stand against the EU–US deal. According to *The Times* (Hopkins, 2015), then shadow chancellor John McDonnell said TTIP would “allow corporations ‘to steal’ from ordinary people.”

Looking only at claims made by MEPs, in Sweden, the percentage of the total number of claims is around 20% compared to around 8% in Germany, but the total number of claims made by MEPs in Germany is higher, which is unsurprising given the amount of coverage in the German press. At the same time, while the number of claims by MEPs in Sweden drop immediately after the EP has gone forward with its vote in July 2015, German MEPs remain active throughout the period under study. This calls into question the expectation that MEPs in countries with increasing issue salience have a lower level of engagement. The autumn of 2015 was a period where the German public was mobilising strongly against TTIP, with a lot of demonstrations and community meetings taking place. German MEPs might be waking up to the fact that they need to somehow react to the massive resistance towards the agreement in Germany. Summing up, although the numbers are rather small, these patterns not only refute the suggestion that MEPs do not engage in media debates, but also indicate that parliamentarians at the EU level are taking the lead in the TTIP debate. Moreover, there is little evidence of a silenc-

³ By comparison, national governments—whilst clearly pro-TTIP—were not very active, but Trade Commissioner Malmström was highly visible in the Swedish debate from the time her candidacy was announced at the end of the summer of 2014.

ing effect, potentially resulting from the cross-pressure MEPs are facing (again, it has to be underlined that finding only holds for MEPs as a whole. The silencing effect could be more prevalent for some parties than others. However, the data used in this article is too small to gauge this properly). Being visible, however, is not the same as being responsive. Thus, the subsequent question is what characterises MEPs' engagement.

4.2. Responsiveness

Following the expectation that issue salience generates more substantial responses by MEPs, we would presume that German MEPs are more likely to offer explanations and promises compared to the Swedish and British MEPs, particularly from 2014 onwards when issue salience increases.

Many claims by Swedish MEPs contain explanations. For example, when arguing for the soundness of the ISDS mechanism. MEP Christofer Fjellner (2013), from the EPP group, refers to Sweden's many similar investment agreements, and argues that such a mechanism is not about undermining democracy, but about securing respect for basic legal principles. By contrast, it is very uncommon for MEPs to signal that they are listening to people's concerns, and also few promises are made.

In the UK, throughout most of 2013 it is the German spying scandal and its potential effects on the TTIP talks that dominate, and most of the parliamentarians featured in these articles are from the EP or Germany—not British. Towards the end of the year and in the period leading up to the EP elections, more MEPs enter the scene, but still—at least in the TTIP context—there are fewer claims by British MEPs compared to other European countries. This indicates support for Gatterman and Vasilopoulou's (2015) finding that British MEPs get little coverage. Instead, as described above, British MPs took centre stage as the TTIP debate got entangled with national party politics. In December 2014, the Home Affairs Committee questioned Theresa May about the NHS and other committees issued reports on TTIP during 2015. Compared to Germany and Sweden, and although MEPs dominate in the whole sample, more MPs are visible in the UK coverage around the general elections in May 2015, when Cameron's plans for negotiating a new deal with the EU came on the agenda. When the NHS is the topic, there are examples of several responsive claims, such as Andy Burnham promising that his Labour government would exempt NHS from TTIP (Jones, 2014). The pressure on the British government increased throughout 2015, starting with a debate in the House of Commons in mid-January, where MPs voiced their concerns over various aspects of the deal such as the ISDS mechanism and food safety. All claims contain explicit justifications for positions voiced and are as such responsive.

Almost immediately after the launch of the negotiations in June 2013, the news about the US spying on

Germany broke, and several German MEPs replied by demanding to freeze the TTIP negotiations. This demand dominates almost all claims made by MEPs in the sample from 2013 as well as the first half of 2014. From then on, MEPs focus more on the negotiations and content of the EU–US deal. However, there is little to suggest that MEPs in Germany, where salience has been increasing, have a higher propensity to respond in a particular manner. The claims made by German MEPs do not differ much from those of their British and Swedish colleagues. Promises to adapt and signalling that they are listening are rare, whereas explanations are prevalent.

Although promises might be slightly more prevalent during the period when there was a spike in attention to TTIP in the British newspapers, the Swedish example showed that also Swedish MEPs tend to give explanations for their positions, regardless of the level of salience. This pattern is also characteristic of the German debate, suggesting that issue salience is not necessary for MEPs to justify their positions. With regards to promises made, there is perhaps a small indication of a stronger relationship, but the numbers are too small to conclude. Whether they justify their claim with reference to public opinion and public concerns—i.e., are explicit about who they respond to—also varies a lot, both across the three countries and over time. However, one trait is recurrent in all three countries: While most MEPs might refer to public opinion on occasion, opponents of TTIP are more likely to do so, throughout the time period. They also use public interest to contest the agreement. For example, in an op-ed MEP Malin Björk (2015, European United Left–Nordic Green Left [GUE/NGL]), together with colleagues from the Swedish parliament, states:

The Swedish Government must now say what they think. Should citizens, democracy, climate and labour law go first, or big business? The Left party demands that the EU Commission and the government take seriously the legitimate concerns of the critics of the TTIP agreement.

Thus, the subsequent question is, whether and how MEPs make claims that seek to contribute to politicisation.

4.3. Contribution to Politicisation

What we expect is that MEPs seek to contribute to politicisation when issue salience increases by attempting to expand the scope of conflict through evoking a larger set of actors and contesting the agreement. Thus, we expect that German MEPs are more likely to contribute to politicisation, due to the higher level of salience in the national media.

When Swedish parliamentarians respond to conflicting viewpoints, they are mainly directed at opposing political parties. One MEP candidate from the Leftist

Vänsterpartiet, for example, accused the government coalition of putting “the interest of big business before food, environment and even democracy” (Björk, 2014). Following the general elections in September 2014, MEP Fjellner (2014) from the outgoing governmental party Moderaterna expressed his “genuine worry” about Sweden’s position as a free trade nation with a new social democratic government in office. While subject to party competition, TTIP did not seem to gain much traction in the general public. In fact, a Eurobarometer from November 2016 showed that at the time support for TTIP among Swedish citizens was actually increasing (European Commission, 2016). To the extent that they respond to public concerns in combination with a claim for or against a given policy, this is more or less exclusive to parties opposing TTIP, who refer to public opinion in order to justify their demands for changing or stopping the agreement. Still, a lot of the Swedish claims are directed at political opponents, meaning that they contribute to politicise the debate. To a certain extent, one could say that the Swedish debate resembles what Zimmermann (2019) calls “layered” politicisation. Political actors contest each other’s positions, and some also attempt to mobilise a larger set of actors, but the level of salience remains relatively low throughout the time period.

In the UK, the party conflict appears to be lower on TTIP, perhaps because the debate is also conducted in the shadow of Brexit. With NHS, contestation increases, but there are still not a lot of examples of claims that are explicit about the audience to which it responds, nor are there many claims that use public opinion to contest the agreement. Taking into account that the numbers are too small to draw firm conclusions, MEPs also take part in the debate, echoing the concerns of opponents of the deal. As mentioned by Molly Scott Cato (2015, MEP, Greens): “This week hundreds of protesters against TTIP have descended on the European Parliament. They are quite rightly concerned about the threat that this treaty poses to the British government’s ability to conduct its affairs in their interests.” Only in the case of the NHS, however, do such claims appear to be accompanied by a spike in issue salience.

From 2015 onwards, corresponding to increasing salience, more responses that refer explicitly to people’s concerns also ask for moderation. MP Adrian Bailey (Labour), for example, was cited by *The Guardian* calling for a more informed discussion: “Campaigners, lobbyists, business groups, government and the European Commission also need to do more to engage with the evidence rather than make unsupported claims about the benefits or risks of TTIP” (Elliot, 2015). Similar examples can be found in the discussion over ISDS in Sweden. Like their British and Swedish colleagues, those who support TTIP attempt to temper criticism: “The Germans fear being swept away by the Americans, which expresses a lack of self-confidence” (MEP Elmar Brok [EPP], 2015). Others express their understanding that people worry when they do not know what is being negotiated, going

on to assure: “We do not want to lower our high standards in Europe, such as food and healthcare. We do not want to allow intervention in local self-government” (MEP Angela Niebler [EPP], 2015). These can be seen as examples of claims that are responsive, but also that attempt to de-politicise the debate, i.e., trying to contain conflict rather than amplify it. Thus, a pattern emerges of across the three countries of supporters of TTIP aiming to de-politicise the debate by refuting criticism, i.e., by responding to people’s concerns they attempt to alleviate contestation.

Still, the data material displays a greater tendency also among those who support TTIP to be more specific about red lines and demands to the Commission and/or government midway into the period under study, which is when the salience of TTIP increased. In Sweden, although one must keep in mind that the numbers are small, there are few examples of supporters staking their claims in a similar manner, at least in the media sample, but in the UK there are signs of a comparable development, particularly on the issue of the NHS. This potentially has a different effect compared to the explicit efforts to de-politicise the debate, because it amplifies contestation.

Swedish MEPs wrote several op-eds on TTIP, which would allow them to choose how to approach readers. Nevertheless, journalists may act as filters on some forms of claims, discarding responsive statements, because it does not quite fit their story. During plenary debates MEPs are able to shape their own message in full. Looking at the plenary debates on TTIP in the EP from 2013 and 2015, confirms the tendency of parliamentarians becoming more specific on their conditions for support of the deal.

In 2013, MEP Bernd Lange from the Progressive Alliance of Socialists and Democrats explains his group’s support for TTIP on economic grounds, while indicating some apprehension about the negotiation partner’s standards (EP, 2013). TTIP supporter Daniel Caspary’s (EPP) interventions clearly reflect that he does not see a great need to engage with voters’ concerns. Instead he argues that most Germans trust politicians to manage trade politics, and that “a large part of the citizens in Europe just do not want to deal with such topics” (EP, 2013). In line with the media data, only the opponents to TTIP are clear on whose behalf they are taking a stand. An intervention by MEP Scholz (GUE/NGL), for example, explicitly refers to specific “worries of the people,” and that his party group assesses every agreement according to the interest of the people (EP, 2013). This is a clear example of a claim where he not only justifies his position, but also signals that he listens to people’s concerns and makes the promise that his party will reject any deal that do not meet these key points.

During the plenary debate two years later, the situation is different (EP, 2015b). The opponents of TTIP are not the only ones taking contingent positions. Elmar Brok (EPP) declares: “no lowering of standards!”, while

his colleague, Angelika Niebler, promises to make it clear to the Americans “what cannot be done with us Europeans” (EP, 2015b). Several similar responsive claims are found among the British MEPs across the political spectrum. Many of these claims also evoke public opinion. Joachim Schuster (Progressive Alliance of Socialists and Democrats), for example, states that they have succeeded in picking up many of the issues that have been discussed in public and translated them into conditions to the Commission. MEP Cecilia Wikström (Alliance of Liberals and Democrats for Europe group), in defending her vote for TTIP, makes a promise to “the thousands of citizens of Sweden” who have contacted her that “the norms and values we safeguard in the EU should in no way be sacrificed or lowered through TTIP” nor will “[p]roducts that do not meet EU high standards” be approved in the European market (EP, 2015b). Moreover, there clearly is a difference between the debates in 2013 and 2015, with the overwhelming majority of MEPs offering explanations for their positions.

5. Concluding Discussion

The analysis of the TTIP debate in Germany, Sweden and the UK showed differences in issue salience. Germany experienced increasing issue salience throughout the time period. In Sweden and the UK, TTIP was not nearly as salient, albeit with spikes of attention around the EP and national elections. The expectation that MEPs were more engaged than MPs received some support, which testifies to the assumption that TTIP was an occasion where they could take ownership of an issue. However, the example of the UK shows that when an EU matter gets entangled with an issue that is sensitive to national politics, such as the NHS, MPs become active and MEPs take the backstage. With the new generation of free trade agreements that increasingly go behind border addressing national regulations, MEPs might still face significant competition from national MPs if and when a trade agreement spurs debate about policy issues that hit close to home, as with the NHS in the UK.

The expectation that more MEPs tend to offer promises and explanations with increasing salience also needs additional qualification. Issue salience appears to be neither necessary nor sufficient to generate claims that contain promises or explanations. There are several factors that could incite MEPs to make responsive claims. The example of Sweden illustrates this where the debate about TTIP is characterised by marked party competition throughout the time period. Furthermore, there might also be factors that dissuade responsive behaviour. There is little evidence in the data that higher levels of salience lead to less engagement by MEPs. However, this is the case for all MEPs, whereas there might be differences between parties that are beyond the emphasis of this article.

Another question is what precisely MEPs are responding to. Issue salience is only one component of

the broader phenomenon of politicisation, and it could be that polarisation would provoke different reactions. Furthermore, de Bruycker (2017) has shown that issue salience and mobilisation of civil society actors caused elites to refer to public interests more often. This article has focused on issue salience, however, because an aim was to see how MEPs *contributed* to politicise TTIP. The fear that EP empowerment would contribute to politicise EU trade policy receives ambivalent backing. A consistent finding is that the opponents of TTIP most frequently evoke the ‘voice of the people,’ regardless of level of issue salience. This is a finding that cuts across all three countries as well as time. Supporters, however, tried to de-politicise the debate and contain conflict. Nevertheless, because increasing issue salience seems to coincide with making demands for support, supporters as well might contribute to expanding the scope of the conflict over TTIP.

Two implications of these findings deserve a more detailed discussion. First, they demonstrate the multifaceted relationship between responsiveness and politicisation. Parliamentarians use responsive claims to demonstrate that they react to specific public concerns, but also to draw attention to their own position and mobilise the public when combined with a claim directed against other actors. In other words, parliamentarians not only react to politicisation, they also attempt to make politicisation happen by evoking public opinion. However, responsiveness can also be used in a de-politicising manner, as the statements from several supporters of TTIP show. Such claims contain a form of communicative response, e.g., an explanation, whilst also evoking a specific public opinion, but without an accompanying claim for a change of policy. Uncovering the pattern of claims that serve these contradictory purposes, and the conditions under which claims-making contributes to politicisation or de-politicisation should be the topic of future studies.

Secondly, there is a growing literature on how politicians (and non-elected) use claims to convince voters of their eminence as representatives (e.g., de Wilde, 2013). The question is how the degree and type of responsiveness is part of such efforts to establish a representative relationship. The aim of this article was to begin to explore how responsiveness feature in representative claims-making. Future research should do this more systematically using larger data, in order to uncover the conditions under which parliamentarians act responsively in various ways. While policy responsiveness is the ultimate evidence that citizens’ interests are taken into account, communicative responsiveness, as has been the focus of this article, is of key importance to the maintenance of representative processes. In order to increase our understanding of the workings of our representative political systems, we should continue our study of how parliamentarians communicate to and with those they claim to represent.

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Article

Brexit under Scrutiny in EU Member States: What Role for National Parliaments in Austria and Germany?

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Abstract

Among national parliaments (NPs) in the EU, the Austrian Nationalrat and the German Bundestag stand out as strong legislatures in EU affairs. Both parliaments have used their rights to great extent in recent EU negotiations on international agreements such as the one with Canada on a Comprehensive Economic and Trade Agreement. Yet, in the negotiations with the UK their involvement varies. Why is this so? Scholarly work on Brexit so far focused on the European Parliament or the UK parliament, while attention to NPs in the EU27 is scarce. This article fills this void in research by tracing the Austrian and German parliaments' activities in the Brexit negotiations. Despite similar institutional strength I find that the German Bundestag is more extensively involved, particularly on an informal level, compared to the Austrian Nationalrat. The reason for this is Brexit's varying saliency in these two countries given their different levels of exposure to the UK's withdrawal. As saliency of a policy issue is considered a major explanatory factor for why NPs engage in EU affairs, the results of this article confirm this expectation within the realm of EU international negotiations.

Keywords

Brexit; European Union; international negotiations; national parliaments; saliency; United Kingdom

Issue

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1. Introduction

Negotiations on the withdrawal of the UK from the EU have been under way since 2017. The European Parliament (EP), according to Article 50 of the Treaty on EU, will have to ratify an eventual agreement on the UK's withdrawal (Closa, 2019). Article 50 does not give any formal role to national parliaments (NPs) in the context of the withdrawal agreement. However, if an eventual agreement on future UK–EU relations becomes a mixed one, NPs will need to ratify it. It is therefore vital to understand NPs' roles and positions in the current withdrawal negotiations. Yet, little attention has been paid to parliaments in EU member states other than in the UK (except for Christiansen & Fromage, 2019).

Given the sequence of Article 50 negotiations and (likely) subsequent talks on a future UK–EU mixed agree-

ment, we may look at NPs in Brexit affairs against the background of their engagement in EU negotiations of international agreements. In these negotiations, NPs recently claimed a right to ratification as was the case in the EU–Canada Comprehensive and Economic Trade Agreement (CETA): Indeed, the European Court of Justice (ECJ) clarified that international agreements targeting indirect investments require consent by NPs (ECJ, 2017). This is part of a larger trend whereby NPs actively scrutinize EU affairs due to their upgraded role since the Lisbon Treaty (Cooper, 2012). Through mechanisms such as the Barroso initiative, inter-parliamentary cooperation, and scrutiny of national governments NPs have become increasingly assertive of their roles in the negotiation of EU international agreements (Jančić, 2017; Roederer-Rynning & Kallestrup, 2017). While NPs obviously have no right to ratification on the Article 50 agreement, they

can make use of the aforementioned instruments in the withdrawal negotiations.

Recent research shows, however, that there is considerable variation in parliamentary activities on EU affairs between NPs (Auel & Christiansen, 2015; Winzen, 2012). This seems to apply to their engagement in EU international negotiations, too (Jančić, 2017; Roederer-Rynning & Kallestrup, 2017). Regarding trade talks, parliaments in Austria and Germany vis-à-vis other NPs in the EU recently stood out as intensive scrutinizers of transatlantic agreements such as CETA. Yet, in the current Brexit talks on the UK's withdrawal from the EU, the German Bundestag is much more extensively involved than the Austrian Nationalrat as this article will show. Why is this so?

Relying on theorization of saliency as a trigger for parliaments' activities on EU affairs (Auel & Christiansen, 2015), I argue that varying vulnerability of Austria and Germany to Brexit explains the differing levels of engagement in these negotiations. Even though both parliaments are considered strong legislatures with extensive information and participation rights in EU affairs (see Section 2; Pollak & Slominski, 2003), I find that the German Bundestag is more involved in the Brexit negotiations than the Austrian Nationalrat. This is due to Germany's exposure to the UK's withdrawal from the EU while Brexit's impact on Austria is of smaller magnitude.

In what follows, the article sets up the puzzle of two strong NPs with varying involvement in the Brexit negotiations. Second, I put forward alternative explanations to NPs' activities in these negotiations, which rest on Euroscepticism and saliency of Brexit. Thereafter, I conceptualize NPs' involvement in Brexit affairs by covering formal as well as informal measures. Based on this conceptualization, the empirical section traces the Austrian Nationalrat and the German Bundestag in the Article 50 negotiations. In doing so, I argue that the reason for the Bundestag's more intensive involvement is Germany's vulnerability to Brexit compared to little expected impact in the case of Austria. The conclusion summarizes the results and reflects on their implications for continued negotiations.

2. The Puzzle: Similar Strength, Different Involvement

Research on NPs in EU affairs identifies institutional strength as an explanatory factor for NPs' scrutiny activities (Auel & Höing, 2015). This is because it is costly in terms of time and resources for members of parliament (MPs) to collect information on EU affairs (De Ruiter, 2013, p. 1198). Therefore, parliaments need the formal powers and capacity in order to perform these costly exercises (Ringe, 2010). Hence, one can assume that NPs with high institutional strength in the context of EU politics are also more involved in Brexit affairs.

Yet, in the case of Brexit we observe varying involvement of two very strong NPs. As I will show in the empirical section of this article, the German Bundestag is

more intensively involved in the current Brexit negotiations, especially on an informal level, compared to the Austrian Nationalrat. At the same time, however, both parliaments are considered particularly strong in affairs (Auel, Rozenberg, & Tacea, 2015a; Winzen, 2012).

Relying on the most recent ranking by Auel, Rozenberg and Tacea (2015a, p. 293), the average institutional strength lies at about 0.7 for the German Bundestag and above 0.5 for the Austrian Nationalrat. These scores take into account information rights, capacity of parliaments to process information as well as oversight instruments. The ranking is consistent with similar quantitative rankings (Winzen, 2012) as well as qualitative studies, which ascribe strong institutional prerequisites to the Austrian and German parliaments (Pollak & Slominski, 2003). In fact, the Austrian Nationalrat is considered by scholarly literature as "exceptionally strong" (Pollak & Slominski, 2003, p. 723) and placed "in the same league as Germany" (p. 724).

Further to institutional strength, one might expect a stronger involvement of the German Bundestag compared to the Austrian Nationalrat given the sheer size of Parliament and political weight of the country. The absolute size of 709 compared to 183 parliamentarians in the Bundestag and Nationalrat respectively would accordingly translate into a higher level of activity by the German vis-à-vis the Austrian NP. Auel et al. (2015a, p. 78–79), however, show a positive correlation between institutional strength—rather than size of a parliament—and the level of parliamentary activity. Indeed, the parliaments' average activity scores on EU affairs are much alike: 0.34 for the German Bundestag and the Austrian Nationalrat is at 0.22. Hence, institutional strength and the parliaments' size lend little explanatory power to why the German Bundestag is more involved in Brexit than the Austrian Nationalrat.

What alternative explanations can we turn to in order to account for NPs' activities in the Brexit negotiations? In what follows, I link literature on NPs in EU affairs (e.g., Auel, Rozenberg, & Tacea, 2015b) to theorization of saliency (e.g., Rauh, 2018). More specifically, I develop an argument according to which vulnerability of a country to the UK's withdrawal from the EU results in an intensive parliamentary involvement via saliency. I contrast this argument to alternative expectations based on party politics, including the role of Euroscepticism (e.g., Auel & Höing, 2015).

3. Explaining NPs' Involvement in Brexit

Institutional strength can arguably not explain NPs' varying involvement in the Brexit negotiations (see Section 2). Alternative explanations in the literature revolve around actors' "willingness to invest political resources to influence political outcomes" (Beyers, Dür, & Wonka, 2018, p. 6). Scholarship puts forward two reasons for why parliamentarians might be willing to invest resources in an EU issue: the degree of Euroscepticism and party

politics (e.g., Auel & Höing, 2015) as well as politicization or saliency of a political event (e.g., Auel & Christiansen, 2015).

One strand in the literature on NPs in EU affairs theorizes the role of party politics through parliament-government relations. More specifically, scholars analyze the composition of government (Holzhacker, 2002) and the share of Eurosceptic political groups in parliament (Auel & Höing, 2015). With a view to the composition of government, Saalfeld (2005, p. 357) suggests more intensive parliamentary activities in cases of minority or coalition governments compared to single-party majority governments. In the cases of the Austrian Nationalrat and the German Bundestag, however, we are concerned with coalition governments only: grand coalitions in Germany as well as in Austria prior to the 2017 elections followed by a coalition in Austria composed of the conservative (Austrian People's Party [ÖVP]) and far-right (Freedom Party of Austria [FPÖ]) political groups after the latest elections (until May 21, 2019). According to the argument made by Saalfeld (2005) on the composition of government, we should find no major difference between the Austrian Nationalrat's and German Bundestag's activities on Brexit.

With a view to the role of Euroscepticism, Auel and Höing (2015, p. 381) argue that strong Euroscepticism in public opinion provides incentives for MPs to control their national governments on EU affairs to a greater extent than when Euroscepticism is weak. According to this reasoning, NPs' involvement should be higher when there is a larger share of Eurosceptic parties in parliament. Their presence increases electoral incentives and therefore willingness by MPs to scrutinize EU affairs of both the Eurosceptic party itself and also other parties since they do not want to risk electoral costs (Winzen, 2012, p. 2). Thus, a large share of Eurosceptic parties in parliament should lead to greater NPs' involvement in the negotiations of Brexit:

H1. Euroscepticism expectation: A large share of Eurosceptic party groups in parliament leads to a more involved NP in Brexit affairs.

Next to Euroscepticism, the role of politicization and saliency of EU issues has recently taken center stage in scholarly debate on parliamentary activities (Auel & Christiansen, 2015; Coremans & Meissner, 2018; Meissner & McKenzie, 2019). Next to polarization of opinions and mobilization of a broad set of actors, saliency constitutes a major component of high levels of politicization (Rauh, 2018). Saliency influences actors' "willingness to invest political resources" (Beyers et al., 2018, p. 6). Hence, the expectation that saliency influences NPs' scrutiny activities resonates with research identifying 'willingness' or incentives as crucial for parliamentarians (Winzen, 2013). Saliency, in general, describes the importance, which actors attribute to a specific issue (Beyers et al., 2018, p. 1), or "the extent to

which people [such as MPs] care about political issues" (Hartlapp, Metz, & Rauh, 2014, p. 27). A salient political event therefore can be understood as an opportunity for parliamentarians to invest political resources, whereas MPs are less likely to invest the same amount of resources where an issue has little saliency.

One way of conceptualizing saliency is reasoning backwards from the visibility of an issue in public or in the media. Thus, MPs invest political resources under the premise of making these actions publicly visible. They calculate which issues will resonate with the public knowing that this resonance will increase their own visibility (Auel & Christiansen, 2015). This is based on the assumption that MPs need to be responsive to citizens (Raunio, 2011). Hence, they calculate electoral costs of their activities, or likewise electoral incentives when investing in a particular issue (Auel & Christiansen, 2015). Based on these calculations, NPs decide whether to invest political resources into a particular issue.

Saliency of an issue can also occur when large domestic groups in a state will be affected by this particular issue (Auel & Christiansen, 2015, p. 270). In this context, willingness of MPs to invest resources results from a calculation of actual, material costs (Auel & Höing, 2015, p. 380). They estimate the possible effects of an EU issue on their domestic constituencies. Based on a calculation of these costs, parliamentarians or NPs follow and act according to particular regional or a national interest in order to remedy or ease the estimated effects (Closa & Maatsch, 2014, p. 827). Applying this to the context of Brexit, NPs and their parliamentarians are likely to engage more in parliamentary activities if their countries are or will be affected by the UK's exit from the EU. Hence, greater vulnerability to Brexit increases the issue's saliency and thus results in more intense parliamentary involvement in these negotiations:

H2. Saliency expectation: Higher saliency of Brexit in an EU member state leads to a more involved NP in these negotiations.

4. Assessing NPs' Formal and Informal Involvement in EU Affairs

This article conceives of NPs' involvement in EU affairs as a continuum from low to high contingent on the use of formal and informal parliamentary instruments. The majority of research on NPs in EU affairs focuses on their formal measures such as binding opinions, meetings in EU-committees or plenary debates (Auel et al., 2015b; Miklin, 2015; Pollak & Slominski, 2009; Rauh, 2015). Little knowledge exists on informal instruments such as meetings on EU issues in specialized committees or direct contacts to the European Commission (hereafter, Commission; with exceptions, Raunio, 2005; Rozenberg, 2017).

This article seeks to address this gap of fully understanding NPs' involvement by covering both formal

in terms of exports, services, and the financial sector. Austria, by contrast, will be much less affected according to the same study reaching a score at the lower end of 0.77. This is consistent with other Brexit impact studies such as the ones by KPMG (2017) or the Standard&Poor Brexit impact index (Gill & Sakhuja, 2016). According to the latter, Germany is at a relatively high score of 0.8, while Austria is at 0.3. Based on these data and the conceptualization of saliency as vulnerability to the UK's withdrawal from the EU, I assess Brexit's saliency to be high in Germany and low in Austria.

In order to trace NPs' involvement in the Brexit negotiations, I triangulate data from official parliamentary documents and semi-structured interviews with 18 staff members and MPs from the Austrian Nationalrat, German Bundestag, and the EP in Vienna, Berlin, and Brussels. A first data source is official parliamentary documents in the form of agendas from both parliaments. I systematically mapped the agendas of two committees between 2016 and 2018: Regarding the German Bundestag, these agendas came from the EU-committee and the specialized committee on 'Economics and Energy'; regarding the Austrian Nationalrat, the agendas from the EU-committee and the main committee were analysed and mapped. Second, semi-structured interviews with 18 staff members and MPs of the German Bundestag, the Austrian Nationalrat, the EP, and NPs' representatives to the EP were carried out in 2018. These officials include, in Germany, current staff members of the parliament's administration, namely the EU-committee and the specialized committee on 'Economics and Energy', of MPs from all political groups except for the AfD, as well as EU and trade specialists of parliamentary groups (Alliance 90/The Greens [Bündnis 90/Die Grünen], The Left [Die Linke], Social Democratic Party of Germany [SPD], Christian Democratic Union of Germany/Christian Social Union in Bavaria [CDU/CSU]). In Austria, they cover EU and trade specialists of the political groups, MPs as well as staff members of MPs from the conservative (ÖVP), social-democratic (Social Democratic Party of Austria), liberal (The New Austria and Liberal Forum [NEOS]) political groups as well as the Greens (which dropped out of the Nationalrat in 2017), but not the FPÖ. Unfortunately, MPs and staff members from the AfD and FPÖ were not available for interviews, partly because the AfD at the time of conducting interviews had no specialists on EU or trade affairs yet. However, I triangulated interview material with information from the committee agendas (see above). Further to that, I included the following questions in my interview questionnaires to which interviewees across political groups and institutional affiliation responded consistently (see Section 8):

Did the AfD's entry into parliament in Germany change the committee's activities with regard to Brexit? If yes, how?

Did the growth of votes in favour of the FPÖ and their gain in parliamentary seats change the committee's activities with regard to Brexit? If yes, how?

In Brussels, staff members and a MEP of Austrian and German nationality were interviewed from political groups including the social democrats (Socialists & Democrats [S&D]) and the conservatives (European People's Party [EPP]) further to NPs' representatives from Austria and Germany. For reasons of confidentiality, four interviewees did not want to be cited which is why I refer to these as 'background talks' without identifying their affiliations.

6. The German Bundestag in the Brexit Negotiations

In the German Bundestag, the EU-committee is the lead committee in charge of scrutinizing Brexit. Most activities happen on the basis of the EU-committee and are followed by EU specialists in the political groups. The conservative group, CDU/CSU, has an internal 'task-force Brexit' (background talk), while other parliamentary groups devote one specialist to following the negotiations next to other EU issues. Furthermore, members of the committee on 'Economics and Energy' discuss Brexit on an ad hoc basis.

6.1. Access to Negotiation Documents

All MPs, their staff members, and parliamentary group specialists allocated to the lead committee, the EU-committee, get full access to nearly all Brexit negotiation documents via the parliamentary database EuDox (background talk). Access to documents is wide-ranging and covers documents circulated in the Council, reports by the government, so called 'Drahtberichte' from government about Council meetings, all Commission documents as well as documents on Brexit circulated among executive actors (background talk). All interviewees reported a smooth transition of documents and information from government to parliament without major controversies (Interview 3, 10, 11). Except for negative reports by two interviewees (Interview 4, 12), all documents seem to be made accessible in a timely manner to the full satisfaction of all political groups. This is due to the fact that access is granted also to those documents only available in the reading room.

6.2. Meetings with Executive Actors

Even though the EU-committee in the German Bundestag could not commence its activities over the summer 2017 and in the aftermath of elections (September 2017; Interview 10, 11), it developed a dense agenda of meetings with executive actors from government and the Commission. Between 2016 and 2018, Brexit was on the agenda of the EU-committee 28 times and four times on the agenda of the committee

on ‘Economics and Energy’ (Figure 1). Next to discussions in the committee, MPs organized public consultations with academics and experts, met with external actors like the Irish foreign ministry or a delegation of the British parliament next to numerous meetings with members of the national government and the EU’s negotiation team. Moreover, the negotiation team of the Commission, once Barnier and once Weyand, reported to the German Bundestag.

A refined network of informal contacts to executive actors on a national and EU level complements these official meetings. This includes meetings organized by the EU-committee but not reported in the official agenda (background talk) as well as informal contacts by the political groups. In the context of the EU-committee, interviewees reported further meetings with a representative from the ECJ, the British foreign minister (background talk) in addition to several meetings (not just one) with Barnier (Interview 10, 11).

Informal contacts of the different parliamentary groups within the German Bundestag to executive actors seem to be most extensive in cases of those groups that are in government, namely the conservatives (CDU/CSU) and social democrats (SPD). The ‘taskforce Brexit’ of the CDU/CSU has a whole range of informal meetings, lunches, and personal contacts to staff members of the national government, state secretaries, and contacts in the federal foreign ministry. Additionally, the taskforce has meetings with staff of the Commission, the negotiation team, including Barnier, and Juncker’s legal advisor. The parliamentary group even talks frequently to the EU’s counterpart, namely the UK’s negotiation team

and British state secretaries (background talk). The social democratic political group maintains meetings with executive actors, too. These also include contacts to the UK such as the British foreign ministry on which occasion the political group receives high quality information (Interview 2). Informal contacts appear to be less intensive for groups in opposition. Nevertheless, they do exist. An interviewee working for the liberal FDP reported meetings with the British deputy ambassador, with Katainen, and a planned meeting between the parliamentary group and the deputy of Barnier. The political groups also organize visits to the negotiation partner as liberal MPs did to meet members of the British parliament and government (Interview 9). The Green party group reported talks to the Commission as well as Tusk (Interview 12). Hence, the German Bundestag’s contacts to executive actors in the national government, the Commission, as well as even the UK’s government can be described as highly intensive.

6.3. Influence of Executive Actors

Many of these meetings serve to gather more information about the negotiations as was also affirmed by EP administrators in charge of coordinating with NPs in Brexit (Interview 1-Bxl). One reason for this is that the political groups in the German Bundestag have a rather homogeneous position on Brexit. The political groups agree on the Commission’s and the government’s red lines in the negotiations (Interview 2, 5, 9, 12). Nevertheless, at some of these meetings MPs or their staff members try to shape the government’s or Commission’s positions

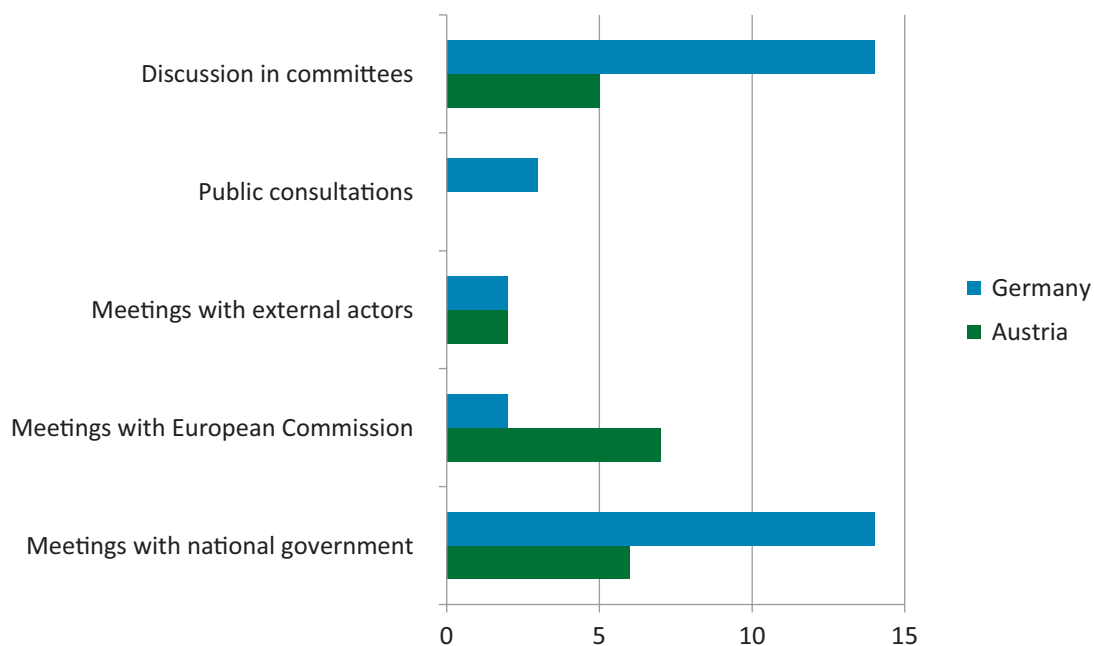


Figure 1. Activities of the Austrian Nationalrat and German Bundestag in the Brexit negotiations. Source: Own compilation based on the agenda of the Bundestag’s EU-committee, 2016–2018, information provided by an Austrian MP; and information retrieved from the Austrian Parliament website (‘Parlamentskorrespondenz’), 2016–2018, <https://www.parlament.gv.at/PAKT/PR/>.

in the negotiations in line with their preferences. In a background talk, an interviewee reported how bilateral meetings with representatives from the Commission or the negotiation team serve to communicate the political group's position (background talk). Influence on executive actors' positions can therefore be described as informal. One of these positions communicated on a bilateral basis was that the withdrawal agreement with the UK needs a timewise clearly restricted transition period and that it must not include budgetary implications (background talk). Both items would require ratification by the German Bundestag.

7. The Austrian Nationalrat in the Brexit Negotiations

Similar to Germany, the EU-committee is the lead committee regarding the Brexit negotiations in the Austrian Nationalrat. Scrutiny activities and meetings with governmental actors happen on the basis of the EU-committee (EU-Unterausschuss). Occasionally and where appropriate, Brexit is subject also in specialized committees regarding policies affected by the UK's withdrawal from the EU. As in the German Bundestag, EU specialists in the political groups follow the Brexit negotiations. However, there is no equally fully-fledged structure as in Germany where one specialist or an entire taskforce was devoted specifically to Brexit. Parliamentarians in Austria considered establishing a special procedure in order to scrutinize Brexit (Interview 18, 19, 20). Especially the liberal party group NEOS demanded a permanent hearing of experts on the consequences of Brexit for Austria (Austrian Parliament, 2018). Neither of these two suggestions gathered the necessary majority in parliament and hence remained without success.

7.1. Access to Negotiation Documents

In the Austrian Nationalrat, all MPs get full access to all Brexit negotiation documents and reports by the government via a parliamentary EU-database (Interview 18, 19, 20). The level of access is wide-ranging and covers all documents related to EU issues that are transmitted to government, including all negotiation documents and Council documents (Interview 18, 19, 20). The degree to which parliamentarians are satisfied with the transmission of information from government to the Nationalrat, however, is mixed. On the one hand, interviewees confirm that the Nationalrat is being continuously informed by the government without any interruptions or problems (Interview 15, 21). On the other hand, government is described as not being cooperative. According to an interviewee from an opposition party, it lacks interest in collaborating with the Nationalrat (Interview 22). One interviewee, for instance, described the massive inflow of information as problematic in the sense that the government makes no effort to edit it before transmission (Interview 21).

7.2. Meetings with Executive Actors

The lack of interest by government in collaborating with the Nationalrat is also reflected in interaction between MPs and representatives from the national executive in the context of Brexit. Both on a formal and an informal level interaction between the Nationalrat and the government is more limited compared to the German Bundestag (Figure 1). Since 2016, Brexit has been discussed in the EU-committee five times in addition to three plenary debates compared to 14 committee-based debates in the Bundestag. Meetings with representatives from the national government in the EU-committee related to Brexit happened more than twice as much in the Bundestag (14 times) compared to the Nationalrat (6 times). These hearings or meetings were organized with chancellor Kurz, the finance minister as well as the Austrian delegate Schusterschitz in the Brexit-related Article 50 Council configuration. Next to these meetings with the government, MPs also met external actors such as the Irish European ministry.

It is interesting to note that the quantity of formal meetings between the Nationalrat and executive actors from the Commission is apparently higher than in Germany (Figure 1), whereas informal contacts in the Austrian case seem to be more limited compared to Germany. The *informal* agenda of meetings between party groups in the German Bundestag and Commission representatives does not face a similarly established agenda of meetings in the case of Austria. While in Germany exchange between the conservative party group in government (CDU/CSU) and the Commission was most intensive this does not match interaction between its counterpart in Austria (ÖVP) and the Commission. Rather, an interviewee from this political group reported no informal contacts with executive actors from the EU level (Interview 15). Interviewees from opposition parties, in contrast, do report contacts to the Commission in form of briefings on the level of staff members or with Barnier organized by the Commission's representation in Vienna (Interview 21), in addition to personal contacts between MPs and Commissioners (Interview 22). Nevertheless, the amount and intensity of informal exchange between Austrian parliamentary groups and the Commission does not seem to match the German case.

7.3. Influence of Executive Actors

On a substantive level, the Austrian Nationalrat, and its political groups, has developed no genuine position on Brexit. Interviewees reported that they 'took note' (Interview 15) of Brexit, and that the Nationalrat did not work its way into Brexit affairs given the trust into the Commission's position (Interview 21). There was no occasion reported where parliamentarians tried to shape the executives' positions in their favour.

Comparing the Austrian Nationalrat’s involvement in the Brexit negotiations to Germany (Table 2), in both cases the political groups do not yield their full potential of parliamentary rights: Parliamentarians in the Bundestag and in the Nationalrat do not use reasoned opinions or decisions in the EU-committee to bind the government to a certain decision (Interview 18, 19, 20). This is although the right “to bind the government in negotiations at the EU level” is “parliament’s ‘main weapon’” (Miklin, 2015, p. 403) in Austria and Germany. Nevertheless, both parliaments obtain full access to all negotiation documents and get regular debriefings by government next to meetings with the Commission on a committee-level. On the level of political groups, however, the German Bundestag seems to have a more institutionalized informal procedure to scrutinize Brexit in form of meetings with government and Commission representatives compared to the Austrian Nationalrat. Furthermore, the German Bundestag self-assessed informal influence on some negotiation positions, while this was not reported by interviewees from the Austrian Nationalrat. Hence, both parliaments can be considered to be involved in the Brexit negotiations, but the Bundestag to a larger extent than the Nationalrat.

8. What Role for Euroscepticism and Saliency in Explaining Parliamentary Involvement in the Brexit Negotiations?

What factors help understand the rather strong role of the German Bundestag in the Brexit negotiations? How can this be explained vis-à-vis the more limited involvement of the Austrian Nationalrat against the background of similar institutional strength?

8.1. What Role for Euroscepticism?

The expectation that the entry into parliament of the Eurosceptic AfD has increased the involvement of the German Bundestag in the Brexit negotiations does not seem to hold. First, the EU-committee was more active before than after the elections in September 2017. Before the elections, in 2017, the committee had a special procedure in order to scrutinize the Brexit negotiations intensively (Interview 10, 11). According to this procedure, the EU-committee organized meetings on every occasion of bargaining rounds. This special procedure was not put in place any more after parliamentary elections. Second, none of the interviewees reported substantive influence on the activities of committees or political groups on Brexit due to the AfD’s entry into parliament. While some interviewees observe a biting tone in committee meetings (e.g., Interview 3, 7), other staff members recognize no change at all (e.g., Interview 2). Hence, the new share of parliamentary seats of the Eurosceptic AfD appears to have had no significant influence on the German Bundestag’s involvement in the Brexit negotiations.

This observation is consistent with the case of the Austrian Nationalrat. Following the elections in 2017, the Eurosceptic FPÖ increased its votes to overall 26 per cent (Bundesministerium für Inneres, 2017) and was until recently (May 21, 2019) in government with the conservative ÖVP. Nevertheless, interviewees consistently reported no influence of this change on the activities of the EU-committee whatsoever (Interview 18, 19, 20, 21, 22, 24). The FPÖ is described as relying heavily on the position of its coalition partner regarding Brexit affairs with no genuine FPÖ-position (Interview 21). Brexit-affairs continue to be ‘business as usual’ (Interview 18,

Table 2. Involvement of the German Bundestag and Austrian Nationalrat in the Brexit negotiations.

		Involvement	German Bundestag	Austrian Nationalrat
Low	(a) Access to documents by executive actors	Access to negotiation documents by national governments	Extensive range of documents	Extensive range of documents
		Access to negotiation documents by the Commission	All negotiation documents	All negotiation documents
		With national governments in EU-committees	14 meetings	6 meetings
	(b) Meetings with executive actors	With national governments in specialized committees	On ad-hoc basis	On ad-hoc basis
		Attendance at political dialogue with Commission	—	—
		Informal direct contacts to Commission’s negotiation team	Intensive informal contacts	7 official meetings, informal contacts
	High	(c) Influence of executive actors	On governmental position	Limited and informal
On Commission’s position			Limited and informal	No influence attempted

19, 20). Hence, there is no evidence that the increased share of Eurosceptic parties led to more involved parliaments in Austria or Germany.

8.2. Vulnerability to Brexit and Its Saliency

In line with the saliency expectation, interviewees reported a higher degree of importance ascribed to gathering documents and being briefed in the case of the German Bundestag compared to the Austrian Nationalrat (Interview 1-Bxl, 3, 6-Bxl). While all NPs were assigned interest in up to date information (Interview 1-Bxl), the importance attached to his was higher in Germany than in Austria: German interviewees, for example, stated that the Bundestag has a “strong need for information” (Interview 14) and that parliamentarians regard direct and immediate information as crucial (Interview 3). Therefore, the Bundestag’s office in Brussels regularly includes news on Brexit from the EU institutions in its reports to Berlin (Interview 5-Bxl). This is remarkably different in Austria where interviewees “took notice” (Interview 15) of Brexit, and where parliamentarians are relieved not to be part of the negotiations (Interview 24). Rather, activities or debates in the Austrian Nationalrat revolve around the long-term, generic consequences of Brexit such as on the budget rather than the negotiations on the withdrawal agreement as such (Interview 22).

Other than in EU international negotiations with Canada on CETA, the reason for attention to Brexit affairs in the German Bundestag does not lie in ideological polarization among parliamentarians. Interviewees consistently reported support for the executive, especially for the Commission’s chief negotiator Barnier (Interview 2, 3, 9). Even the leftist party group’s position on Brexit is to some extent congruent with the one of the conservatives (Interview 10, 11). In the Austrian Nationalrat, Brexit is also not ideologically contested (Interview 7-8-Bxl). Activities on Brexit in the German Bundestag do also not result from public visibility (Interview 4, 5, 15). In other words, the mechanism through which Brexit receives attention in the German Bundestag (and remained absent in the Austrian Nationalrat) does not stem from ideological contestation or visibility of the topic in the press.

Rather, the difference between Austria and Germany is their levels of exposure to the UK’s withdrawal and the resulting regional and national interests which the German Bundestag represents in the negotiations: MPs and MEPs were described as ‘lobbying’ Michel Barnier in favour of regional interests stemming from their constituencies (Interview 2, 9, 6-Bxl). Hence, Brexit resonates with individuals, civil society organizations or business groups in local constituencies (Interview 12). One interviewee explained its political group’s interest in smooth trade relations between the UK and its region Baden-Wuerttemberg which results in parliamentary activities on the Irish border issue (Interview 9). Another interviewee made the example of fisheries in the region

Niedersachsen which resonates with its MEP’s local constituency (Interview 6-Bxl). Domestic groups approach parliamentarians on specific issues. This is why MPs seek constant information to understand the current state of play of the Brexit negotiations. Next to regional interests, a genuine German interest seems also to have emerged over the course of the Brexit negotiations. These national interests reach out to export, engineering and particularly the automobile industry (Interview 6-Bxl). The automobile company BMW appears to be a crucial component of German interests in the Brexit negotiations as it was mentioned several times, and the Bundestag devotes time to individual meetings with BMW representatives (background talk). An interviewee affirmed that the Brexit talks are also about pushing national interests through (Interview 6-Bxl).

In Austria, in contrast to Germany, Brexit is neither visible in public nor salient with individuals or civil society organizations. Likewise, the country developed no genuine Austrian interest in the context of the Brexit negotiations (Interview 21). Rather, Austria abstains from being involved in the Article 50 talks and puts forward no specific interests (Interview 21). As elaborated by an interviewee this is also because there is little interdependence between Austria and the UK so that Brexit gains little attention in parliament (Interview 21). The low relevance to domestic groups and the absence of specific national interests result in an almost complete retraction of Austria in the Brexit negotiations. This finding resonates with research on the Austrian parliament which ascribes to it exceptional institutional strength which is not being actively used to scrutinize EU affairs (Pollak & Slominski, 2003, p. 723).

9. Conclusion

The Austrian Nationalrat and the German Bundestag are considered exceptionally strong NPs in scrutinizing EU affairs. Both parliaments used their legislative instruments to great extent in negotiations of EU trade agreements such as the one with Canada on CETA. Yet, as this article shows, their involvement varies in the current Brexit negotiations. While the German Bundestag uses formal and informal contacts to executives, including the national government, the Commission, as well as representatives from the UK, the Austrian Nationalrat is less active in the Article 50 negotiations, especially so on an informal level.

In order to explain this puzzle, I argued that the countries’ varying vulnerability to the UK’s withdrawal from the EU explains the different levels of engagement in the Brexit negotiations. Germany is expected to be more strongly affected by Brexit than Austria, which is why the Article 50 negotiations gain more attention in the Bundestag compared to the Nationalrat. German MPs ascribed importance to scrutinizing Brexit affairs because they calculated material costs for the country and its regions stemming from the UK’s withdrawal. Their activities were therefore directed towards gathering informa-

tion on the Brexit negotiations and transmitting this to affected domestic constituencies.

The results of this study are particularly relevant for two strands in the literature on parliaments in EU affairs. Firstly, the article speaks to theorization of saliency and its impact on parliamentary behavior. One way of conceptualizing saliency is through public visibility of a political issue or event (Rittberger & Schimmelfennig, 2006). Saliency can also be explored through the extent to which a country will be domestically affected by an event or an EU decision. Putting it another way, MPs may invest political resources because they calculate domestic, material costs arising from a certain issue. Secondly, the article contributes to research on NPs in the negotiation of EU international agreements on which only a handful of studies exists so far (Jančić, 2017; Roederer-Rynning & Kallestrup, 2017). Having traced NPs' involvement in Brexit affairs, the results of this article confirm the relevance of saliency for parliaments' activities within the realm of EU international negotiations. Given that the German parliament was actively involved already between 2016 and 2018, we might observe a more engaged Bundestag in continued Article 50 negotiations. Depending on the vote on the current withdrawal agreement in the UK's parliament, we can expect an even more active German Bundestag in the negotiations on future UK–EU relations given that the agreement is most likely going to be mixed (in case there will be no Brexit without a withdrawal agreement).

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Conflict of Interests

The author declares no conflict of interests.

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Appendix

List of interviews

Interview 2 (2018) Staff member, German Bundestag. May 03, 2018. Berlin, Germany.

Interview 3 (2018) Staff member, German Bundestag. May 03, 2018. Berlin, Germany.

Interview 4 (2018) Staff member, German Bundestag. May 03, 2018. Berlin, Germany.

Interview 5 (2018) Staff member, German Bundestag. May 03, 2018. Berlin, Germany.

Interview 9 (2018) Staff member, German Bundestag. May 07, 2018. Berlin, Germany.

Interview 10 and 11 (2018) Staff members, German Bundestag. May 07, 2018. Berlin, Germany.

Interview 12 (2018) Staff member, German Bundestag. May 07, 2018. Berlin, Germany.

Interview 14 (2018) Staff member, German Bundestag. May 29, 2018. Vienna, Austria.

Interview 15 (2018) MP, Austrian Nationalrat. June 15, 2018. Vienna, Austria.

Interview 18, 19 and 20 (2018) Staff members, Austrian Nationalrat. June 21, 2018. Vienna, Austria.

Interview 21 (2018) Staff member, Austrian Nationalrat. July 02, 2018. Vienna, Austria.

Interview 22 (2018) MP, Austrian Nationalrat. July 12, 2018. Vienna, Austria.

Interview 24 (2018) MP, Austrian Nationalrat. September 12, 2018. Vienna, Austria.

Interview 1-Bxl (2018) Staff member, EP. October 09, 2018. Brussels, Belgium.

Interview 5-Bxl (2018) Staff member, German Bundestag. October 10, 2018. Brussels, Belgium.

Interview 6-Bxl (2018) Staff member, EP. October 11, 2018. Brussels, Belgium.

Article

The Politicisation of the European Central Bank and the Bundestag

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Abstract

The European Central Bank (ECB) became one of the key actors during the Eurozone crisis. However, its prominent role was not without controversy. On one hand, the Eurozone was stabilised, no member state defaulted, and no state had to leave the Euro. On the other hand, the ECB had to stretch its mandate, expand its policy remit, and adopt so-called ‘unconventional’ monetary policies. These attempts to depoliticise political challenges through a technocratic approach reduced the opportunities for democratic contestation, but they also bred frustration that led to politicisation. This article studies to what extent this politicisation affected the perception of the ECB in national parliaments. For this purpose, it studies the extent to which ECB policy has become politicised in the German Bundestag through an analysis of plenary debates from 2005 to 2018. The Bundestag represents an unlikely case for politicisation despite wide-spread criticism of the ECB in the media, as Germany was traditionally attached to creating a highly independent ECB, until recently had no major Eurosceptic right-wing parties, and parliamentary scrutiny of the national central bank is low. However, by studying the salience of ECB policies, the polarisation of opinion in the parliament, as well as the range of actors participating in the debates, this article finds that the ECB’s policies have become politicised and the subject of scrutiny and dissatisfaction.

Keywords

banking union; Bundestag; European Central Bank; Eurozone crisis; Germany; national parliaments; plenary debates; politicisation

Issue

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1. Introduction

As the EU has been shaken by multiple crises in the last 15 years, more and more aspects of it have become politicised. The European Central Bank (ECB) was one institution whose policies proved controversial despite the technocratic nature of central banking. The ECB filled a vacuum when national governments failed to agree on a way to tackle high levels of sovereign debt. In the process, it became the ‘key actor in the EU’s economic governance’ (Fromage & Ibrido, 2018, p. 295). The task of keeping the Euro stable required it to expand its policies. As a result, ‘its competences stretched to their limits’ (Fromage & Ibrido, p. 296). However, in this empowerment, Scicluna and Auer (2019) see a wider problem, namely the tendency to resolve political challenges through a technocratic approach. However, by reducing

the opportunities for regular democratic contestation, the EU may be fuelling frustration and thus politicisation and contestation. In addition, with the creation of the European banking union, the ECB gained new powers in recent years and now supervises the largest banks under the Single Supervisory Mechanism. These powers have now become more salient, as weak banking supervision is seen as one of the factors contributing to the financial crisis of 2008.

The problem with technocratic governance is that it has the potential to pit non-majoritarian actors that are meant to be independent and apolitical (e.g., the ECB) against political actors (e.g., parliaments) that feel that issues that ought to be resolved politically are removed from their grasp by the former. Studies into the scrutiny of EU affairs in national parliaments since the crisis have shown that EU governance, in general, is becoming more

salient and controversial among parliamentarians (Auel & Raunio, 2014; Closa & Maatsch, 2014; Wendler, 2014). In EU policy-making, there is thus a certain fight emerging for competencies between non-majoritarian and political actors, making it particularly interesting to investigate the extent to which parliaments have tried to extend their scrutiny of the ECB and whether this has led to politicisation.

The question of whether ECB policy has become politicised in the German parliament, the Bundestag, is particularly important in this context. The German case is important due to the political and economic weight of the country in the Eurozone. Also, the German parliament is not a likely case for politicisation. Of course, the ECB's Eurozone crisis policies did not resonate well with the German public and media, providing an incentive to scrutinise the ECB. There were, in particular, wide-spread fears about the negative impact of low interest rates on savers and the fear that TARGET2 (Trans-European Automated Real-time Gross Settlement Express Transfer System) imbalances, the bail-out programmes, the ECB's quantitative easing¹ measures, and the banking union would create a 'transfer union'. In addition, the Bundestag has fairly strong scrutiny powers in EU affairs in general (Auel, Rozenberg, & Tacea, 2014), and particularly with regard to specific Eurozone crisis policies. The German parliament, the Bundestag, has extensive oversight and veto powers over the European Financial Stability Fund, for example (Höing, 2013). Moschella also emphasizes that the Bundestag is the only Eurozone parliament that has both ex-ante and ex-post scrutiny powers over lending programmes that affect the German budget (Moschella, 2017). Finally, Auel and Höing (2014) show that the Bundestag is one of the more active debaters of crisis policies.

On the other hand, while the Bundestag has considerable scrutiny powers over EU affairs in general and crisis policies in particular, neither the European nor the German legal framework provide it with formal scrutiny powers over the ECB. It can, of course, debate ECB policy, but it has no formal means of influence nor can it summon ECB representatives. As an extremely independent central bank, the ECB is protected against undue political influence, which also means that formal parliamentary powers of oversight are extremely weak—even with regard to the European Parliament (EP). Furthermore, the German parliament has no tradition of actively scrutinising central banks. The Bundesbank was already independent before the Euro was created, and recent studies show that the Bundestag is barely scrutinizing the Bundesbank due to how strictly it respects its independence (Högenauer & Howarth, 2018). Högenauer and Howarth (2018) show that the Bundesbank was only mentioned in 12 debates in a 3-year period, and then only in 1–2 speeches per debate. One would, therefore,

also expect parliamentary scrutiny of the ECB to be low in Germany, as the ECB was created as a highly independent central bank on the insistence of Germany and based on the model of the Bundesbank. In addition, Wonka (2016) argues that Germany is an unlikely case for politicisation of EU affairs in general because the public and elites are broadly pro-European and anti-European right-wing parties were not yet represented in the Bundestag during the early crisis years. Thus, if the Bundestag were to increasingly debate ECB policy, it would be a very strong indication of the politicisation of a policy area that—in the German case—was traditionally barely scrutinized.

This article aims to analyse through the case of the German Bundestag whether ECB policy has become politicized in the course of the Eurozone crisis. Politicisation will be analysed through three dimensions, based on the framework developed by De Wilde, Leupold and Schmidtke (2016): the salience of the policy, the polarisation it triggers, and the range of actors involved in the debate.

2. A Brief Overview over the ECB's Policies since the Financial Crisis

When the financial crisis first erupted in 2007/2008, the ECB's response was initially muted. Unlike the US Federal Reserve, which lowered interest rates to stimulate the economy, the ECB initially maintained and even increased the interest rate to stave off inflation. It was only in late 2009 that the ECB also rapidly lowered the interest rate when faced with the threat of an economic recession, from 3.25 per cent in October 2008 to 0.25 per cent in April 2009 (ECB, n.d.). The monetary policy of the ECB then became increasingly expansionary as the Eurozone crisis took hold.

Over time, the ECB deployed both 'conventional' and 'unconventional' policies to stabilize the Eurozone. As part of its conventional policies, the ECB continued its low interest rate policy. In 2014, it decided to impose a negative interest rate on deposits at the ECB: This means that banks that 'parked' liquidity at the ECB no longer received interest, but had to pay interest to the ECB. The goal was to prevent the credit market from drying up by encouraging banks to invest in the economy instead. In addition, the ECB lowered the base interest rate to zero per cent in 2016. More controversially, it moved towards fixed-rate full allotment in 2008, i.e., it agreed to provide unlimited credit to banks at a fixed interest rate (Flachmeyer & Paul, 2018).

In addition, the ECB used so-called 'unconventional' policies that were not part of its standard approach to monetary policy. One of these was the provision of emergency liquidity assistance (ELA) that allowed central banks to provide solvent banks with liquidity in return for relatively low securities. This measure played a

¹ 'Quantitative easing' refers to the increase in the money supply (liquidity) by a central bank. In this case, for example, the ECB purchases sovereign bonds from the market and thereby releases money into the market in the hope that this injection of liquidity will encourage lending and investment and ultimately stimulate economic activity.

role in the management of the Greek crisis, for example. A series of new bond-buying programmes allowed the ECB to purchase bonds, and particularly sovereign debt, on the secondary markets. What started with the 2010–2012 Security Markets Programme (SMP), led to the announcement of an outright monetary transactions (OMT) programme in 2012, when the ECB declared that it would do ‘whatever it takes’ to stabilize the Euro. The OMT never had to be put in practice, as the announcement itself reassured markets sufficiently to bring down the interest rates on sovereign debt (Högenauer & Howarth, 2019). Finally, in 2015 the Expanded Assets purchase programme was introduced. The goal of these policies was to increase inflation when it was close to zero per cent and to stimulate the economy. At its height (2016 to early 2017), the ECB bought bonds worth 80 billion Euro per month on average. After March 2017, the volumes were progressively reduced (Flachmeyer & Paul, 2018).

The ECB was also a member in the ‘Troika’, a decision-making group consisting of the ECB, the Commission, and the International Monetary Fund. The Troika played a role in the bail-outs of Cyprus, Greece, Ireland, and Portugal by requesting austerity measures and reforms in return for financial support. It was controversial that a non-majoritarian, technocratic institution such as the ECB should impose conditions on elected governments that would have important repercussions on their citizens.

In 2012, EU policy-makers decided to create a banking union with the ECB as chief supervisor over large Eurozone banks. For the ECB, the advantage was that this removed information asymmetries and allowed it to extend liquidity to solvent banks only. Previously, it had to rely on the national supervisory bodies for information. However, the drawback was that being both a lender to banks and a supervisor of banks created a permanent risk of a conflict of interest, and raised questions about the ECB’s ability to separate these functions in-house.

Many of these policies would have been unthinkable before the crisis, and the effect of the emergency credits, punitive interests, and bond-buying programmes was heightened controversy (Flachmeyer & Paul, 2018). Similarly, it would have been inconceivable that the ECB would instruct member state governments to pursue specific economic and fiscal policies. Thus, overall, the ECB was, on the one hand, a key actor in the crisis, and at times the only one who could act in the face of stalemate in the EU’s political institutions (Flachmeyer & Paul, 2018). But on the other hand, its policies had increasingly noticeable redistributive effects (Goodhart & Lastra, 2018), stretched the mandate defined in the Treaty and led to a rise in the level of public distrust of the ECB (Tesche, 2018).

3. The ECB and Parliaments

As the ECB’s role in the crisis was very prominent, it is difficult to conceive these policies as purely techno-

cratic decisions that can be legitimized in terms of output legitimacy. The fact that the effects of ECB policy on different groups of citizens became visible and often involved a trade-off between different interests means that output legitimacy would mean different things to different people (Goodhart & Lastra, 2018). In addition, the problem with this type of technocratic policy-making is that it shifts power away from majoritarian and democratically legitimized institutions to technocratic and non-majoritarian institutions that are not electorally accountable. Börzel and Risse (2018, p. 83) estimate that this approach breeds dissatisfaction, and that ‘we have to consider that depoliticisation through supranational delegation during the Euro crisis has ultimately led to more, not less politicisation.’

The political impact of the crisis policies can also be felt in the case of Germany. While 65 per cent of Germans trusted the ECB prior to the crisis in spring 2007, by 2009 this had already shrunk to 52 per cent (European Commission, 2007, 2009). Trust in the EU also plummeted during the crisis (Wonka, 2016). Leupold (2016) finds that the number of German press articles on EMU nearly doubled in 2010/2011 compared to 2007 and that the ECB’s evolving policies triggered strong opposition in the German media. Heft (2017) also confirms that support for financial aid is much lower in the German press.

The political elite also increasingly voiced scepticism in the media. Quantitative easing was seen as an illegal attempt to finance the debt of member states, the interest rate was perceived as being artificially low with the potential to harm savings banks, insurers and savers and the growing TARGET2 balances between debtor and creditor countries were eyed critically. A German CB president resigned over disagreements with the ECB’s policies, ministers such as Wolfgang Schäuble publicly blamed the ECB for the rise of right-wing populism in Germany, and the ECB’s OMT programme was challenged before the German Constitutional Court (Högenauer & Howarth, 2019).

In the midst of the crisis, Draghi, therefore, made an unprecedented visit to the Bundestag on the 25th of October 2012 to explain the OMT that was heavily criticized by German politicians and the president of the Bundesbank, Jens Weidmann. About 100 MPs attended the session, which was targeted at the budget and finance committees and the European affairs committee (Wiesmann & Steen, 2012).

Despite this rare visit, national parliaments have virtually no influence over the ECB. This is not just due to the fact that most national parliaments had had weak competences in EU affairs until they started to claw back powers of scrutiny in the 1990s and 2000s (Raunio, 2009; Winzen, 2012). Rather, the fact is that ECB policy-making is a different beast from ‘ordinary’ EU policy-making. As both the ECB’s mandate and its independence from political institutions are enshrined in the Treaty, neither the EP nor the national parliaments are able to

give it mandates or restrict its actions through legislation. Nevertheless, there are now two mechanisms that bring the ECB in contact with parliaments. Firstly, there is the traditional dialogue with the EP, the Monetary Dialogue, based on art. 284-3 TFEU since 1998. More recently, since the creation of a European banking union with the ECB as the supervisory authority, the ECB has agreed to a 'Banking Dialogue' that includes both the EP and National Parliaments (Amttenbrink & van Duin, 2009; Fromage & Ibrido, 2018). However, these Dialogues are purely consultative.

That said, parliaments do have the power to scrutinize and debate ECB policy publicly, even if they cannot directly influence it. Whether they do so and how they do so is in a sense a measure of how accepted ECB policy is. In this context, it is important to note that parliamentary scrutiny does not necessarily reduce the central bank's independence: In fact, if it is used as a tool to encourage the central bank to explain and justify its actions, it can facilitate greater transparency and accountability fostering trust between political and technocratic institutions. However, unlike scrutiny in general, the *politicisation* of central banking is arguably problematic. The current set up of the Eurozone with high a highly independent central bank relies on the assumption that the ECB can be a technocratic and neutral actor that defends the best interest of the whole within a clear mandate, and that the political institutions will perceive it as such and allow it to exercise its powers freely. A high level of politicisation—i.e., controversy or criticism—of ECB policy in other institutions can be interpreted as a sign that the trust these institutions have that the ECB is indeed a technocratic and neutral defender of the common interest with a clear mandate is eroding. After all, technocratic institutions rely largely on output legitimacy—but is it enough if the institution itself claims that it produces good outcomes, or if experts confirm that the output is good, or does output legitimacy not also require the recognition of other institutions as well as the public, i.e., broad agreement that the output is indeed good? If high politicisation continued over a longer term, one would eventually have to question whether such a high formal degree of ECB independence was in practice feasible and in general desirable from a democratic perspective.

In the following sections, the article will explore to what extent there has been politicisation and how it has evolved over time. In addition, it tests a number of hypotheses. Firstly, De Wilde et al. (2016) argue that the politicisation of EU governance is driven by the critics of the EU rather than its supporters. This would assume that the presence of strong critical voices pushes or keeps an issue on the agenda and that high levels of criticism will lead to more salience, i.e., more active scrutiny. If this holds true, the politicisation of ECB policy would indeed be the sign of a problem.

H1: Higher levels of criticism lead to more salience.

Secondly, Rauh (2014) argues that the salience of EU affairs in the plenary is linked, amongst other things, to supranational policy output and public visibility. In line with this, we also expect politicisation to increase after key ECB decisions or actions. If it holds true that politicisation is linked mainly to specific decisions or events, then politicisation might only be temporary, which means that disagreements might not cause problems in the longer term.

H2: Politicisation increases after important ECB decisions or actions.

Thirdly, Degner and Leuffen (2016) find that, in the Bundestag, government membership and EU support are the main drivers of votes in favour of fiscal aid for Euro area member states. ECB policy-making is different, in that the German government is not a part of ECB decisions, whereas it can be held accountable for its role in the European Council in decisions on fiscal aid. Nevertheless, we will analyse, whether opposition parties are indeed more critical of ECB policy, especially those that are further away from the political centre. Governments are likely to be concerned that voters do not always distinguish who exactly has influence over any particular policy, and how much influence they actually have, but may instead tend to blame the state of affairs on those they perceive to be in charge. Even when voters are aware that it was another institution that took the decision, they may ask why the government did not intervene. Thus, governments have a certain interest in defending the state-of-affairs in general. Rauh (2014) also argues that government parties are the main drivers of scrutiny into EU affairs.

H3: Opposition parties are more critical of ECB policy than government parties.

H4: Government parties are more active than opposition parties in ECB scrutiny.

4. Research Design

The aim of the article is to assess how ECB policy has become politicised in the German Bundestag. De Wilde et al.'s definition of politicisation as a three-dimensional process involving increased salience, polarisation of opinion, and the expansion of actors involved in EU issues is used (De Wilde et al., 2016; cf. De Wilde, 2011; Hutter & Grande, 2014). For this purpose, we will measure 'salience' through the number of plenary sessions in which MPs commented on ECB policy, polarisation as the occupation of more extreme positions over time by the different parties, and the expansion of actors and an increase in the number of MPs who comment on ECB policies in a given year.

The article analyses the plenary debates of the 16th, 17th, 18th and beginning of the 19th legislative term of

the German Bundestag (October 2005 to 31 December 2018). This time span was chosen as it includes years preceding the financial crisis, the financial crisis itself, the Eurozone crisis, and the stabilisation of the Eurozone after the crisis. In addition, the Eurosceptic right-wing populist Alternative for Germany (AFD) entered the Bundestag for the first time in 2017. By including the first years of the 19th parliamentary term, the impact of this new party can thus be analysed.

The relevant plenary debates were identified by a search for both the acronym ‘EZB’ and the term ‘Zentralbank’. The resulting body was then manually coded to establish both the number of plenary sessions in which at least one MP commented on ECB policy and the number of speeches by MPs on ECB policy. This diversity of indicators will facilitate comparisons with other cases by other authors in the future: The number of speeches alone can be a difficult indicator for comparative studies, as some parliaments allow/have a culture of many interventions per debate, whereas other parliaments limit the number of speakers (e.g., to one expert per party). In the case of the Bundestag, there were several large debates where many speakers per party intervened, but also a range of smaller ones where most parties had one or two speakers, and only a few parties had more—presumably either because of a particular interest on the part of the party or its MPs. However, authors who work on parliaments with a more restrictive format of debates may find the number of sessions more representative/comparable than the number of speeches.

During data collection, documents were removed (or speeches skipped), only if the government mentioned the ECB or if the document or speech was not found to be relevant for an assessment of ‘politicisation’: This in-

cludes, for example, cases where MPs referred merely to ECB data or statistics, mentioned that the ECB was at a meeting, or explained a technical process involving the ECB. These statements are not about ‘ECB policy’. Speeches and sessions were only considered relevant if at least one sentence made a positive, negative, or neutral statement about an attitude, action, or decision of the ECB. The result is two sets of data: 212 plenary sessions and 309 speeches.

5. Data Analysis

De Wilde et al. (2016) identified the salience of a policy as the first dimension of politicisation. The evolution of the number of plenary sessions in the Bundestag in which at least one MP commented on the ECB’s policies does show that the ECB gained political salience at certain points in time. However, this was not a linear process. Instead, in line with our expectations (H2), the salience came and went in waves that broadly reflect moments where the ECB played a particularly important role, gained new powers, or took controversial decisions. The only exception is the third and most recent wave of politicisation, which is driven primarily by party politics and the changing composition of the German parliament. The evolution of the number of speeches on ECB policy broadly mirrors this trend (Figure 1).

If the data on salience in Figure 1 is placed in the context of the changing content of the speeches over time, the fact that the first two waves are linked to certain ECB decisions, whereas the third wave is not, becomes visible: Thus, in 2005 and 2006, when the ECB was not confronted with any particularly difficult challenges, attention to the ECB was low, which is what one would

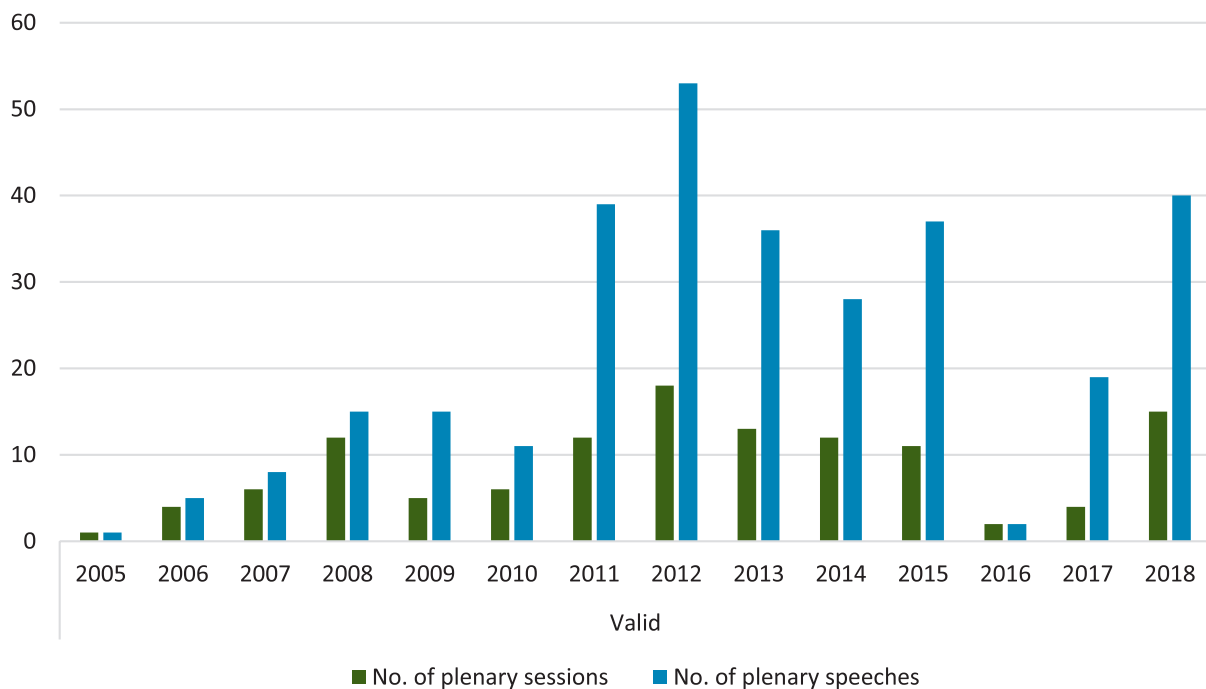


Figure 1. The number of speeches and plenary sessions on ECB policy over time.

expect in the case of an institution that is supposed to be technocratic and independent. As parliaments have to cover a broad range of issues in a limited amount of time, they can be expected to focus primarily on policies where they can and should make a difference (e.g., legislate or mandate) or issues that are important in the eyes of voters. With the financial crisis of 2008, the visibility of central banks increased, as the US Federal Reserve decided to lower the interest rate to support the economy, whereas the ECB chose to maintain a high interest rate. In this period, the ECB's decision to prioritize price stability (low inflation) over growth in line with its mandate in the Treaties was generally praised in the Bundestag. It was mainly the extreme left (Die Linke) that voiced dissatisfaction and the view that the ECB should focus on growth and jobs.

The attention then dropped again in 2009, although this is disguised in the data by the fact that there was one larger debate in which MPs voiced their frustration that the lowering of the interest rate by the ECB was not reflected in lower interest on loans for consumers. In 2010, it became clear that the financial crisis was morphing into a substantial sovereign debt crisis for several Eurozone states. As a result, speeches focused on the ECB's position on the Greek debt crisis and also on the question whether the ECB's bond-buying programmes (e.g., the Covered Bond Purchase Programme from May 2009 and the SMP that led the ECB to buy sovereign bonds issued by crisis countries) could compromise its independence.

The attention rose sharply in 2011 and 2012 remaining relatively high until 2015. In 2011, the speeches overwhelmingly focused on the legality and potential effects of the ECB's bond-buying. There were widespread concerns that this would lead to a communitarisation of debt, and that the German taxpayer would ultimately have to pay if one of those states defaulted. The language used to discuss the ECB became openly critical, and the ECB was repeatedly described as turning into a 'bad bank'. There were also some speeches on the ECB's role in the Troika, especially during the last quarter in the context of negotiations with Greece. The ECB's policies on increased liquidity (bond-buying, but also long term refinancing operations) remained the predominant theme in the first half of 2012 after the ECB took various measures to increase liquidity in late 2011/early 2012. However, there were also sporadic speeches about banking union in the context of the nascent European discussions. After the ECB's OMT announcement in the summer of 2012, the second half of the year continued to be dominated by these debates, but now about one third of the speeches focused on whether the ECB would be a good banking supervisor as the European Commission presented legislative proposals on banking union in September 2012. In the first quarter of 2013, the individual speeches started to focus more broadly on ECB crisis policies, including a range of measures from bond-buying to low interest rates to Troika decisions.

However, ELA to Cyprus was also becoming an issue of concern. The second quarter of 2013 was dominated by speeches about banking union in the context of EU law-making (several Council Regulations on banking union are adopted in October 2013). After a short lull in the second half of 2013 and the first quarter of 2014, the attention picked up again and became roughly evenly divided between ECB crisis policies in general, ongoing concerns about the wisdom of making the ECB banking supervisor and concerns about low interest rates in the context of the ECB's foray into negative interest rates in June 2014. The case about the legality of the OMT programme before the European Court of Justice in October 2014 did not directly influence the debates. In 2015, low interest rates were the main concern, but there were also a number of speeches on the ECB's crisis policies more generally, and some speeches about the ECB's role in the Troika and the Greek crisis. The ECB's handling of Italian banks raised some concerns about a potential conflict of interest between its role as a central bank and its role as a banking supervisor.

After almost no attention was paid to ECB policy in 2016 (when the crisis has become less pressing), there were a few speeches in early 2017 that mainly focused on the ECB's low interest policy, and then the debate only resumed in late 2017 after the elections to the Bundestag. In the last quarter of 2017 throughout 2018 interest in ECB policy picked up again, but it was not driven by ECB decisions. The issues that were being debated had ongoing relevance of course (e.g., the interests were still low; the ECB still bought/held high volumes of bonds; the ECB still held sovereign bonds of countries that might at some point default; the potential conflict of interest between central bank and banking supervision tasks had not changed; the TARGET system was still showing large imbalances across countries). However, there are no ECB-related events or decisions that can explain why the interest in so high in 2018, and yet so low in 2016 and most of 2017 (when all of the above were equally true). Rather, what changed is that a new party, the AFD, entered the Bundestag for the first time and scepticism of the ECB's policies was an important part of its agenda. This is also illustrated by Figure 2, which shows that, in the 19th term, the AFD is the source of roughly half of the comments on the ECB.

In general, the data on the speeches per party group do not confirm Rauh's (2014) argument that government parties drive EU issues in the Bundestag (H4). Between 2005–2009 (Christian Democratic Union–Social Democratic Party of Germany [CDU–SPD] coalition), all parties were similarly active, with the exception of the Greens who generally have a lower interest in this issue. In the 17th term (2009–2013), the governing CDU and Free Democratic Party (FDP) were somewhat less active than the opposition. Only from 2013–2017 were the governing parties (CDU and SPD) noticeably more active than the opposition, but this may also have been due to the fact that they were the biggest parties. Finally, since

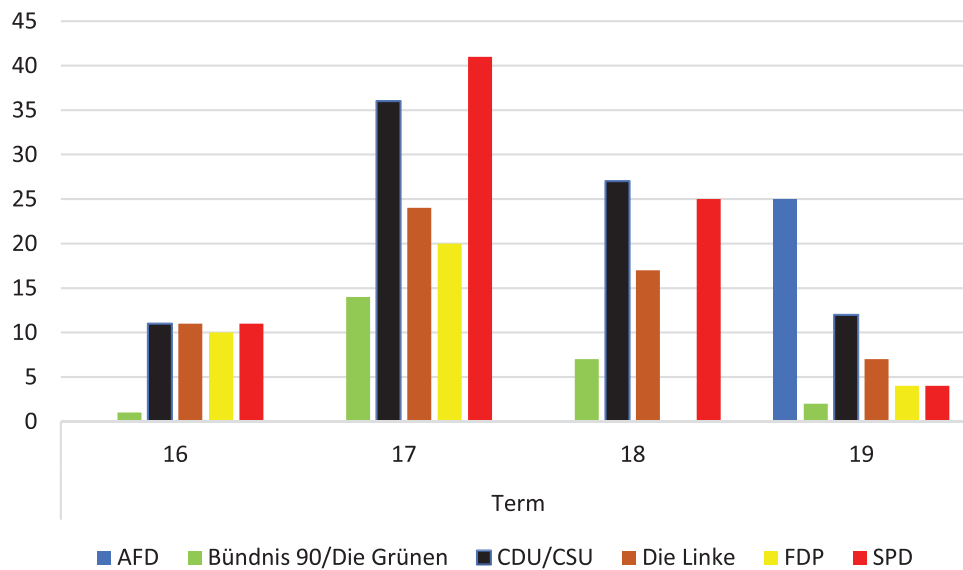


Figure 2. The number of speeches on ECB policy per party per parliamentary term.

2017 (CDU–SPD coalition), the AFD stand out as being the sole driver of ECB scrutiny.

Thus, having established that there were three waves in which the salience of the ECB increased and that this may now have become a long-term trend with a Eurosceptic party in parliament, the question is whether the second criteria—polarisation of opinion—is also present. For this purpose, Figure 3 shows the average po-

sition taken by each of the parties during each legislative term. A positive score reflects praise, a negative score criticism (with the maximum values being 1 and –1).

First of all, the data largely confirm the hypothesis that government parties tend to be more supportive of ECB policies (H3). The governing CDU was generally relatively favourable or neutral towards the ECB. The SPD was also either neutral or positive in its views when it

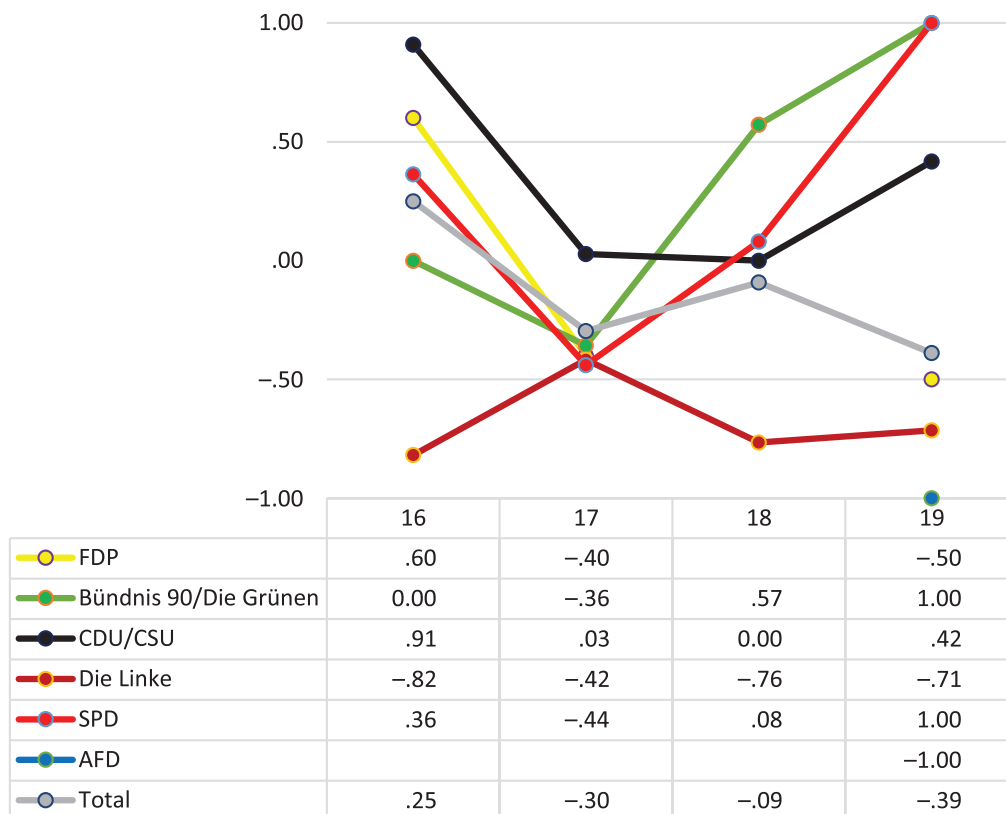


Figure 3. The parties’ positions on the ECB. Notes: The positions are measured on a 3 point scale: 1 = praise, 0 = neutral, –1 = criticism. The chart represents the average position per party in each legislative term.

was in government after 2005 and 2013, and the FDP was no more sceptical than the other parties after 2009. In addition, the further opposition parties are from the middle of the political spectrum, the more critical they are of the ECB. This holds true for both Die Linke and the AFD. The one outlier is the Greens. This might be related to the fact that they are generally the least active party, and that ECB policy is not an important theme for them.

Figure 3 at best partially supports De Wilde et al.'s (2016) second element of politicisation, namely the assumption that politicisation comes with increased polarisation. As we saw previously, there were three waves of increased salience: a small wave during the 16th term (2008); a long and intense one during the 17th term (2011–2013), which continued on into the 18th term (until mid-2015); followed by a new intense wave in the 19th term. Two elements of the figure are striking: Firstly, the most intense moment of debate (17th term) is the term in which party positions converge the most. By contrast, the 16th parliamentary term (2005–2009), in which the ECB was far less salient a topic, had almost as much polarization as the current 19th term, when a Eurosceptic party entered the Bundestag. Does this mean that there is no clear pattern of politicisation? Or does it mean that polarisation is not the best or only measure of politicisation?

In fact, a closer look at the figure shows that an alternative measure of politicisation could be whether a parliament feels critical towards an actor or a policy. Thus, in this case, the high degree of polarisation before 2009 stems from the fact that most parties praised the ECB or were neutral, but one party (Die Linke) was sceptical as it considered that the ECB should have prioritized growth and jobs over price stability. The convergence between 2009 and 2013, on the other hand, stemmed from the fact that support for the ECB was in freefall. The CDU/CSU faction, which was almost fully supporting ECB policy before 2009, was by that point only marginally favourable with the average position dropping by 0.88 points (on a 2-point scale!). The average position of the FDP dropped by a full point from very supportive to fairly critical. All the other parties were also predominantly critical of the ECB. Only Die Linke experienced a positive trend and became somewhat less critical. Overall, this convergence on a critical stance is clearly also a form of politicisation, especially in combination with the higher salience of the topic.

That said, one could argue that polarization does not have to be limited to a growing chasm between supporters and opponents of a policy or institutions. Critical statements that contradict each other could also be a form of polarization. In this case, however, the substance of the speeches also fails to show polarization. Of course, the convergence on a critical stance does not amount to a complete absence of disagreement between parties. One of the few fundamental differences is that Die Linke, for example, also tended to criticize the ECB for its role in the Troika, whereas the other parties focused

predominantly on its bond-buying programmes, the low securities it accepted during the crisis, and the impact of the low interest policy on German savers and the housing market. There is thus one substantive difference between the line of argument of this party and the approach of other parties.

On the other hand, like the other parties, Die Linke also criticized the impact of the low interest policy on savers and the housing market—and this despite the fact that it had demanded a more expansionary policy that prioritized jobs over growth in the 2000s. The same ECB-policy thus came under attack from both sides—the ordoliberals who felt that they reduced incentives for necessary structural reforms (and also hurt savers), and the left, who felt that the ECB's policies mostly benefitted banks and otherwise led to an expropriation of German savers. There were other commonalities, such as the widespread concern that the ECB's policy amounted to a communitarization of debt. On the whole, polarization thus decreased at the height of the crisis when the parliament was most active in its scrutiny. It decreased both in the sense that parties converged around a critical stance and in the sense that the actual arguments became more similar during this period compared to previous periods and were sometimes even shared across the whole political spectrum (e.g., the perception of the impact of the low interest policy). The interpretation of the ECB's pressure on the governments of debtor states was one of the few areas where the parties disagreed.

From late 2013 onward, the polarisation of opinions increased again, as some of the parties reconciled themselves to the ECB's policy. After 2017, the polarisation increased further. The landscape had, however, changed: The FDP, once very favourably disposed towards the ECB, became a critic of the ECB's monetary policy, though less extreme than the new AFD. Die Linke also returned to a very critical stance, mainly in response to the ECB's role in the Troika and the ECB's perceived lack of sensitivity towards social issues. This is in line with Wonka (2016) who found that Die Linke was particularly critical in its opinions on the crisis policies. However, in this case, other parties also had reservations about the ECB. The SPD and the Greens, once only moderately pro-ECB, are now strong supporters, and the CDU, once the biggest supporter, is less enthusiastic than before the crisis.

It is also interesting to note that the perceptions of different ECB activities vary. If we take the two biggest categories of ECB policy—its crisis policies on the one hand (i.e., interest policy, bond-buying programmes, Troika...) and its new functions as banking supervisor, we can see that it is possible for the approval of one type of ECB policy to increase while approval for the other falls (cf. Figure 4). In term 17, when the crisis policies were most negatively perceived, the positive and negative views on the ECB's potential role as banking supervisor cancelled each other out. When the MPs reconciled themselves to the crisis policies, support for the ECB's banking supervision conversely dropped. This was due to

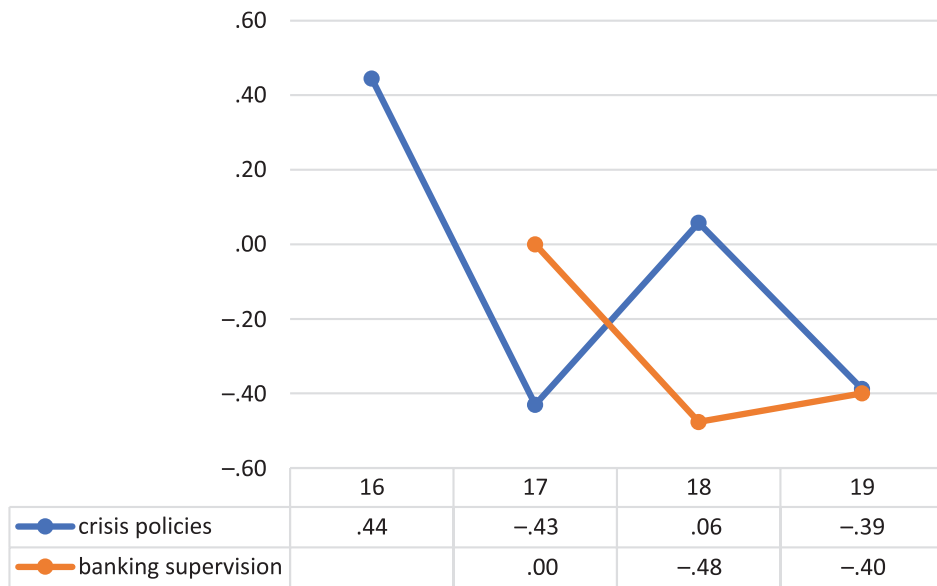


Figure 4. Positions on the crisis policies and the ECB’s role in banking supervision. Notes: The positions are measured on a 3 point scale: 1 = praise, 0 = neutral, -1 = criticism. The chart represents the average position per legislative term.

the fact that MPs saw a conflict of interest in the ECB’s role as a lender of last resort, its financial stakes in the survival of some of the problematic Greek and Italian banks, and its role as a banking supervisor responsible for declaring whether a bank is indeed still viable.

However, while there were moments where high salience did indeed coincide with high levels of criticism, as during the second wave of politicisation (2011–2014), H1 (that higher levels of criticism lead to higher levels of salience) is overly simplistic. It is indeed the case that salience tends to be higher in years where MPs are critical of ECB policy. However, as Figure 5 shows, the relationship between criticism and salience is by no means linear. Firstly, and unsurprisingly, years with very little activity can produce outliers (e.g., in 2005, where only one MP commented on the ECB, we have a perfect score of -1). Causality may be reversed for those cases of very

low salience, in the sense that MPs who speak about an issue that is not really on the agenda and that is not considered important at the time are likely to be those who hold stronger views on the issue. Secondly, and more problematically for the hypothesis, 2015 saw a comparatively high level of activity despite a slightly positive score (0.05), as MPs became more reconciled with the ECB as the Eurozone crisis abated. That said, the hypothesis has become more relevant in recent years, as the AFD actively pushes the issue in debates and has also triggered plenary debates (e.g., on the TARGET2 balance, in autumn 2018).

Finally, having established that there is politicisation in the form of increased salience and a generally critical stance, the question is whether there is also increased politicisation in terms of the numbers of actors involved in parliament. Figure 6 shows that the number of MPs

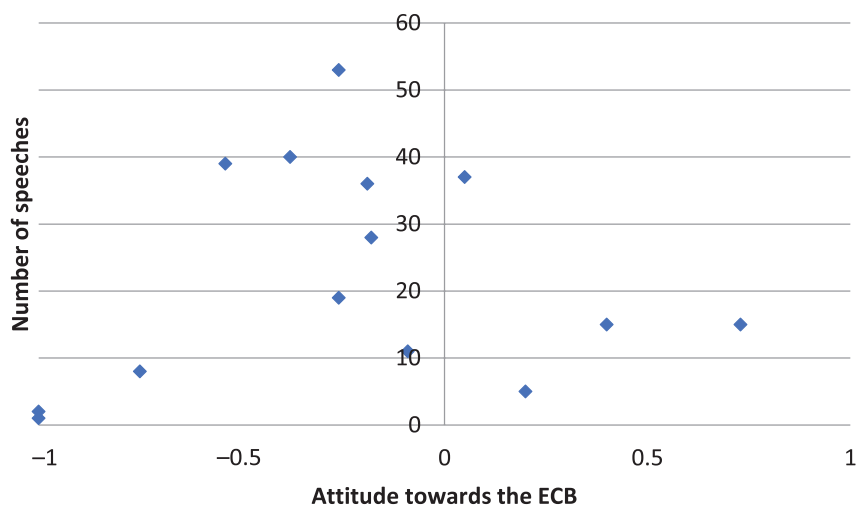


Figure 5. Criticism of the ECB and salience.

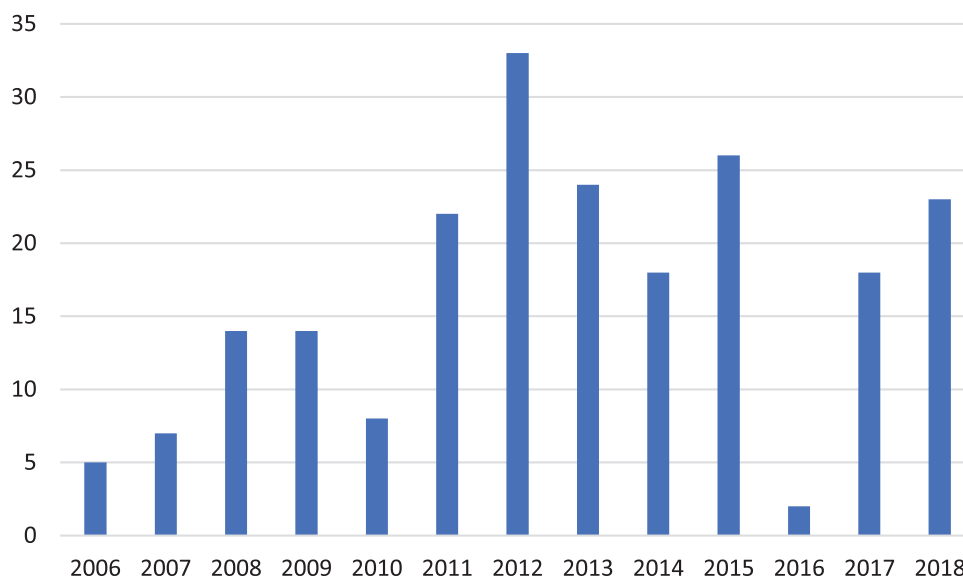


Figure 6. Number of MPs making ECB-related speeches per year. Note: 2009, 2013 and 2017 were election years.

who comment on ECB policies has indeed increased over time, compared to the pre-crisis years. The exception is again 2016 until autumn 2017, as the parliament temporarily lost interest in the ECB. That said, the number of MPs commenting on this issue is still quite small in relation to the size of the Bundestag (currently 709 seats). It is important to note, though, that several prominent politicians made speeches about ECB policies during the crisis, such as Lafontaine and Wagenknecht for Die Linke, Steinbrück and Steinmeier for the SPD, Kauder for the CDU, Weidel for the AfD, Trittin for the Greens, and Brüderle for the FDP. This may reflect the fact that the topic is normally one that requires expertise, but that it was also electorally salient as German voters were concerned about the impact of low interest rates on their savings, the stability of the Euro or the potential risks of the ECB’s bond-buying programmes for Germany.

6. Conclusion

The ECB’s active role during the crisis did indeed come at the cost of politicisation—at least temporarily. Thus, the German parliament had traditionally been a strong supporter of central bank independence, had only paid limited attention to the ECB during the financial crisis and was generally quite positively disposed towards ECB policies. Many MPs praised the ECB for prioritizing stability over growth, and criticisms were often disguised as polite suggestions.

After 2009, the picture changed. Not only did the Bundestag discuss ECB policies more actively, but it also became more critical. Polite suggestions turned into open criticism or even accusations, for example, that the ECB illegally financed states and that its low interest policy expropriated savers. This change is surprising given the Bundestag’s long tradition of restraint in its scrutiny of Germany’s own central bank. Terms like ‘money press’,

‘expropriation’, ‘violation of the Treaties’, ‘illegal’, ‘misguided’, and ‘flood of money’ became part of the vocabulary. And when a movement created in this period entered parliament in 2017, it revived this vocabulary after a brief period of depoliticisation. On the whole, we have seen three waves of politicisation: the second and third waves, in particular, brought high levels of polarisation or criticism and greater levels of parliamentary activity and a wider range of active MPs. While there is no clear government-opposition divide in terms of the level of activity, the criticism today mainly comes from opposition parties, and especially from the far left and right.

Today, the MPs of the mainstream parties still frequently repeat that ECB independence is an important principle, but from the way they speak about these topics, it is clear that trust in the ECB has eroded. A comparison with Högenauer and Howarth’s (2018) article on the Bundestag and the Bundesbank also confirms that the ECB is criticised frequently, whereas the Bundesbank is virtually never criticised in parliament, and that the ECB is discussed far more often than its national counterpart. Independence clearly no longer protects the ECB from criticism the way it protects the Bundesbank.

Interestingly, while the first two waves of politicisation were linked to prominent ECB decisions or policies, the third wave is mainly linked to the changing German political landscape after the 2017 elections. This third wave of politicisation was ongoing as of early 2019, and the effects of this politicisation will probably still be felt for some time, given that a Eurosceptic party founded on the back of a rejection of EU crisis policies has entered parliament. In addition, the ECB’s new role as banking supervisor means that it is likely to return to the spotlight from time to time: As the ECB is facing a conflict of interest in its role as both lender and supervisor, it will most likely be closely watched each time a major bank is in crisis. It does not appear that a return to depoliticisation is

likely in the near future, but the data also shows that de-politicisation could happen in the right context. Whether politicization will continue in the long-term will depend both on the German political context and especially on the future evolution of Eurosceptic parties, as well as on the challenges the ECB will face in monetary policy and banking supervision.

From a democratic perspective, this politicisation is a challenge. It may be a good thing when politicisation occurs in policy areas where increased scrutiny can lead to better input into policies or a greater willingness to hold actors accountable. But is controversy and criticism fruitful in areas that are supposed to be relatively apolitical? And can a high degree of ECB independence still be democratically justified, if the policy area ceases to be technocratic and apolitical and turns into something that becomes regularly politically contested?

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Conflict of Interests

The authors declare no conflict of interests.

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Article

Preparatory Bodies as Mediators of Political Conflict in Trilogues: The European Parliament’s Shadows Meetings

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Abstract

Trilogues have become ‘normal’ structures in European Union (EU) decision-making but their functioning, based on secluded decision-making, makes it difficult to understand how institutional positions are formed and managed and which actors are better positioned to influence policy outputs. These are, however, important questions because, first, a coherent position in trilogues (one that withstands the scrutiny of the Council) enhances the European Parliament’s (EP) chances of achieving a favourable outcome following negotiation; second, because it has become more complicated to find a common position within the EP due to increased levels of politicisation and polarisation (especially in the form of Euroscepticism) in EU policy-making. Therefore, this article focuses on preparatory bodies preceding trilogues and the role they play in building Parliament’s positions. With the shift of political conflict from plenary to committees and now to shadows meetings, the latter have become de facto decision-making bodies. Not only do they serve to mediate intra-institutional conflict but also to anticipate Council and Commission positions. This article compares the use of shadows meetings in politicised and non-politicised issues. With the use of ethnographic data provided by participant observation and elite interviews, we aim to provide explanations on how these new instruments serve to informally manage politicisation, focusing in particular on the advantages of insularity in highly publicised negotiations.

Keywords

committees; Common European Asylum System; European Parliament; European Union political parties; politicisation; shadows meetings; trilogues

Issue

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1. Introduction

Trilogues have become ‘normal’ structures in EU decision-making; however, they are informal negotiations between representatives of Parliament, Council and Commission with no reference in the treaties. The aim of trilogues is to facilitate compromises on legislative proposals before the first or second reading in Parliament. On the political level, Parliament is represented by the rapporteur and shadow rapporteurs; Council by the ambassador of its current

Presidency; and the Commission by a Director-General or a Commissioner. Political trilogues are prepared by technical meetings including, for example, Commission policy officers, MEP assistants and administrative officials (see for example Ripoll Servent & Panning, 2019; Roederer-Rynning & Greenwood, 2015, 2017). Given that trilogues are based on secluded decision-making, it is often difficult to understand how institutional positions are formed and managed and which actors are better positioned to influence policy outputs. These are, however, important questions because: first, a coherent

position in trilogues (one that withstands the scrutiny of the Council) enhances the European Parliament's (EP) chances of achieving a favourable outcome following negotiation; second, because finding a common position within the EP has become more complicated with increased levels of politicisation and polarisation (especially in the form of Euroscepticism) in EU policy-making (Ripoll Servent, 2018; Ripoll Servent & Panning, 2019). The rise in fringe political parties has also put a strain on the process of (informal) institutionalisation which has over time successfully reduced politicisation and inter-party conflict within the EP (Daniel, 2015; Rittberger, 2005; Salvati, 2016).

In view of these shifts, we aim to understand how politicisation is managed in EP committees with a focus on those actors involved in trilogue negotiations (relais actors). The latter are under particular pressure to overcome conflicts and find strong compromises that hold when facing Council and Commission in inter-institutional talks. To this effect, we focus on the way relais actors make use of informal preparatory bodies to find consensus and build Parliament's position. In the EP, preparatory work takes place mostly in so-called 'shadows meetings', gathering the rapporteur and shadow rapporteurs, who are part of the EP's negotiating team in trilogues. In addition, other ancillary actors such as political advisors, assistants, and EP staff are also there to support MEPs. We argue that these bodies have become a better field of conflict management than plenary and committees, since they allow relais actors to hold discussions in a more informal and flexible way, thereby anticipating the positions of Council and Commission and adapting the EP's position during trilogue negotiations. Preparatory bodies have been somewhat overlooked in the literature, even though they have become key fora in which institutional actors form their positions and mediate the increased polarisation and politicisation within and across EU institutions. It is, therefore, important to understand their function in order to establish under which conditions they help or hinder conflict management within legislative committees.

Yet, not all issues are politicised nor do they provoke the same level of conflict between EP groups. Therefore, we argue that the more an issue becomes (or has the potential to become) politicised, the more likely to see relais actors making active use of 'shadows meetings' as instruments of conflict management inside EP committees. To this effect, the article uses ethnographic data provided by participant observation and elite interviews (see the list in the Annex) in order to explore the effects that politicisation has on EP preparations for (and during) trilogues. We compare two legislative negotiations (revision of the statute and funding of EU political parties and foundations [EUPP] and asylum package) to examine the differential effects of (non-)politicisation on the use of shadows meetings and the extent to which these have been actively used by relais actors to diffuse conflict and pre-empt future division. This comparison allows us also

to draw patterns of participation in shadows meetings, focusing in particular on the dynamics between mainstream and fringe MEPs.

The first section of the article explores the links between parliamentary coordination instruments aimed at building consensus and the impact that politicisation may have on them. From this, we develop expectations on how the presence or absence of politicisation affects the consensus-building strategies of relais actors when building an EP position within committees and present our methodology. The second part explains the use of shadows meetings in general and explores the impact of politicisation by comparing a case of no politicisation (EUPP) with a case of politicisation (asylum package). The comparison of the two cases leads us then to the conclusion that politicisation does indeed stress the need for seclusion and tends to undermine transparency and the deliberative nature of committees.

2. Politicisation in Legislative Committees

Despite politicisation now being a widespread phenomenon, most of the literature has focused on the impact it may have on public opinion and party systems (e.g., De Wilde, Leupold, & Schmidtke, 2016, and related special issue; Hutter, Grande, & Kriesi, 2016). We know much less about the impact of politicisation on legislatures and, in particular, legislative committees. Politicisation might not be particularly problematic for plenary, given that the latter's purpose is to act as a public tribunal and, therefore, expose ideological conflicts (Slapin & Proksch, 2010). In contrast, politicisation is inimical to legislative committees, whose goal is to build consensus. Indeed, committees share the necessary conditions for consensus practices to emerge: first, they tend to be insulated from public scrutiny and are, therefore, under less (electoral) pressure when holding debates and finding compromises; second, most legislative committees (and particularly those in the EP) tend to specialise and gather expert members familiar with the technical aspects of their policy field(s); finally, committees are sites where members can nurture their relationships over long periods of time, which facilitates the emergence of an esprit de corps and reciprocity (Sartori, 1987, Chapter 8). These three conditions are particularly relevant to understand EP legislative committees since they are in charge of formulating a mandate for inter-institutional negotiations (i.e., presenting a report that amends the Commission's proposal). Therefore, committees are the loci of internal EP negotiations and in charge of managing inter-party conflicts (Bowler & Farrell, 1995; Whitaker, 2011; Yordanova, 2013).

Certainly, in normal circumstances, there are environmental aspects that might affect the capacity of committees to act as consensus-builders. First, we know that the institutional conditions leading to consensus are particularly effective with less controversial (policy) issues (Miller & Stecker, 2008). The lack of controversy under-

scores these latent institutional conditions and allows them to reach their full potential. On the contrary, if issues become controversial, it is more likely that the work of committees will become more publicised and be exposed to increased external scrutiny. Second, the insulated nature of legislative committees has raised awareness about the trade-off between efficiency and democracy. This has been at the core of criticism in many parliaments, including the EP (Brandsma, 2019; Reh, 2014). As a result, many parliamentary committees have undergone what Fasone and Lupo (2015) refer to as ‘forced increased transparency’. Calls for more democracy and accountability in committees has led to the introduction of new rules forcing transparency—for instance by transmitting committee debates online, publishing agendas and minutes, or giving plenary more oversight powers (Brandsma, 2019; Roederer-Rynning & Greenwood, 2017). The result of increased transparency has been a decrease in their powers and a shift to other decision-making bodies characterised by high informality and opacity (Fasone & Lupo, 2015).

How might politicisation affect the powers and roles of legislative committees and their capacity to build consensus? If we follow De Wilde et al. (2016, p. 4), politicisation can be defined as ‘(a) the growing salience of European governance, involving (b) a polarisation of opinion, and (c) an expansion of actors and audiences engaged in monitoring EU affairs’. Therefore, politicisation leads to more contestation and polarisation in EU policy-making, particularly when issues are related to the nature and future of European integration. As we have seen, more contestation might potentially undermine the norms of consensus provided by the insulated nature of committees. In addition, politicisation brings with it more (public) scrutiny, which generally leads to calls for transparency and openness.

In order to assess the effects of politicisation and their link to parliamentary coordination instruments, we first examine to what extent an issue has become politicised in EU policy-making and the EP in particular. To this

effect, we assess whether the issue is: 1) salient (looking for instance at the attention it received inside *and* outside Parliament); 2) polarising—especially in terms of EU integration; and 3) the focus of external attention leading to the involvement of actors beyond the EP. Once we have established the level of politicisation of a given issue, we explore the linkage between the presence/absence of politicisation and the use of coordination instruments to build the position of Parliament before trilogues. To this effect, we draw four potential paths leading to different uses of ‘shadows meetings’ (see Table 1).

The first (technical) path takes place in cases where none of the characteristics of politicisation are present. Given the technical nature of the issues at stake, we would expect the necessary conditions for consensus practices to be there—namely, expert MEPs who have regularly worked together and who are able to negotiate in a relatively insulated setting. Therefore, ‘shadows meetings’ might only be necessary to deal with technical discussions and would not act as an instrument to manage conflict. In the second path, we expect issues to be seen as ‘political’. This opens a window for saliency to become an issue in internal negotiations—either by raising the stakes within the EP or by attracting external attention. However, these issues are not perceived as polarising in nature—especially when it comes to the EU integration dimension. In this case, we would expect EP party groups to nominate loyal members as rapporteurs or shadow rapporteurs (Hurka, Kaeding, & Obholzer, 2015). Internal EP negotiations would then be focused on achieving a minimal-winning coalition to support the EP’s mandate before trilogues. Therefore, ‘shadows meetings’ might be less relevant to reaching an EP position than bilateral contacts among EP groups; given that generally a grand coalition between the European People’s Party (EPP) and the Progressive Alliance of Socialists and Democrats (S&D) is needed to reach a majority, negotiations will focus on the dynamics between the larger groups (Hix & Høyland, 2013).

Table 1. Paths leading to an EP position before trilogues.

	Salience	Polarisation	External attention	Type of relais actors	Coalition logic	Use of shadows meetings
<i>Non-politicised issues</i>						
Technical path	No	No	No	Experts	Consensus-seeking	Mostly at technical level
Political path	Yes	No	Depends	Party soldiers	Minimal-winning coalition	Few; focus of negotiations on larger groups
<i>Politicised issues</i>						
Control path	Yes	Yes	Yes	Party soldiers	Oversized majority	Few; political coordinators in control
Informality path	Yes	Yes	Yes	Experts	Oversized majority	High number and main focus of negotiations

In highly politicised issues, we can expect negotiations to be particularly difficult and to raise the attention of outside actors such as domestic governments and media, voters and interest representatives. The EP would also expect it to be a more difficult issue to negotiate with the Council since the latter tends to be less pro-integration than Parliament (Kreppel & Hix, 2003, p. 81). Therefore, EP relais actors have a stake in reaching oversized majorities that give them room for manoeuvre and legitimacy when going into trilogues; the more the EP can unite behind a common position, the greater the chance of success when negotiating with Council (Trauner & Ripoll Servent, 2016). However, we could imagine legislative committees to handle the pressure of politicisation differently. On the one hand (control path), if an issue is highly contentious, they might prefer to appoint rapporteurs and shadow rapporteurs who are close to their political parties, in order to ensure that they represent the political views of the majority in committee and plenary (Hurka et al., 2015). In addition, committee coordinators might be afraid that delegating negotiations to a small informal group might lead to a majority that unravels when it comes to voting in committee and/or plenary. Therefore, they might want to limit the use of shadows meetings in order to keep control over negotiations. On the other hand (informality path), if issues become highly politicised and receive a lot of external attention, EP relais might prefer to shift the venue of negotiations to a more informal setting to avoid scrutiny and re-create the conditions for consensus-seeking that normally exist in committees. Here, we would expect political groups to nominate MEPs who are perceived as experts in terms of both substance and procedure; this might facilitate the emergence of trust in a highly polarised setting. In this case, the dynamics between relais actors (especially between those belonging to mainstream and non-mainstream groups) might be crucial for the success of internal negotiations (Häge & Ringe, 2019; Judge & Earnshaw, 2011).

3. Methodology

The data are derived from qualitative interviews with actors in Parliament and Council conducted between March 2017 and March 2019 as well as from observations from a seven-month field-research stay in Brussels (October 2017–April 2018). Interviews were mostly conducted in Brussels and in rare cases via telephone. For the case studies, all rapporteurs and shadow rapporteurs, the involved policy advisors from the party groups and, if the contact was available, officials from the committee secretariats were contacted via email. In addition, we also carried out general interviews on shadows meetings with informants who had worked on many reports or who were recommended by other interviewees and contacts formed during the field research. While at least one actor from most party groups agreed to an interview, European Conservatives and Reformists (ECR),

UK Independence Party–Europe of Freedom and Direct Democracy (UKIP-EFDD) and nearly all Europe of Nations and Freedom (ENF) actors either did not respond to or declined the interview request. In addition, it was more difficult to interview actors from smaller party groups, since they have a higher workload and fewer personnel. Interviewees were asked about the organisation and the conduct of shadows meetings, differences between big and small, Eurosceptic and pro-European party groups as well as other informal arrangements outside of the meetings. Interviews with actors involved in the case studies were asked the same questions, however with a focus on how shadows meetings played out in their particular case. The field research stay was divided into two parts—five months in the Commission and two months in Parliament. The focus lay on participant observation of trilogues and preparatory meetings. The focus of the participant observation was not so much on the content of individual policies but rather on the relationship between participants. The aim was to understand how meetings were organised, how participants interacted and how conflicts were solved. Thus, the observation helped to form a general understanding of shadows meetings and internal dynamics, which facilitated and informed the conduct of interviews and provided background information for our research.

As for case selection, the two files were selected because they varied in our main explanatory factor (politicisation). While the EUPP file was very salient for the political actors *inside* Parliament, the topic received little external attention outside the trilogue circle. In addition, there was very little polarisation between the different party groups as they all had the same goal: to secure and facilitate funding for their political parties. The asylum package, on the other hand, was not only highly salient inside the EP but had also attracted large attention *outside* the EU institutions as a result of the so-called ‘migration crisis’ of 2015–2016. Furthermore, the issue split party groups along deep ideological lines, complicating coalition-formation and consensus-seeking.

It is, therefore, interesting to compare how two files, which were very salient for parliamentary actors, were affected differently by the presence or absence of politicisation. Such a comparison can help us understand how files are handled and negotiated in the EP and how politicisation can influence this process.

4. Shifting Decisions to ‘Shadows Meetings’

Under the ordinary legislative procedure (co-decision), a legislative initiative from the Commission is referred to the committee in Parliament responsible for negotiations; the latter then writes a committee report amending the Commission’s proposal. In accordance with the EP’s Rules of Procedure, each legislative proposal is referred to a committee, which then appoints a rapporteur responsible for writing the report (EP, 2019, Rules 47 and 49). It is only after the adoption of the report by the com-

mittee that the EP can decide to enter into trilogue negotiations (EP, 2019, Rule 69c). To facilitate their work on the report, rapporteurs invite all shadow rapporteurs appointed for a file (EP, 2019, Rule 205a) to so-called shadows meetings, where they discuss amendments proposed by the political groups (EP, 2014b). This informal instrument serves to coordinate positions and facilitates finding a compromise supported by a majority of—or at best all—EP representatives so that Parliament projects a united appearance in trilogue negotiations (EP, 2014b; Ripoll Servent, 2018; Ripoll Servent & Panning, 2019). The importance of shadows meetings as fora for managing intra-institutional contestation and finding compromise increased considerably following the Treaty of Lisbon (Interview 6). While beforehand, consultation and compromise between groups happened rather spontaneously, nowadays an improved structure supports the organisation of the EP delegation and its preparation for trilogues (Interviews 3, 4, 7). The committee stage remains important because it is there that the compromise brokered in shadows meetings is voted upon (Interview 1, 2). The files are also debated in committee to increase public visibility and to keep other committee members regularly briefed (Interview 6). At the same time, shadows meetings provide a secluded forum that helps balance party group interests outside of the public limelight; therefore, they allow for compromises that would not have been possible had negotiations been held in public committee sessions (Interviews 5, 6, 8).

Rapporteurs—supported in their work by assistants, policy advisors from their party group, the committee secretariat, and the EP’s Legal Service—chair shadows meetings (Interview 1, 5). Shadows are also supported by the staff of their group (Interview 8) but, while the rapporteur as the chair is always present in shadows meetings, shadows can choose whether to attend or be represented by an assistant or a political advisor from their group. Shadows regularly report back to their group to ensure that they are on the same page (Interview 15, 16), which is especially important when it comes to finding majorities in committee and plenary votes (Interviews 8, 12, 22; Häge & Ringe, 2019; Judge & Earnshaw, 2011).

The meetings can be divided into shadows meetings before the committee vote and shadows meetings during the trilogue negotiation phase. While they are part of the same process and have the same composition, they serve different purposes (Interviews 5, 6, 9, 11, 12). Shadows meetings before the committee vote help the rapporteur and shadows forge a compromise to act as Parliament’s common negotiating position. In the meetings, the rapporteurs present their amendments, which are usually circulated in advance, and every shadow (or the person representing the shadow) is given the opportunity to react, signal agreement, ask questions, or suggest their own amendments (Interview 5, 6, 7, 17, 18); the speaking order is allocated according to group size (Interview 10). In general, shadows send their assistants if they agree with the rapporteur’s work, only

want to suggest small changes, or if the file is of lesser importance to their group (Interview 12, 13, own observation). If they want major changes or have important amendments, attending themselves gives greater weight to their demands. Joining shadows meetings might prove crucial to smaller party groups: Those who engage actively in the discussions and make their voices heard often get amendments that are relevant to them, as long as they do not contradict the largest groups’ interests (Interview 11, 12, 15, 17; Häge & Ringe, 2019). Thus—despite being in the minority—they might manage to shift the compromise and bring it closer to their position.

This dynamic is accentuated by the composition of shadows meetings: since each party group is only represented by one shadow (or their respective assistant/political advisor), the size of the group matters less than in committee; the end result might depend rather on personality, persuasion, or group dynamics during the meetings (Interviews 7, 9, 11, 12; Häge & Ringe, 2019). While every group is given the floor in shadows meetings, the rapporteur generally has consulted the other party groups prior to the meeting. These pre-consultations serve to actively involve EPP and/or S&D as the two largest groups since at least one of them is needed to ensure the success of the final compromise when it goes to a vote in committee (Interview 12, 13, 14). Since plenary has to implicitly or explicitly confirm the trilogue mandate (EP, 2019, Rule 69c), a compromise supported by a small majority risks losing the vote because of defectors from their own party group. This is not unlikely during plenary votes as, outside of shadows meetings and committee sessions, both expert and non-expert MEPs are involved in the vote and might follow other logics of voting behaviour compared to committee members (Faas, 2003; Ringe, 2010). Thus, rapporteurs have an incentive to forge a broad majority, involving as many shadows as possible (Interview 5).

In comparison, shadows meetings during trilogues are primarily used for finding common strategies to defend Parliament’s position in trilogues or to discuss the trilogue agenda (Interviews 3, 5, 9). The role of shadows is to ensure that the rapporteur represents the agreed compromise (Interview 6) and includes the points important to their political group (Interview 9, 11).

In sum, although legislative committees are formally in charge, most negotiating work is carried out in shadows meetings; ‘the bread and butter of parliamentary work’ (Interview 6).

5. Comparing ‘Shadows Meetings’ across Policy Issues

5.1. Revision of the Statute and Funding of EUPP

The first regulation governing political parties at European level and the rules regarding their funding entered into force in February 2004 (EP & Council of the European Union, 2003). For the first time, it entitled European political parties to receive funding from

the EU's budget (Ripoll Servent, 2018, Chapter 9). The organisation of EUPPs, however, still depended on the national laws of the member state in which a political party was based—a situation seen critically by Parliament (European Parliamentary Research Service, 2018). As a result, the EP (2006, 2011) called twice on the Commission to revise the existing regulation. In 2014, a new regulation (EP & Council of the European Union, 2014) gave EUPPs and foundations a European legal personality and introduced more flexibility in their funding, thereby increasing their visibility and effectiveness. In 2016, Parliament revived the topic: A letter from the EPP, the S&D, and the Alliance of Liberals and Democrats for Europe group (ALDE) asked the Commission to revise the Regulation and a report from the EP's Secretary-General examined the funding of EUPPs and their foundations. This report was extensively discussed in the EP Committee on Constitutional Affairs (AFCO), resulting in January 2017 in a parliamentary question for oral answer to the Commission (European Parliamentary Research Service, 2018). The question called on the Commission to address MEPs' questions and to present a new legislative proposal addressing suggestions from Parliament (EP, 2017a). During a plenary debate in March 2017, the Commission confirmed a formal review in 2018 that would accommodate Parliament's main concerns (European Parliamentary Research Service, 2018). Despite this announcement, in June 2017 Parliament adopted another resolution encouraging the Commission 'to propose a revision of the regulation as soon as possible' (EP, 2017b). In view of this resolution, Commission President Jean-Claude Juncker (2017) announced a new proposal on EUPPs and foundations in his State of the Union speech in September 2017. The AFCO nominated two co-rapporteurs, Rainer Wieland (EPP) and Mercedes Bresso (S&D), who presented their draft report on 23 October 2017 (AFCO, 2017a). The amended report was discussed and adopted a month later; along with the vote on the report, the committee decided to enter into trilogue negotiations (AFCO, 2017b). The day before the only trilogue took place in February 2018, the co-rapporteurs briefed AFCO on the progress of inter-institutional negotiations. On 23 March 2018, AFCO adopted the provisional agreement from trilogue negotiations with only one abstention and one vote against it (AFCO, 2018). The text was adopted at the end of April and entered into force in May 2018 (EP & Council of the European Union, 2018). The long history of the file and Parliament's persistence on its revisions show that the EUPP file was very important for the political groups in the EP. It was highly salient because it directly concerned all political groups in Parliament since they are all members of (at least) one European political party (for a list, see Ripoll Servent, 2018, pp. 206–207).

Although co-rapporteurships are common in AFCO (Interview 21), in this case, the nomination of co-rapporteurs from the two biggest party groups was meant to send a political signal to the Council and

Commission. It served to demonstrate, on the one hand, the importance of the file for the EP and, on the other, that the EPP and S&D were united on this issue, which put Parliament in a better position during inter-institutional negotiations (Interviews 19, 20). In general, the decision to appoint two rapporteurs gave the largest groups a chance to exchange views and consult with each other (Interview 19) and, thereby, share the pressure exerted by other actors. Indeed, the internal EP process was rapid with less than two months between the nomination of the co-rapporteurs and the adoption of their report in AFCO. This means that only a limited number of shadows meetings could be organised, which strengthened the focus of the negotiations on the larger groups. Indeed, the presence of two rapporteurs from the largest groups created some difficulties: The EPP and S&D did not always share the same position on all issues and had different priorities, which led to some disagreements and discussions between the co-rapporteurs during the preparation of their draft report (Interview 20). This dynamic made it difficult for the smaller groups to have a say in the discussions, especially on points that were already difficult between the co-rapporteurs (Interview 21). Therefore, shadows from smaller groups were only able to make a difference in ancillary issues (Interview 19). For instance, ALDE and the Greens pushed to have an obligation for parties to publish information on their website regarding the gender composition of candidate lists and members of European political parties (Interview 18, AFCO, 2017c). The co-rapporteurs accepted their amendments and gender representation was eventually included in the EP mandate. This strategy is not unusual; even if a broad majority has already been secured, rapporteurs try to incorporate as many amendments from other groups as possible in the compromise because it will ensure a positive vote in committee and thereby strengthen the EP's position in trilogues (Interviews 5, 6, 8, 10). In this case, this proved right: Although gender was not a priority for the co-rapporteurs (Interviews 18, 21), it ensured the support of ALDE and the Greens, which led to a broad majority in committee.

The vote on the draft report in the AFCO committee shows that the report was supported by all pro-European party groups. The ECR and ENF shadows abstained, one ECR MEP voted against it, and no member of the EFDD group was present during the vote (EP, 2017c). Hard Eurosceptic groups often abstain from shadows meetings, either because they refuse to engage with the day-to-day political work in parliament or because mainstream party groups exclude them through a *cordon sanitaire* (Ripoll Servent & Panning, 2019). However, all party groups had an interest in this file, as it was about securing financial funding for their European political parties. Indeed, right-wing Eurosceptics were afraid that the proposal would be used to disadvantage them in the upcoming elections in 2019 (Interview 16). Therefore, they did try to get involved and—as is the case for all

participating parties in shadows meetings—were free to take the floor and present their views (Interview 15, 16, 18). However, the tacit use of the *cordon sanitaire* made it difficult for them to participate; although they had good insights that might have helped to improve the proposal, the other actors did not listen to their points (Interview 16). On the contrary, mainstream participants were cautious because they had the impression that hard Eurosceptics were only interested in securing funding (Interview 18). Although the Greens and Confederal Group of the European United Left/Nordic Green Left (GUE/NGL) also disagreed with the Commission's proposal (Interviews 15, 16, 22), the overall conflict did not revolve around the nature of European integration, which prevented a strong polarisation along this dimension and helped groups concentrate on a common goal: ensuring that the reform of the statute was successful in inter-institutional negotiations.

This lack of polarisation might explain why the proposal raised little interest beyond the small circle of rapporteurs and shadows. Indeed, shadows meetings were less relevant than in other occasions; they were helpful to incorporate concerns from the smaller party groups rather than acting as a space to broker compromises. Party groups which disagreed fundamentally with the regulation were listened to but excluded from the larger agreement, which was ultimately secured via a compromise drafted between the co-rapporteurs from the EPP and S&D with the support of smaller, pro-European party groups. The EUPP file was, thus, a non-politicised issue following a political path: despite its internal salience, the positions of the political groups were not polarised along issues of European integration, which meant that negotiations received little external attention. Therefore, the focus of negotiations focused on the two largest parties, which were key to ensuring the success of the file. It is interesting to see, however, that despite having achieved a bipartisan agreement that warranted them a minimal-winning coalition, they still used shadows meetings to enlarge this support by incorporating some ancillary points that were relevant to smaller parties.

5.2. The Revision of the Common European Asylum System (CEAS)

The reform of the EU's asylum system was among the most contested legislative packages in the 2014–2019 legislature—especially since its main cause (the so-called 'migrant crisis') occupied headlines across the EU for most of those five years (Lavenex, 2018; Trauner, 2016). The issue of migration had held the attention of the EP since autumn 2014, when a series of debates and own-initiative reports underlined the need to tackle the arrival and death of migrants in the Mediterranean; their propensity raised as the number of migrants increased and member states started to discuss potential solutions to address the crisis (e.g., EP, 2014a, 2015a, 2015b, 2015c, 2016). The EP debates served as a counterpoint

to the increasingly central role played by the European Council and were often the only chance for Parliament to voice its opinion on these matters. Indeed, the EP was sidelined from the decision on relocation quotas in June and September 2015 (Zaun, 2018) and the EU–Turkey Agreement of March 2016 (Slominski & Trauner, 2018).

This changed when the Commission decided to issue two sets of legislative proposals aimed at reforming the core of the EU's asylum system; notably, it included a reform of the Dublin Regulation, which establishes the state responsible for asylum applications, and four ancillary texts making up the CEAS—namely the Procedures Regulation (aiming to harmonise common rules for dealing with asylum applications), the Qualifications Regulation (who can receive international protection), the Receptions Directive (how asylum-seekers should be treated in member states) and Eurodac (fingerprinting database). The Commission added new proposals on Resettlement (bringing people in need of international protection to the EU) and an upgrade of the European Asylum Support Office into an asylum agency. The EP managed to form a united position in all the files, which (except for Dublin and Procedures) progressed into trilogues and eventually led to political agreements with the Council. However, the inability of Council to find an agreement on Dublin led to a generalised deadlock and the package was deemed to have failed before the EP elections of May 2019 (Interviews 31, 32, 33). The inability to find an agreement reflected the increasingly polarised positions on immigration in many member states and the impact it had on domestic elections and shifting party systems (for more details on inter-institutional negotiations and the reasons for failure, see Ripoll Servent, 2019).

Therefore, we can consider the asylum package to have been highly politicised: it was perceived as an extremely salient and urgent issue; it centred on conflicts around notions of European integration and solidarity among member states; and it attracted an enormous amount of attention from national media, citizens, civil society, and third countries. This led to well-defined cleavages inside the EP, which was divided also along a clear ideological line—with the right to the centre emphasising issues of border security, while the left-wing groups focused on migrant rights (Interviews 26, 27, 30). Finding consensus inside Parliament was seen as a challenge by most groups, but the urgency of the matter and the need to adopt a united front vis-à-vis the Council acted as catalysts inside the civil liberties committee (Interview 24). In order to achieve this united front, shadows meetings became a crucial instrument to find compromises. Their role was particularly important given the 'packaged' nature of these files, which increased the need for coordination across different negotiation teams. This task was rendered more challenging because the files did not always share rapporteurs and shadow rapporteurs (as had been the case in the previous CEAS reform of 2011/2013). Therefore, shad-

ows meetings were often the place in which to deal with the (technical) overlaps across the files—notably on how to define family members (Interview 31). These shadows meetings gathered mostly staff of the MEPs or their political groups, rather than the MEPs themselves. In general, the files were so complex and politically sensitive, that rapporteurs tended to organise more shadows meetings than usual. For instance, one interviewee reported that, for Dublin, they ‘needed 21 to 22, depending on how you count, negotiations rounds. Usually, you have 4 or 5’ (Interview 24; Interview 25 reported 27 shadows meetings).

The EP’s position across the ‘asylum package’ was highly influenced by dynamics inside the negotiation teams and the ability of rapporteurs and shadows to manage conflicts in shadows meetings. While the team working on an asylum agency was formed of highly experienced legislators who all worked well together, finding compromises on other files was more difficult. For instance, the ECR rapporteur working on Eurodac was against the CEAS reform and, therefore, refused to cooperate with other rapporteurs or with her own shadows. In other dossiers, the presence or absence of certain shadows led to slightly biased positions. In the case of Qualifications and Resettlement, the EPP was mostly absent from shadows meetings, which resulted in more left-wing reports (Interviews 27, 31). Finally, due to a combination of factors, some of the most complicated negotiations took place in the Procedures Regulation. It was the last file to be negotiated in Parliament, which meant that many outstanding issues (and grudges) had to be dealt with there. In addition, the rapporteur was an Italian MEP from the EFDD, who was not trusted to do a good job as an EP negotiator—both as member of a Eurosceptic political group and because she was largely influenced by Italian politics. She also insisted on holding shadows meetings in Italian (with interpretation), which led to confusion and made it difficult for others to follow the discussions. Therefore, the EPP and S&D made sure that they found a compromise outside the meetings in order to pass the file in committee (Interviews 23, 30).

In general, compromises in shadows meetings were eventually found among mainstream groups (Interview 31). The ENF was absent from most shadows meetings as a matter of principle (Interviews 24, 28, 30, 33, 34). The EFDD was highly divided, with Italian MEPs trying to participate in shadows meetings, despite knowing that the small size of its national delegation and their political profile would give them little influence. British MEPs (UKIP) were mostly absent, and the Swedish shadow for some files (Winberg) simply opposed any reform of the CEAS (Interviews 25, 29, 31). As for soft Eurosceptic groups such as GUE/NGL and ECR, it depended mostly on the shadow, with some highly active and cooperative (for instance GUE/NGL in Qualifications and ECR in Dublin), while others were mostly excluded from any attempt to find consensus because their positions were too radical (Albiol [GUE/NGL] and, espe-

cially, Halla-Aho [ECR] in Procedures; Interviews 24, 25). This, of course, is a well-known strategy of these groups, which participate in shadows meetings but propose extreme amendments, knowing that they will be rejected by mainstream groups; it is a way to notify their opposition and justify a negative vote in committee (Interview 33).

Therefore, we have seen how, in a highly politicised legislative package, shadows meetings were essential to manage conflicts in the EP and to anticipate potential disagreements with Council. At the same time, it also shows how, despite the overlaps between the files and the need to coordinate between negotiating teams, each procedure was a world of its own. In this sense, the composition of the negotiating team was essential to guarantee broader majorities and more effective shadows meetings. In those files where rapporteur and shadows rapporteurs had worked together in the past or had more experience dealing with asylum policies, coordination (both political and technical) was more fruitful than in shadows meetings held by extreme MEPs and/or inexperienced members. Therefore, in those cases where files were dealt with by expert MEPs and fringe parties were absent, there was a more active use of shadows meetings (informality path). In comparison, when fringe parties or Eurosceptic MEPs acted as rapporteurs, there were more attempts by party groups to make agreements outside of shadows meetings (control path).

6. Conclusion

This article has presented a comparison of two salient yet very different legislative files—especially when it comes to the presence of politicisation. It shows how parliamentary actors tried to actively find compromises on these files in order to be more effective in trilogue negotiations with the Council and Commission and how important shadows meetings were to finding a common position inside the EP. The EUPP file, on the one hand, was a highly political file for EP actors, as it revised financial regulations for European political parties which directly affected EP party groups. At the same time, it raised fewer issues related to EU integration and little attention from actors outside the EP. As a result, while the nomination of two co-rapporteurs from S&D and EPP demonstrated the file’s importance, it also helped to keep the conflict within the two biggest groups—which diminished the need for shadows meetings or the active involvement of committee and plenary. In the end, the co-rapporteurship system meant that the two biggest groups only needed the smaller groups to secure a broad parliamentary majority in order to prevent a major split of Parliament along party lines and ideologies. As a result, the intra-institutional negotiation process followed a political path that stressed the need for winning coalitions and put the onus on the two larger groups to find an agreement between them; once this was achieved, negotiations with other groups were relatively quick and

uncontroversial. The asylum package, on the other hand, split Parliament along left-right party lines. It also raised questions about the nature of European integration and the benefit of harmonising asylum policies further (Ripoll Servant, 2019). The controversial, ideologically-charged nature of the package complicated the process of finding compromises, also in shadows meetings. In those cases where rapporteur and shadow rapporteurs had experience in the field and had worked together in the past, shadows meetings were used to gain large majorities. Therefore, while shadows meetings were crucial to ensure the support of the committee on all files by gathering broad majorities inside and across negotiating teams, the ‘informality path’ was particularly important under conditions of expertise and strong social ties among members of the negotiating team.

What does this tell us about the use of shadows meetings to formulate united positions within legislative committees? First, it seems that the path of informality that has led to secluded decision-making in the form of inter-institutional trilogues (Farrell & Héritier, 2004; Reh, 2014) has also continued within the EP. We could, therefore, speak of a second layer of informalisation which has now become largely institutionalised inside Parliament. Second, the shift to informal decision-making within legislative committees is particularly present in politicised files. Indeed, politicisation heightens the need for new negotiation fora away from the public limelight. It puts pressure on relais actors to find broad winning coalitions in a more polarised context (both on the left/right and pro/anti-Europe dimensions), which helps to better understand why they make more intensive use of shadows meetings. These conditions seem to apply particularly when the negotiating team is composed of expert mainstream MEPs. It will be important to examine whether these conditions hold in the new parliamentary term—where the presence of more fringe parties and first-timers (two-thirds of MEPs were newly elected in the 2019 elections) might strengthen polarisation and weaken expertise as an essential element of the mainstream groups’ political capital.

We see, therefore, a paradox emerging: The more a file is politicised, the more it runs the risk of shifting towards secluded arenas of decision-making and disempowering plenary and committees as fora for deliberation. Seclusion is predominant when mainstream parties dominate negotiations and can ignore the presence of Eurosceptic and fringe parties. Therefore, politicisation stresses indeed the poisoned chalice of transparency in legislative conflicts: More polarisation might call for more transparency and open deliberation but, in reality, it strengthens informality and seclusion. This, in turn, may strengthen the claims of Eurosceptics, who accuse the EP of being opaque and ignoring them. In a time when debates become more polarised and the future of European integration is under pressure, the shift towards more seclusion in the form of informal shadows meetings may reinforce the (perceived) democratic deficit of

the EU and widen the gap between European representatives and their voters.

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Conflict of Interests

The authors declare no conflict of interests.

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Annex

1. List of Interviews

1.1. European Parliament

Interview 1 (ALDE MEP assistant 1, March 2017)

Interview 2 (S&D political advisor 1, March 2017)

Interview 3 (EP staff 1, March 2017)

Interview 5 (ALDE political advisor, April 2018)

Interview 6 (ALDE MEP assistant 2, April 2018)

Interview 7 (EPP MEP assistant, April 2018)

Interview 8 (S&D political advisor 2, April 2018)

Interview 9 (EFDD political advisor, April 2018)

Interview 10 (EFDD MEP assistant, April 2018)

Interview 11 (Greens/EFA political advisors 1&2, May 2018)

Interview 12 (ALDE MEP assistant 3, May 2018)

Interview 13 (GUE/NGL MEP assistant 1, December 2018)

Interview 14 (EFDD MEP assistant, January 2019)

Interview 15 (GUE group, January 2019)

Interview 16 (ENF group, January 2019)

Interview 17 (EFDD political advisor, January 2019)

Interview 18 (ALDE group, January 2019)

Interview 19 (S&D group, January 2019)

Interview 20 (EPP group, January 2019)

Interview 21 (GUE group, January 2019)

Interview 22 (Greens/EFA group, January 2019)

Interview 23 (ALDE political advisor, February 2018)

Interview 24 (ALDE MEP assistant 4, February 2018)

Interview 25 (EP staff 2, February 2018)

Interview 26 (EP staff 3, February 2018)

Interview 27 (Greens/EFA political advisor 3, February 2018)

Interview 28 (GUE/NGL MEP assistant 2, February 2018)

Interview 29 (EP staff 2, May 2018)

Interview 30 (S&D MEP assistant 1, May 2018)

Interview 31 (ALDE political advisor, March 2019)

Interview 32 (EP staff 3, March 2019)

Interview 33 (Greens/EFA political advisor 3, March 2019)

Interview 34 (S&D MEP assistant 2, March 2018)

1.2. Council of the EU

Interview 4 (2 Council officials, 2017)

Article

In the Shadow of Public Opinion: The European Parliament, Civil Society Organizations, and the Politicization of Trilogues

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Abstract

This article examines the relations between the European Parliament (EP) and civil society organizations (CSOs) in the EU's legislative process. It focuses specifically on legislative trilogues, an informal institution bringing together the representatives of the EP, Council, and Commission in a secluded setting to conclude legislative agreements. Trilogues have become the *modus operandi* and an absolutely pivotal part of the EU law-making process: they are where the deals are made. While secluded decision-making offers plenty of opportunities for EU institutions to depoliticize law-making, we argue that trilogues have become politicized, partly from the relationship between the EP and CSOs. We flesh out this argument on the basis of insights from the politicization and the historical institutionalist literatures, advance two ideal types of trilogue politics, and explore these types on the basis of a preliminary examination of a comprehensive interview material.

Keywords

civil society organisations; European Parliament; institutionalism; law-making; legislative process; politicisation; trilogues

Issue

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1. Introduction

‘Trilogues’ are the EU’s word for an in-camera, three-way negotiation between the main legislative institutions, the European Parliament (EP), Council of Ministers, and Commission, aimed at reaching legislative agreements. They have no references in the EU treaties, but a substantial majority of EU legislation go to trilogues (Brandsma, 2015), mostly resulting in inter-institutional first reading (or early-second) agreement (EP, 2017a). While this form of policy-making has facilitated EU law-making, it potentially achieves this by de-politicising issues, given the secluded setting, the premium on bargaining, and the importance of technical negotiations (Stie, 2012).

Even so, trilogues have been the object of a growing public debate, fuelled in particular by discontentment in

the EP and negative press coverage (EU Observer, 2014; International New York Times, 2014), and leading to the involvement of the European Ombudsman and the Court of Justice of the EU (CJEU). The European Ombudsman and the CJEU have now made it clear that trilogues are a pivotal part of the law-making process of the EU—it is ‘where deals are made’—subject to the same transparency requirements that the other phases of the EU law-making process. Thus, willy-nilly, trilogues have entered a new phase of their institutional life cycle, characterized by the end of the permissive consensus and the emergence of restraining dissensus (to paraphrase Hooghe & Marks, 2009).

In this article, we examine how trilogues have become a politicized law-making institution. Our premise is that the contemporary debate on the transparency of tri-

logues represents the tip of the iceberg of a more gradual process of politicization, initiated from within. Our working hypothesis is that the EP is the main driver of this process, politicizing an otherwise closed and rather technical set of negotiations by relying on a broad range of civil society organizations (CSO), although especially non-governmental organizations (NGOs)¹. Given the early state of research on trilogues, our focus is on sketching out a theoretical argument through which to grasp the politicization of trilogues, and to outline very preliminary evidence.

Theoretically, we develop a perspective combining insights from recent works on the politicization of European integration and from historical institutionalism. While the politicization literature is rapidly becoming the main frame of reference on this topic in EU affairs and can help us conceptualize politicization as an EU phenomenon, we need to supplement its overriding focus on the public sphere with an account of politicization *from within* (institutions). Historical institutionalism is well-suited to do this because it is based on an understanding of institutions as instantiations of power and the result of political compromises, and because it offers a complementary understanding of change as an endogenous process.

Empirically, the difficulty of studying trilogues is to access data, given the closed and rather informal character of this phenomenon. Barring the option of participant observation, to which we did not have access, alternatives are to rely on content analysis of legislation (Laloux & Delreux, 2018) or on interviews with EU practitioners. We chose the latter research strategy given our interest in probing the relationship between the EP and CSOs. The data upon which we draw in this study are part of a broader dataset of more than 87 interviews with EU practitioners, collected for the purpose of a larger research project focusing on information flows between EU lawmakers and CSOs in trilogues. The interviewees are both trilogue ‘insiders’ and ‘outsiders’, where insiders are those who participated in trilogues, or are involved in institutional preparation for trilogues, whereas outsiders are those who have no official access to the trilogue process.

In this article, we focus on a sub-set of interviews (interviews with CSOs) and provide insights from an exploratory foray into the empirical material. These interviews help us flesh out ideal types of relationships between the EP and CSOs, arrived at through a distillation and extrapolations of the findings of the EU lobbying literature.

2. The Case for Studying Trilogue Politicization

The role of CSOs in the EU political system is well-documented. A range of CSOs, comprising producer organisations and NGOs: supply EU institutions with technical (Warleigh, 2000) and political information; act as

political supporters and messengers where there is common cause; aggregate and articulate interests (Albareda & Braun, 2019); represent concentrated interest constituencies or act as a proxy for a diffuse and often disengaged civil society (Greenwood, 2017; Klüver, 2013; Kohler-Koch & Quittkat, 2013). Their role is particularly important in EU policymaking because much EU legislation is regulatory in nature, requiring extensive technical information, placing a premium on those able to supply it in a convenient format. In the EU, it has long been recognised that access to every-day policymaking is dependent upon the supply of information (Chalmers, 2019; Klüver, Braun, & Beyers, 2015; Mazey & Richardson, 1993). Strikingly, we know very little about the role of CSOs in trilogues. The bulk of the literature has focused on the other parts of the EU policy cycle: agenda-setting; policy formulation; and implementation. By contrast, the decision-making phase remains understudied, and the trilogue phase is a blind spot in the research agenda.

Yet, there is no reason why the flows of information between EU lawmakers and organized interests should stop during the highly pivotal trilogue phase. Trilogues typically last for a six-month period and involve an average of three ‘political’ level inter-institutional meetings (Brandsma, 2015, 2018), during which time a range of lobbyists seek information about the progress of discussions, and, where possible, to influence the detail of proposals which challenge their position. A notable exception is the case study by Andlovic and Lehmann (2014). In this study of aviation emissions trading, the authors provide evidence of industry group lobbying of the EP (‘individual Members of the European Parliament [MEPs] from certain member states, supposedly most affected by the implementation of the directive’), resulting in and that, in turn, ‘these MEPs, having detailed knowledge of the directive, were instrumental in the *last stages of the trilogues*’ (Andlovic & Lehmann, 2014, p. 813; our emphasis). Other studies have likewise suggested that trilogues tend to privilege producer interests at the expense of other types of interests (Burns, Carter, Davies, & Worsfold, 2013; Dionigi & Koop, 2017). But we know remarkably little about how CSOs connect with the trilogue process, and whether systematic biases are built into trilogues.

It is thus time we addressed this lacuna more systematically. We propose to do so by developing a framework of understanding combining insights from the EU-related politicization literature and from the more general comparative politics literature on historical institutionalism.

3. Trilogue Politicization: A Historical Institutional Perspective

There has been a surge in academic interest in the politicization of European integration. In 2009, Hooghe and Marks argued that European integration had entered a new phase at the turn of the 1990s, as a result of a deep-

¹ In this article, we draw a distinction between two types of CSOs: producer associations and NGOs.

ening of the integration process (i.e., the establishment of the EU in the Treaty of Maastricht). ‘Permissive consensus’ was paving the way to ‘restraining dissensus’ as European integration became a more salient issue in domestic politics and the object of growing partisan controversies (Hooghe & Marks, 2009). The crises of the 2010s, the rise of Euroskepticism, and the Brexit referendum have shown that European integration is no longer ‘for elites only’ (Baglioni & Hurrelmann, 2016). Broader European publics mobilize on EU issues in ways that can have important consequences.

From the rapidly growing literature on politicization, two main insights are relevant here. The first concerns the definition of politicization as an observable phenomenon comprising three main dimensions: ‘1) the growing *salience* of European governance...2) a *polarisation of opinion*, and 3) an *expansion of actors* and audiences engaged in monitoring EU affairs’ (De Wilde, Leupold, & Schmidtke, 2016). The second concerns the extraordinary differentiated character of politicization. Politicization takes many shapes and forms, it has many objects, and it is driven by a range of factors rather than, as originally assumed, the universal manifestation of the deepening of European integration and transfer of authority to the EU (De Wilde & Zürn, 2012). Accounts of politicization must therefore start with a careful specification of the phenomenon under study, not least the arena in which it is observed. Baglioni and Hurrelmann (2016, p. 106), for example, propose a simple distinction between three arenas of politicization: a citizen arena, where ‘laypeople engage in politics’; an intermediary arena, where we find participants with a professional interest in politics (political parties, interest groups, medias); and an institutional arena, which is at ‘the core’ of the political system and is populated by politicians from, e.g., the EP and national parliaments.

Drawing on this first stand of scholarship, we can specify the conceptual underpinnings of our research question as follows. Paraphrasing De Wilde et al. (2016), by politicization of trilogues, we mean the process by which actors in the trilogue negotiations highlight the salience of individual issues, create controversies, or expand the range of actors and audiences engaged in monitoring EU affairs. Our inquiry is located squarely within the institutional arena, in fact at the heart of the machine-room of EU law-making where deals are made, and where we can expect EU institutions to revert to depoliticization strategies. Indeed we know that:

When a policy decision point approaches, but clashes between rival advocacy coalitions cause impasse, the EU’s natural propensity is to depoliticize issues and ‘push’ them back to the sub-systematic level [of expert committees and professional networks] for quiet resolution. (Peterson, 2001, p. 309)

While the politicization perspective helps us pinpoint the pivotal significance of trilogue decision-making in light

of EU institutions’ propensity to depoliticize issues, trilogues also bring us to the outer limits of what this perspective can help us make sense of. Indeed, how can it possibly make sense to talk about issue saliency in trilogue negotiations, when a proper public is missing? And how can it possibly make sense to talk about actor and audience expansion in trilogues when these negotiations are closed and only involve a fixed set of institutional actors?

In order to make sense of these questions, we must understand what institutions are and how intrinsic conflict is to their formation and functioning: in other words, we need to retrieve a few basic insights from historical institutionalism. According to historical institutionalism, institutions are more or less solidified power struggles (Mahoney & Thelen, 2010; Waylen, 2014). They emerge from power struggles, and are nothing else than political compromises that make orderly politics possible. But unlike other political compromises, for example on policy issues, the political compromises creating institutions are more structural insofar as they set the parameters for a whole range of subsequent (policy) decisions (Moe, 2005). Besides establishing an intimate link between institutions and power, historical institutionalism also makes it possible to understand change, and therefore also politicization. The important insight in this respect is that change is endogenous to institutions, because institutions are never ‘cohesive and equilibrating’ and therefore ‘power, contestation and distributional issues [must be] at the center’ of the analysis (Waylen, 2014, p. 216).

Viewing trilogues as an institution, we argue that a key conflict enabling this institution to emerge in the first place was a power conflict between Council and the EP. This conflict has been rooted in the redistribution of power between the EP and Council, as illustrated by the long-term constitutional empowerment of the EP (Rittberger & Schimmelfennig, 2006). In the early years of co-decision, Council soon learned that it could not ‘just’ ignore the EP’s legislative position by reintroducing its common position after failure to reach an agreement in conciliation (Shackleton, 2000; Shackleton & Raunio, 2003). Under the Council’s impulse, trilogues emerged in 1994 as a means of paving the way for a more predictable process by building confidence between Council and the EP. Since then, they have been defined by the clashing narratives of efficiency (Council) on the one hand, and institutional and partisan empowerment (EP) on the other hand. Contrary to the Council narrative on trilogues, most MEPs today see trilogue secrecy and seclusion as a way to *politicize*—not *depoliticize*—EU law-making by bringing salient issues to bear at the heart of the law-making machine room (Roederer-Rynning & Greenwood, 2019). This narrative builds upon an EP self-understanding as the ‘tribune of the people’, in contrast to views of the Council as the ‘creature of the member states’. The result of this clash is that trilogues are an inherently unstable, or dynamic, institution, containing in

its very heart the seeds of politicization. Below, we sketch out two main potential paths ensuing from this unstable power game and meeting of cultures between the EP and Council in trilogues. Before we do this, however, we trace how the EP has sought to bring secluded trilogues more into line with established standards of democratic law-making. Trilogue reform in the EP shows that, while the EP is a force of change, it is also affected by its own internal dissensions.

4. The EP and Trilogue Reform: Internal Dissension and Reform Push

Figure 1 captures the picture of relief and common endeavour as a deal is reached in trilogue negotiations following intensive (sometimes all-night) negotiations, with senior figures in attendance from each of the EU institutions.

In reality, the team negotiating for the EP with the Council of Ministers will have a small number of ‘red lines’, generally salient issues with public recognition, whilst willing to give way to the Council on technical details of legislative files which are difficult to make accessible for public debate (Greenwood & Roederer-Rynning, 2014).

Given its directly elected mandate, the EP has been the most sensitive of the three EU institutions to the implications of trilogues for its democratic legitimacy. For this reason, it has developed a series of measures in its Rules of Procedure (RoPs) aimed at the oversight of arrangements. RoPs are relatively politicised, and the result of extensive deliberation in the EP. Current RoP allow for four levels of oversight in trilogues. First, as regards trilogues, the Committee’s position on a legislative file is always public. Secondly, plenary has the ability to overturn a Committee’s recommendation to open trilogue negotiations, a procedure triggered in the first

instance by just one-tenth of members. Third, there is pluralisation of participation, in that there is a negotiating team for the EP comprising the Rapporteur and Shadow Rapporteurs from the different political parties, with the Committee Chair or Vice-Chair present, and political party advisors in attendance at trilogue meetings. These attendees ensure that the EP always has a numerical majority in meetings, and the reforms have collectively given political trilogues the semblance of formality with echoes of the now (almost) defunct Conciliation Committees (Figure 2).

A fourth level of oversight provided for by the RoP is that the team must report back to Committee on the progress of trilogue negotiations.

These rules allow for some degree of publicity throughout the trilogue process, but are not without problems. One first problem is linked to implementation of these rules. In practice, it turns out for example that the report back in Commission is often perfunctory or non-existent (Brandsma, 2018). Another problem is that the final stage where the Committee presents its position to plenary is often a *fait accompli*, with plenary reluctant to intervene in what is presented as carefully crafted and fragile agreements made between the knowledgeable negotiating team and the other EU institutions, which in turn are presented as having limited room for manoeuvre. Finally, lack of access to key trilogue documents has generated ongoing internal rumblings in the EP, which resulted in a keynote lawsuit against the EP, and was undoubtedly a factor in the Ombudsman’s decision to open an own-initiative inquiry into the transparency of trilogues.

In 2018, the ruling of the CJEU on the *De Capitani* case (Case T-540/15) annulled a decision of the EP to refuse to grant Mr Emilio De Capitani, a retired former EP administrator, full access to trilogue documents. The EU institutions had argued that release of the doc-



Figure 1. Mission accomplished: Agreement at the end of a trilogue meeting. Source: Weston (2018).



Figure 2. A trilogue in process. Source: EP (2017b).

uments were covered by an exception in the Access to Documents Regulation (1049/2001) involving internal preparatory documents, whereas the Court found that the EU institutions' very restrictive interpretation of the principles of publicity and transparency in trilogues, amounted to a 'general presumption of non-disclosure'. Moreover, the Court recognised the position of trilogues as a regular part of the legislative procedure, something the Council had disputed, and therefore subject to Article 12 of Regulation 10/2001 which provides for proactive publication in a register of documents (Emiliano De Capitani v. European Parliament, 2018; Roederer-Rynning & Greenwood, 2019; Interview 87). Similarly, the Ombudsman framed a critical decision about trilogues (European Ombudsman, 2016) around the citizens' right to participate in EU public policy making, specified in Articles 10 (3) and 11 (1–3) of the Treaty on EU, and Article 15(1) of the Treaty on Functioning of the EU (TFEU), noting the pre-requisite of transparency to facilitate participation. The Ombudsman, in her report, had asked the institutions to publish a list of documents, if not proactively (the preferred option among trilogue activists) at least retrospectively, and to construct a joint trilogue database.

Both the keynote *De Capitani* ruling and the Ombudsman's report seem set to change the trilogue institutions. At the time of writing, the institutions have yet to change practice, but the direction of travel towards more transparency in trilogues is clearly founded in the decisions of the General Court and the Ombudsman.

5. In the 'Shadow of Public Opinion': Two Types of Trilogue Politics

Based on the above conceptualization of trilogue politicization and a cursory overview of how the EP has pushed for trilogue reform, we can now elaborate two

ideal-types of trilogue politics. These trilogue types synthesize the insights of the abundant literature on EU lobbying, within the above delineated framework of trilogue politicization.

5.1. The EP as a 'Responsive' Legislator

The first type of trilogue politics corresponds to situations where the EP uses its participation in the trilogue process to champion diffuse interests and thus pluralize, or in the terminology adopted in this article *politicize*, the deal-making phase. Given its popular mandate, the EP has traditionally been cast as the most 'responsive' of all three policy-making institutions to NGOs which claim to articulate 'diffuse' or public interests (Earnshaw & Judge, 2011; Judge, 1992; Pollack, 1997). The ability of social movements and NGOs to politicise issues and apparently turn the position of the EP is captured in the literature by case studies (Dür & Mateo, 2014). In turn, we know that the EP has stepped up efforts at producing policy expertise, as a part of its broader strategy to develop institutional autonomy from the Commission and Council. It has also helped to stimulate the formation of NGOs (such as 'Finance Watch') where no counterweight to sectoral business interests exist, in an attempt to balance the supply of information. And for highly salient issues the EP still adopts public facing positions, reflecting its appetite for issues that are highly politicised. The orientation of the EP towards CSOs and particular types of CSOs may nevertheless vary by committee and their role in a particular legislative file (Brandsma, 2015; Dionigi, 2019; Ripoll Servent, 2018).

While the literature does not deal with trilogues specifically but co-decision in general, we can expect to find close and mutually reinforcing ties between the EP and NGOs in trilogues. NGOs find in the EP an ally ready to politicize trilogues. In return, the EP can assert itself

through the ‘noisy’ politics of NGOs. Trilogues offer the EP negotiating team a possibility to extract concessions from a usually more conservative Council by politicizing the negotiations. The EP has two main levers at its disposal: 1) trilogues give *all EP groups* a seat in the negotiations, which maximizes the chance that a plurality of (diffuse) interests are represented and informed along the way; 2) the EP negotiating team can use ‘the shadow of public opinion’ as a source of pressure during the trilogue negotiations. As one EP participant put it, ‘it boils down to public pressure. If they had said, it’s not important, then we could have scandalized’ (interview quote, as cited in Greenwood & Roederer-Rynning, 2014, p. 334).

5.2. The EP as a ‘Responsible’ Legislator

In the second type of trilogue politics, the EP has become more ‘responsible’ with the acquisition of legislative powers, which has prompted it to moderate its policy claims and expectations. There are two main potential explanations. One is that, with increased legislative powers, the EP has become more ‘realistic’ in its demands because it becomes more attentive to the political implications of its preferences and more sensitive to the political realities at hand (Jacqué, 2009; Rasmussen, 2014). Another is that legislative empowerment has made the EP much more dependent on fine-grained expertise. In turn, this is expected to give business interests greater political clout in the EP (Burson-Marsteller, 2009; Coen & Katsaitis, 2019; Dür & de Bièvre, 2007). We call this thesis the ‘mirror thesis’ to highlight the idea that a more powerful EP, according to this thesis, increasingly ‘reflects itself’ in the Council, adopting Council standards of appropriateness and procedural norms (need to compromise, need to have a realistic view of the problem at hand, need to ‘behave responsibly’) at the expense of its own policy preferences (Ripoll Servent, 2013). What legislative empowerment does is thus to turn the EP as a second Council.

While the literature focuses on co-decision in general, we can hypothesize that trilogues tend to place the EP in a situation of an even greater dependence—rather than increased bargaining power—for two reasons. First, the acceleration of the pace of the negotiation makes it critical for the EP to have access to reliable expertise. The more the negotiations advance, the more critical the need for swift and fine-grained expertise. Second, the fact that the chief implementation expertise is located within the Council (member state bureaucracies) makes the EP vulnerable to Council criticisms on behalf of the ‘irresponsible’ or ‘unrealistic’ character of EP demands as the tedious process of working systematically through the EP amendments begins in trilogues. Council comes to trilogues after a long phase of internal work, during which the member states *together with the Commission* in reality fine-combed the legislative proposal of the Commission and the proposed Council amendments with a view to discussing their added value and technical feasi-

bility. The EP comes to trilogues lacking not only internal expertise on policy implementation but also lacking the intensive Commission scrutiny of its proposed amendments. Trilogues are thus, a ‘reality check’ for the EP, literally as well as figuratively. Consequently, this scenario implies that trilogues inaugurate a phase during which NGOs are structurally disadvantaged relative to other types of CSOs, because: 1) they will be perceived as unhelpful allies, politicizing negotiations at a time when legislators are focused on compromise and de-politicization; and 2) they are less likely to provide the kind of swift and detailed expertise that is crucially needed in the final phases of the trilogue negotiations.

6. Preliminary Insights

One of the key problems with trilogue research is the difficulty to find reliable and accessible data. This problem is naturally tied to the secluded and still informal nature of the negotiations. Ideally, we would have carried out participant observation, but since this option was not open, we settled for interviews with EU lawmakers. Long past are the days when interviews were seen as a second best in qualitative research. Interviews can give a multiplicity of deep insights into a process, which some ethnographers have captured by the term ‘ethnographic interviews’ (Rubow, 2003; Spradley, 1979). Drawing on this method, which we describe elsewhere, we undertook 87 interviews between June 2017 and January 2019 with the full range of CSOs (producer organisations, consultancies, NGOs), Permanent Representations (PERMREP), MEPs, their assistants, political party advisors in the EP, and a former member of the EP secretariat, aimed at investigating the role of CSOs in trilogues (Table 1). In this article, we report preliminary insights into trilogue politicization by drawing on the sub-set of interviews with CSOs, and discuss potential links with the two ideal-type models of trilogue politics. Four observations strike us.

6.1. Information as Currency of Power

Interviews highlighted the (well-known) fact that information is the currency of power in Brussels. One of the producer participants in our study, a trade union, repeated many times during the course of interview that ‘You can always access the information you need if you have an office in Brussels’ (Interview 2). An office provides the means to establish and maintain regular networks, but also the opportunity to develop expertise as to the stage of the legislative process from where information can be accessed. One MEPs Assistant reflected that:

Those with the best contacts get the most information, and information is power...those with the staff can find the information in a public database, but where information is not published then it is down to contacts—this is the stereotype of the EU. There needs to be a

Table 1. Interviewees.

Trilogue insiders		Trilogue outsiders	
PERMREP	12	Civil Society Organisations	38*
Large countries	2	NGOs	
Medium countries	7	Trade Unions	16 (15)
Small countries	3	Producer Associations	2 (1)
			20 (19)
EP:	30	Other	6
MEPs (5 parties, 7 committees)	13	Public Affairs Consultancies	3
Party Advisors (same affiliations as MEPs)	11	European Ombudsman's office	
Assistants to MEPs	4	Territorial governmental representative organization	1
	2	Mr Emilio De Capitani	1
Total	42		45

Note: * Number of CSOs at EU level in parenthesis.

one-stop shop for information where it is published. Info needs to be given to everyone. (Interview 37)

6.2. Written Information Sources

A producer association referred to accessing the 'outcome of proceedings', a kind of (lesser known) unofficial minutes from Council Working Parties (Interview 63). An NGO also referred to these, emphasising a common pool of expertise among professionalised civil society organisations, whether producer or NGO (Interview 44). The *Council register* was seen as the best tool: 'I check every morning the Council register, and go through line-by-line the documents that are important for us' (Interview 45). Some producer related associations received some limited trilogue related logistical information (such as the announcement of a forthcoming trilogue) through specialised subscription sources such as *Dods*, *One Policy Place* and *EU Issue Tracker*, as well as generalised media sources, though subscription services do not extend to obtaining trilogue documents or political information (Interview 12). Among the generalised media sources, *Politico* was seen as heralding something of a revolution since its arrival on the Brussels scene in 2014, though having the effect of 'making PERMREPS go back into their shell' (Interview 70). Of these written sources, only the Council register is publicly available—all others have to be accessed through one form of contacts with trilogue insiders. Trilogue documents were seen as particularly difficult to obtain during the latter stages of a trilogue, irrespective of the type of civil society organisation, because of the speed at which the decision-making process moved at that stage (Interview 68).

6.3. Information Supply and Demand

The view as to the availability of information for those with a *Brussels office* was generally shared across producer organizations as well as NGOs, particularly among the well-staffed environmental NGOs, but also among many of the smaller NGOs (Interview 44). Nonetheless,

there was almost universal agreement among civil society organisations that information could be obtained by exchanging information or value added analysis, including counter arguments. These factors generally relate to the supply of information, but demand for information from EU institutions was also a key factor. A PERMREP from a smaller country confided that 'there are domains where we don't have great expertise, such as Audio Visual and IT, and our lack of expertise in some subjects makes us attractive targets for lobbying' (Interview 12). Access to information about trilogues was generally available through the return favour of providing value added analysis (Interview 51), and political and technical information, and where the CSO was going in the same direction of travel as the institutional actor in question (Interview 74). The ability to acquire information quickly enough in order to make an intervention during the course of trilogues was seen as related to the ability to provide sufficient added value to a contact (Interview 51).

6.4. Dislike of Trilogue Un-Transparency

There was a common dislike of the lack of transparency of trilogues and the need to obtain information about legislative progress through informal sources, indicating the limited extent to which these sources could deliver information in sufficient time to be able to follow the trilogue process in full in order to make interventions; if there is dissatisfaction about the supply of information, it indicates that organisations don't have sufficient advantage to be able to keep it all to themselves. This across the board dislike was also evident in the responses to the European Ombudsman's public consultation on trilogues (European Ombudsman, 2016).

6.5. CSOs as Emissaries

Not infrequently, NGOs reported being agents of political communication between the institutions; for one NGO, 'it happens all the time that we are political emissaries of the EP with the Council. I was almost negotiating for

the negotiator in one case' (Interview 50). Seen this way, civil society organisations which articulate public—and sometimes private—interests, can play a role in politicising issues in an otherwise closed policy-making system. Whilst CSOs can become drawn into the world of confidentiality in their quest for information, making it difficult for them to release information obtained in leaked documents, they can also stimulate public discussion of issues circulating in the 'Brussels bubble'.

6.6. Speed as Important as Secrecy

Even business organisations with extensive networks find it difficult to keep track of the pace of trilogue negotiations, particularly where this speeds up towards the end of a file. 'Too many, too quick', and 'we struggle to get the information' at the late stages (Interview 77), explained one. For the public affairs consultancies, with their established networks, however, 'we don't lack access to information. It's not my view that the external interests say that they lack information' (Interview 83).

It is clear that information—the currency of power in Brussels—about trilogues is available to civil society organisations with an office in Brussels. Nonetheless, complaints about the lack of transparency of trilogues indicate a limited ability to make interventions. Public affairs consultancies, with their extensive networks, seem to be most capable of acquiring information about the progress of trilogues, which is then passed on to a substantially business orientated clientele. For most civil society organisations, information becomes much more difficult to obtain the further down the pathway trilogues go, where EU institutions are intensively searching for consensus and external input becomes unhelpful. For some CSOs, information obtained during the trilogue process constrains their ability to politicise issues, on the basis that it is privileged information (Interview 44). These factors lean towards the view of the EP as a 'responsible' legislator. However, the 'information for analysis' thesis tends towards the view of the EP as a responsive legislator, sensitive to the information and perspectives which civil society organisations bring. Where civil society organisations are going in the same direction of travel as EU institutions, so they form a natural alliance, supporting the view of the Parliament as a responsive legislator, where information flows freely between the parties. NGOs are more likely to perform this role where EU institutions seek more stringent regulation, but business organisations too can have their own reasons for seeking more stringent regulation. Civil society organisations can then perform a role in lobbying the Council, and, occasionally, vice-versa, as foreseen in institutionalist accounts of the policy process.

7. Conclusion

Overall, we have traced how trilogues have become a politicised law-making institution, and shown how the

EP has become the main driver of this process, primarily through reliance upon a wide range of civil society organisations, and particularly NGOs. This has been our main contribution, providing empirical data which is otherwise scarce to find on the role of civil society organisations with trilogues, their relationships with EU institutions in the process, and whether there are any systematic biases in these relationships. The EP is able to assert itself viz. the Council of Ministers by using the 'noisy politics' of NGOs, and a wide range of NGOs are represented through the pluralisation of political parties in the EP in the trilogue process, such as the Greens or radical left parties.

Flows of information continue between EU lawmakers and organised interests during the pivotal trilogue process. Following the premises of politicisation, we show how civil society organisations have brought a growing salience to European governance, and an expansion of actors engaged in monitoring EU affairs. Trilogues themselves, by nature, lend themselves to politicisation, as an unstable and dynamic institution. The EP is the most sensitive to the implications of trilogues for democratic legitimacy, given its role as the people's tribune, and therefore a driving force in the politicization of trilogues.

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Appendix

All interviews conducted in Brussels, unless otherwise indicated.

Interview numbers reflect the assigned numbers from our interview database.

Interview 84 with Mr. Emilio De Capitani, 23.01.2019. Mr. De Capitani was happy to be quoted and attributed.

Interview 60 with a national trade union, 6.12.2017.

Interview 37 with an MEP Assistant, 13.2.2018.

Interview 63 with a producer association, 12.1.2018.

Interview 44 with an NGO, 25.9.2017.

Interview 43 with an NGO, 25.9.2017.

Interview 12 with a Permanent Representation of a member state, 16.1.2018.

Interview 70 with a producer association, 6.6.2018.

Interview 68 with a producer association, 5.4.2018.

Interview 44 with an NGO, 25.9.2017.

Interview 12 with a producer association, 7.6.2018.

Interview 51 with an NGO, 6.10.2017.

Interview 74 with a producer association, 7.6.2018.

Interview 51 with an NGO, 6.10.2017.

Interview 50 with an NGO, 29.9.2017.

Interview 77 with a producer association, 8.6.2018.

Interview 83 with a Public Affairs consultancy, 6.6.2018.

Article

The European Parliament as an Arena and Agent in the Politics of Climate Change: Comparing the External and Internal Dimension

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Abstract

Climate change policy is a key example for globalized multi-level governance, involving the European Parliament (EP) both as legislator of internal European Union (EU) regulation and discursive agent in global climate negotiations. Based on the comparison of decision-making in external and internal climate change policy, the article investigates the link between the role of the EP as a political actor and arena for the interaction of competing party groups: Does EP involvement in negotiations on legally binding legislation prompt or constrain partisan polarization in comparison to declaratory statements about future goals of climate action? Harnessing a discursive institutionalist theoretical framework, the article compares EP resolutions about annual Conferences of the Parties (COPs 20 to 24) with the revision of four legislative acts for Phase IV of EU Climate Action: namely, emissions trading, effort sharing between Member States, the promotion of renewable energies, and energy efficiency standards. Using roll-call voting data and the review of legislative documentation, the contribution tracks the emergence and negotiation of political conflict in these two sets of cases. Overall, the case studies indicate a low level of external politicization, as indicated by low party group polarization, internalization of political conflict at the committee level, and compromise-building between issue dimensions.

Keywords

climate change policy; conference of the parties; discursive institutionalism; emissions trading; European Parliament; European Union; politicization

Issue

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1. The EP in Climate Policy: Legislative Politics Meets Global Multi-Level Governance

Dealing with the problem of climate change is a highly political question, raising strongly contested normative questions concerning the ethical foundations of economic and social order, concepts of justice and equity, and how societies confront questions of risk and uncertainty (Dryzek, Norgaard, & Schlosberg, 2013; Hulme, 2009; O’Brien, Lera St. Clair, & Kristoffersen, 2010; Stevenson & Dryzek, 2014). In this sense, climate change is a key field for research on the politicization of global governance, including the role of legislative institutions.

As a task for empirical research, however, a major challenge for mapping and explaining the political contestation of climate change governance consists of its

highly decentralized and multi-level structure: decision-making about instruments for mitigating the causes of climate change is not confined to a clearly defined set of democratic institutions within one particular polity. Instead, it evolves within a framework of agreements on the global level, regional policy-making frameworks such as the European Union (EU) as well as national and sub-national constituencies, establishing an ideal-typical case of globalized multi-level (or ‘polycentric’) governance (Gupta, 2014; Jordan, Huitema, van Asselt, & Forster, 2018; Ostrom, 2012; Zürn, 2012).

Against this background, a key puzzle for research about parliamentary institutions in climate governance is their dual role as an actor and arena in a multi-level context: legislative institutions such as the EP combine a role as an arena for the interaction of competing party groups

in legislative decision-making with their emergence as a political actor towards other institutions and entities, including at the international level. How are both dimensions linked? Or phrased more specifically, how is decision-making of the EP as an actor of climate governance linked to polarization between its party groups, and what variation do we observe in this regard within different institutional context of EP action? Beyond the specific case of climate governance, this question speaks to key topics of research on the politicization of EU governance, including the links between politics and policy, the role of parliamentary institutions in the contestation of supranational policy, and the party political dimension of EU governance.

This set of questions and topics remains underresearched in the existing literature. So far, most contributions on climate change governance in the EU concentrate on its policy dimension by investigating regulatory approaches and instruments as well as their implementation (Boasson & Wettestad, 2013; Delbeke & Vis, 2015; Dupont & Oberthür, 2015; Ellerman, 2010; Jordan, Huitema, van Asselt, Rayner, & Berkhout, 2010; Oberthür, Pallemarts, & Roche Kelly, 2010). By comparison, research is still in its early stages concerning the politics dimension, concerning issues such as the framing of climate change in public discourse (Engesser & Brüggemann, 2016), political leadership of EU institutions and Member States and its contestation (Wurzel, Connelly, & Liefferink, 2017), as well as the party-political dimension of climate governance (Carter, Ladrech, Little, & Tsagkroni, 2018). This state of research stands in notable contrast to the literature on climate politics in the US, which (somewhat unsurprisingly) includes a higher number of studies on political conflict and polarization on this issue (Atkinson, 2018; Karapın, 2016; Sussman & Daynes, 2013). Comparative research on the politics of climate change (cp. Harrison & Sundstrom, 2010), however, would obviously benefit very much from more in-depth studies that include European cases.

Zooming in on the role of the European Parliament (EP) in this context is interesting for two reasons. First, the EP is generally recognized as an early and progressive actor in the evolution of EU climate change policy (Burns, 2012; Burns & Carter, 2010; Burns, Carter, Davies, & Worsfold, 2013). However, recent assessments have characterized it as a mostly symbolic leader with an ambitious stance in its non-binding declarations on the EU's external climate diplomacy but a much more restrained and pragmatic involvement in internal climate change legislation (Burns, 2017; Biedenkopf, 2015). Addressing the goals of climate action at the global level, the EP appears as much more ambitious and willing to diverge from positions of other EU institutions than in internal climate change legislation, such as emissions trading or promotion of renewable energy. Second, this apparent asymmetry between an ambitious declaratory role of the EP and a cautious legislative one establishes an interesting case for scrutinizing the interrelation between

institutional factors and political conflict between party groups: Resolutions by the EP on global climate negotiations (and hence, a crucial part of the EU's external policy) are generally own-initiative procedures (INI) without formalized interactions with the Council and no legally binding effect on forthcoming negotiations. By contrast, EP decision-making on legislative policy-making such as EU emissions trading or renewable energy legislation (internal climate change policy) is conducted through the ordinary legislative procedure (OLP). This procedure establishes a more institutionalized environment for EP action, involving a formal legislative proposal by the Commission, a sequence of formally prescribed interactions with the Council and parliamentary decision-making about a legally binding act of EU legislation.

Comparing decision-making on both dimensions therefore appears as a promising case study to understand the interrelation between different forms of parliamentary involvement in climate policy and political conflict as expressed through polarization between EP party groups. Beyond the specific case of climate change policy, this question is also of interest for the broader literature on the emerging role of the EP as an international actor: investigating the interrelation between institutional context and party political conflict speaks to contributions to the literature on the role of the EP that have highlighted a moderating effect of its increased institutional involvement on the stringency of EP demands and party group conflict (or, put more simply, an effect of 'behaving responsibly' due to anticipated effects of legally binding parliamentary decisions; cp. Ripoll Servent, 2015; Trauner & Ripoll Servent, 2016). This discussion provides the point of departure for this article: We investigate how the arena and actor function of the EP in climate change policy relate to each other by asking how decision-making on acts of external and internal policy-making are related to political polarization between EP party groups. The article proceeds in three steps: the next section lays out the theoretical framework for our analysis, before the main part presents a comparison of EP decision-making on external and internal aspects within Phase IV of EU Climate and Energy policy, covering the most recent elective period of the EP from 2014 to 2019. The subsequent conclusion relates the findings back to the main topic of politicization.

2. Theoretical Framework: The EP as an Actor and Arena of Global Climate Governance

Politicization is broadly accepted in the EU research literature as a term for the emergence of salient and polarized public controversy between political actors involved in European policy-making (cp. De Wilde, Leupold, & Schmidtke, 2016; Hutter, Grande, & Kriesi, 2016). In this sense, most contributions to the literature on politicization focus on mapping and explaining political controversy at the level of public discourse, but usually leave out the analysis of political conflict within or between

EU institutions that does not address or reach a broader public. In this sense, politicization should not be equated with political conflict arising from questions of European governance but is generally used as a term for the degree to which political actors communicate it to external actors and audiences.

The approach taken in this contribution relates to the debate on politicization but adopts a more specific and dynamic perspective. By focusing on the polarization between EP party groups on issues of climate change governance as the dependent variable, we single out an important aspect of politicization without, however, considering the public salience and resonance of political debates. Including these latter criteria would require a comprehensive review of public controversy and media coverage of climate governance in at least a selection of EU Member States, beyond the scope of the present article. The question addressed here, by contrast, focuses on the interrelation between the institutional context of decision-making and political conflict between party groups represented in the EP. The rationale of the article is thus to contribute insights how two points of reference of EP activity—namely, the public communication of positions on climate governance and policy influence on specific legislation—drive disagreements between parliamentary party groups as a first stage of potential subsequent, broader politicization in the public sphere of EU Member States.

As mentioned at the outset, this comparison is based on the distinction between the different rules and procedures applied to EP decision-making in external and internal climate change policy. Based on these different procedures, activity of the EP at both levels as such is not in question: for the case studies selected here, EP resolutions on the conventions of the global Conferences of the Parties (COPs) follow their yearly schedule, while recent legislative decision-making on internal legislation was prompted through the forthcoming entry of the EU into the next envisaged stage of its Energy and Climate Action package (dubbed ‘Phase IV’ for the period 2021–2030). In this sense, EP activity or decision-making as such does not establish a puzzle for explanation but is mostly prescribed by established trajectories, allowing our analysis to focus on the content and political conflict dimension of decision-making.

From this point of departure, we harness Discursive Institutionalism (DI) to establish a theoretical framework for our analysis of EP party group interactions in different institutional contexts of EU climate change governance (Schmidt, 2008, 2010). This approach is chosen for two reasons: First, DI speaks to essential aspects of the politicization debate by focusing on the dynamic and often conflictual exchange of ideas between political agents through political discourse, and the way these exchanges are structured by institutional frameworks. Second, DI is useful as a heuristic framework to relate two different spheres of parliamentary activity addressed in this article: namely, the public communication of political posi-

tions towards a general political public and other entities as captured by the concept of communicative discourse (CMD); and decision-making about specific acts of legislation through parliamentary agents as captured by the concept of coordinative discourse (CRD; cp. Schmidt, 2008, p. 305, 2010, p. 15). While these two systems of discourse overlap in concrete empirical case studies, they help to distinguish two sets of linkages between agency, institutions and conflictual discourse (see Table 1):

- (1) Incentives and rationales of discursive agency: By addressing different audiences (namely, the general public versus policy-making agents), both systems of discourse establish different rationales of action for political agents. In the case of CMD, the mobilization of political support through position-taking on politically salient and polarized topics; in the case of CRD, substantial policy influence through the modification of legislation, independently from its public perception or support;
- (2) Forms of interaction between discursive agents: While political conflict is present at both levels of discourse, polarizing and adversarial interactions are incentivized more strongly at the level of CMD, where the rationale of mobilization recommends agents to increase the visibility and distinctiveness of their positions in relation to other public speakers; by contrast, the rationale of policy influence at the level of CRD sets incentives for agents to seek ways of accommodating and negotiating competing positions and arguments;
- (3) Discursive frames of reference: Both discourse systems establish different incentives for the way in which political agents articulate and frame their political positions, namely through the communication of more general, political and relatively simple positions and arguments to maximize public resonance at the level of CMD; and in the form of more specific, technical and more elaborate policy proposals and suggestions for modification of specific regulatory approaches at the level of CRD;
- (4) Institutional setting and procedures: Finally, the interaction of political agents at the level of CRD is highly structured according to clearly formalized, sequential steps of decision-making as specified in the legal requirements of EU legislative procedure. By contrast, CMD is generally much less formalized and can take place through more spontaneous and less formalized appearances or speeches by political actors; in the same vein, it does not include formally prescribed sequential steps of negotiation but evolves through public statements that are not necessarily tied to a specified procedure of decision-making.

In summation, the concept of EU politicization as commonly used in the literature is virtually synonymous with a shift or expansion of political conflict from the sphere

Table 1. Overview of assumptions on discursive agency at the level of policy negotiation and public communication, based on DI.

	Coordinative Discourse (CRD)	Communicative Discourse (CMD)
Rationale of action	Influence-seeking (output dimension)	Support-seeking (input dimension)
Mode of Interaction	Negotiation (policy-makers)	Justification (speaker to audience)
Frame of reference	Specific approaches and instruments of policy	Broader ideas and paradigms of policy
Institutional context	Conducive to cooperation (specialization, delegation, exclusion of public)	Conducive to competition (generalization, leadership, accountability)
Link to politicization and political conflict	Expansion indicates dynamic of relative de-politicization (or internalization of political conflict to intra-institutional negotiation)	Expansion indicates dynamic of relative politicization (or externalization of political conflict to public justification and contestation)

of coordinative to CMD. However, the advantage of using the present distinction of both levels, however, is to gain insights about how far political conflict remains confined within institutional settings and procedures of EU policy-making (by being internalized within the legislative process of EP decision-making), or if it is communicated to the outside, indicating an externalization of political conflict beyond specific policy-making venues.

Turning to the empirical cases, neither of the decision-making procedures of the EP discussed here can be identified entirely with one of the types of discourse distinguished through DI. However, we assume that EP decisions in the realm of external climate governance resonate more strongly with the logic of CMD (as primarily declaratory decision-making acts), while legislative decision-making on internal climate change mitigation leans more clearly towards the sphere of CRD (as resulting from policy-making negotiation with the Council). Comparing both levels of decision-making, we can therefore provide insights to what degree public communication and policy-influence work as incentives for party group polarization. Furthermore, by going into a more in-depth analysis of decision-making in the plenary at the committee level, the subsequent analysis will uncover in how far political disagreement is internalized (i.e., solved within non-public procedures of policy coordination) or externalized (i.e., communicated to the public through public votes and declarations).

To conclude the theoretical discussion, two assumptions about the general context of our case studies must be added. First, we approach the parliamentary dimension of EU climate change policy (or more specifically, its supranational aspect as represented by the EP) as a less likely case of politicization in comparison to other settings and arenas of climate change politics. Several institutional features of the EU suggest a generally low potential for strongly polarized public contention: namely, the absence of a prominent, electorally accountable discursive agent in charge of justifying EU climate action, combined with the absence of a resonant public sphere

on a transnational European scale (or CMD in typical DI terms); and the presence of a highly specialized, sequential process of decision-making with a prominent role of legislative mediators (particularly main and shadow rapporteurs) and informal negotiation in the framework of trilogues between Commission, EP and the Council at the level of legislative decision-making (or CRD in DI terms). Second, political conflict on EU climate action is limited from the outset through the fact that its governance framework is well-established with regard to its main approaches and instruments (such as emission trading, effort-sharing, and regulation to set incentives for sustainable energy production and consumption). We expect that this considerably limits the scope of political controversy on EU Climate Action, particularly in comparison to other legislatures struggling with climate-related legislation such as US Congress (Karapın, 2016; Sussman & Daynes, 2013). While not denying the substantial impact of technical details of policy, we expect political controversy to exclude fundamental debates on the reality or severity of climate change, and to focus on the adjustment of specific, existing regulatory instruments. These factors suggest that more political resources are invested into policy negotiation than public communication, and that a dynamic of consensus-oriented negotiation outweighs public communication about general aims and principles of climate change mitigation. We therefore expect to find more intensive party group interaction and conflict within the intra-parliamentary level of policy negotiation over specific pieces of climate change legislation than over external declarations.

In summation, the subsequent empirical section investigates three main hypotheses on the involvement of the EP in European climate change governance:

H1: The overall (external) politicization of EP decision-making as expressed through party group disagreement is relatively low, particularly by not endangering the overall consent of the EP to decisions tabled in the plenary;

H2: Political conflict between EP party groups is expressed more clearly in decisions about external EU climate policy than on internal climate legislation, particularly through the closer proximity of the former to the logic of CMD;

H3: Political conflict about climate change legislation is 'internalized' in the EP, that is, expressed more strongly at committee level than in the plenary and accommodated through consensus-oriented negotiation through CRD.

3. Case Studies: EP Decision-Making on Phase IV of EU Climate Action

The subsequent empirical analysis focuses on key decisions of the EP on external and internal climate change policy during its most recent legislative period (2014–2019). With regard to external climate diplomacy, during this period the EP has adopted resolutions on the annual COP, most importantly on COP 21 in Paris where the successor agreement to the Kyoto Protocol was negotiated. As mentioned above, these resolutions were adopted as INI in which the EP responds to a communication by the Commission but is not formally bound to a specific legislative proposal (as in the case of the Paris negotiations). In other cases, it adopted a resolution on a topical subject based on a text proposed by its environmental committee (EP Committee on the Environment, Public Health and Food Safety [ENVI]) without a reference document tabled by the Commission (as is the case in resolutions on COP 20 in Lima and COPs 22–24 in Marrakesh, Bonn and Katowice; cp. EP, 2014, 2015, 2016, 2017, 2018). All resolutions are adopted without any formal involvement of the Council and legally non-binding on negotiating partners at the climate summits (both Member States and the EU delegation). Therefore, these resolutions can be reviewed as acts of decision-making primarily aimed at CMD: an announcement and justification of EP positions without direct effect on or involvement in policy-making.

Within the internal dimension, four particularly relevant legislative procedures conducted in the context of the revision of EU Climate Action for its Phase IV are selected for the analysis of this article: namely, the revision of the Emission Trading System (ETS), the regulation on effort-sharing of Member States for the reduction of carbon emissions, and the directives on the promotion of renewable energies (supply-side), and on targets for energy efficiency (demand-side). All of these legislative acts were negotiated using the OLP and resulted in the adoption of texts agreed between Council and EP after the first reading (including inter-institutional negotiations or trilogue between Commission, Council and EP in the case of the ETS, effort sharing and energy efficiency). With regard to the institutional framework of EP involvement, they obviously differ from resolutions on external climate diplomacy by starting off from

a formal legislative proposal by the Commission, involving several EP committees to submit a report for a first vote in the plenary and subsequent negotiation with the Council. Therefore, these procedures are better examples to understand CRD conducted by the EP, establishing more stringent institutional constraints on the mediation between party group preferences to define an EP position, and the projection of EP in its negotiations with the Council. Considering this difference of institutional context, party group interaction and EP decision-making is discussed in the subsequent section.

3.1. EP Votes and Decision-Making: External and Internal Dimension

In a first step, we map the decision-making behavior of the eight officially recognized EP party groups as well as non-affiliated members in plenary votes of the EP, assessing party group polarization as expressed by voting behavior of MEPs in a comparison of external and internal EU climate change action. Roll-call voting data exists on all legislative acts on internal climate policy and two resolutions in the external dimension, relating to the COP 21 in Paris and the subsequent COP 22 in Marrakesh (with the rest of resolutions being adopted by a show of hands). The radar plot below depicts an overview of party group votes aggregated from this data, indicating the relative amount of Yes votes in relation to all votes cast in the plenary and specifying this ratio for decisions on external and internal climate policy as well as all votes considered in this analysis (see Figure 1). On the whole, 3,767 votes cast by MEPs in the plenary are included for this analysis (2,569 on the internal, 1,198 on the external dimension).

Two findings result from this overview. First, the plotting of voting behavior confirms that EP decision-making on climate policy is not intensely polarized but broadly supported by four party groups (European People's Party [EPP], Socialists & Democrats [S&D], Alliance of Liberals and Democrats for Europe [ALDE] and Greens), with more critical positions expressed through No votes and abstentions to some degree by European Conservatives and Reformists [ECR] and European United Left–Nordic Green Left [GUE/NGL] (with a 15.4% and 53.8% share of No votes, respectively) and more decisively by the more Eurosceptic groups Europe of Freedom and Direct Democracy (EFDD) and Europe of Nations and Freedom (ENF) (casting No votes in 72.4% and 77.8% of cases, respectively). The dent in support by S&D, however, is mostly due to an abstention covering 146 MEPs in the vote on the effort-sharing regulation. Overall, the ratio of Yes/No/Abstain votes on legislative decisions is highly positive for the entire EP (70.3/17.3/12.3). Concerning polarization, the overall pattern of party group voting can be characterized as corresponding to an Inverted U pattern pitting mainstream and environmentally progressive groups against more Eurosceptic ones. Second, another finding is that voting profiles do not significantly differ between votes on legislation and non-binding res-

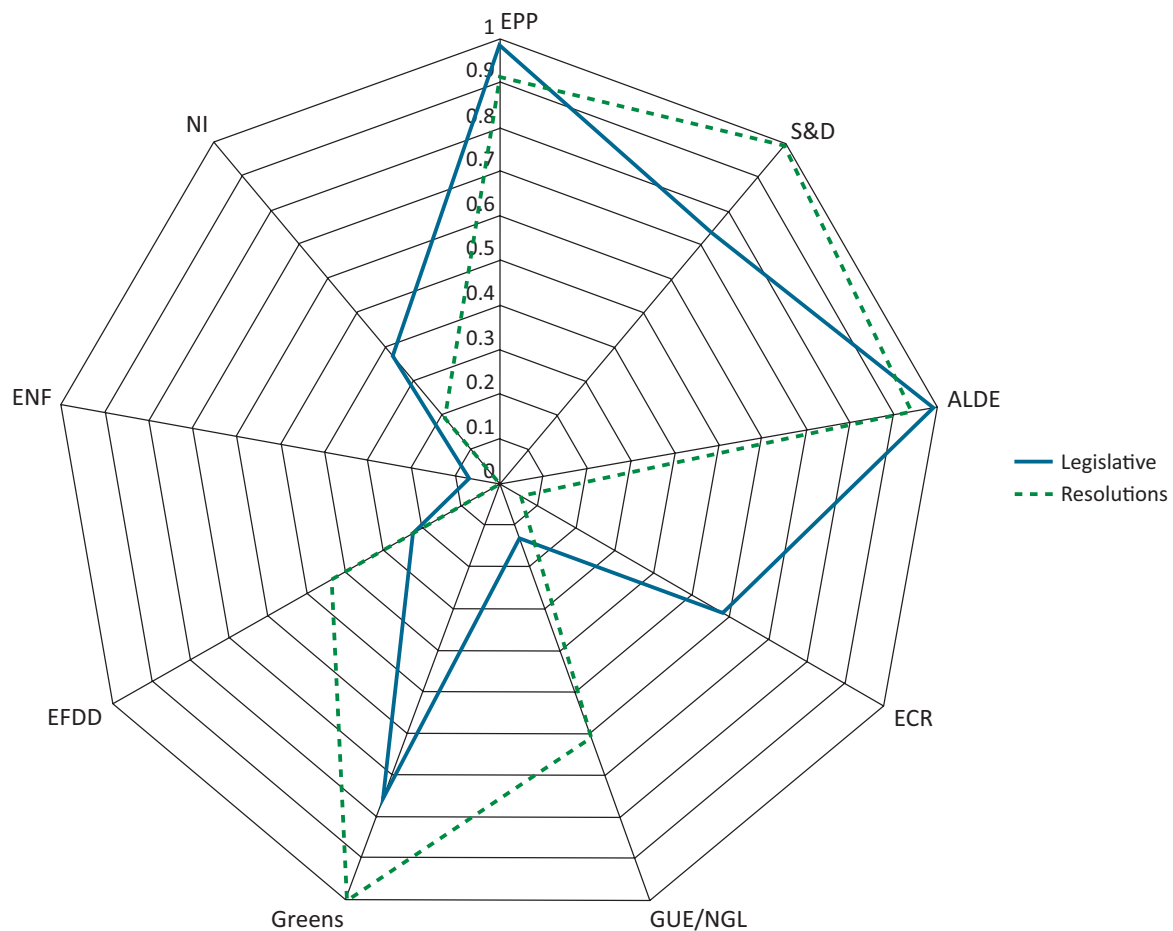


Figure 1. Radar plot depicting party group voting on EU climate change policy. Notes: Survey of voting behavior by EP party groups on legislative acts at the level of internal EU climate change policy (Legislative), and resolutions on external EU climate change policy (Resolutions).

olutions: Resolutions on external climate policy, in this sense, are not more contentious decision-making acts for the EP as decisions on internal legislation.

More specific insights on the dynamic of intra-parliamentary decision-making—specifically, the relation between intra-parliamentary negotiation and EP decision-making towards other EU institutions—are gained from comparing voting results on committee reports and subsequent votes in the plenary. The bar chart below presents data on votes at both levels for internal climate change legislation and the one resolution on external negotiations where data is available, based on an overall count of 707 votes at committee level and 2,562 in the plenary for legislation and 251 in committee and 582 in the plenary for the COP 21 resolution (see Figure 2).

The data confirms that political conflict is internalized rather than externalized in EP decision-making about climate change legislation. In all cases of legislative decision-making on internal climate policy except one, the approval rate to decisions is higher in the plenary than at the committee level, suggesting that position differences are fought out more intensely by policy experts within the committees and approved more broadly in the

plenary. While this data provides some support to our hypothesis that political conflict is internalized rather than projected by the EP especially in internal climate policy, it is not easily generalizable due to the low number of cases. This recommends a more detailed in-depth qualitative review.

3.2. Qualitative Review: EP as an Agent and Arena of Controversy on Climate Change Policy

Based on the review of legislative documentation (committee reports, resolutions adopted by plenary and summaries provided by the European Parliamentary Research Service [EPRS]), a qualitative review of decision-making by the EP on Phase IV of EU Climate Action leads two main observations. First, that the EP has generally avoided a strategy of strong partisan politicization; and second, that two distinct forms of involvement emerge that put different emphases on the role of the EP as an actor and arena of negotiation on EU climate action: on the one hand, an emphasis on the communication of strong and rather controversial policy preferences without much internal coordination in external climate policy; and on the other, an almost exclusive concentration on

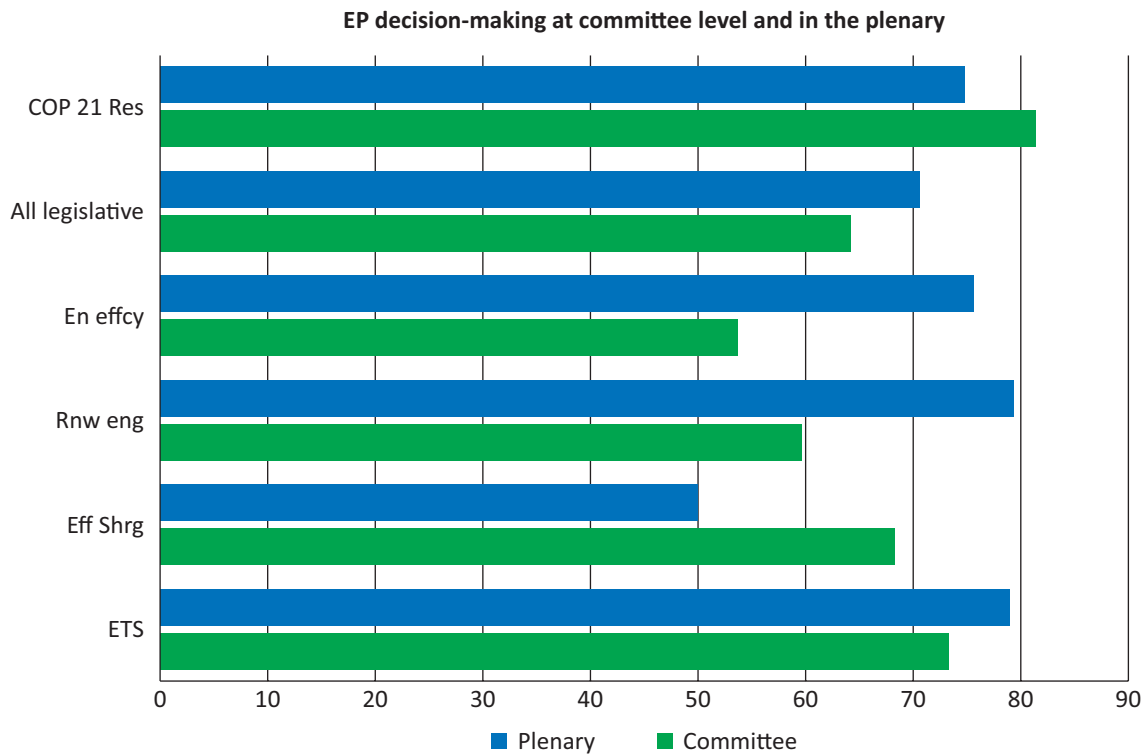


Figure 2. Decision making at committee level and in the plenary. Notes: Relative share of positive (Yes) votes on decisions about EU Climate Change Policy at committee level and in the EP Plenary. Abbreviations refer to COP 21 Res = Resolution on COP 21 in Paris; En Effcy = Directive on Energy Efficiency; Rnw eng = Directive on Renewable Energy; Eff Shrg = Directive on Effort Sharing, and ETS = Emission Trading System.

internal policy coordination and negotiation with much more restrained and consensual communication in internal climate policy. Three points are discussed subsequently to clarify this distinction.

First, clear differences emerge in a comparison of the scope and intensity of intra-parliamentary policy coordination at both levels. The number of committees involved in the negotiation of reports tabled for the plenary for first reading is lower in decision-making on resolutions about external climate policy: only the resolution on COP 21 in Paris and COP 20 in Lima involved several EP committees (namely, three and five, respectively), whereas the draft text for the subsequent resolutions on COPs 22 through 24 were tabled only by the responsible lead committee ENVI. By contrast, all legislative decision-making procedures on the EU’s internal climate policy reviewed here involved two (Energy Efficiency), five (Emission Trading), six (Effort Sharing) and nine (Renewable Energies) committees drafting an opinion on the report tabled in the plenary. The number of amendments tabled at committee level is also higher in internal climate policy, where the amount of amendments tabled ranges between at least 280 in Effort-Sharing and 1,300 in Renewable Energies, as compared to a range between 120 and 202 for those four resolutions on external climate policy where an exact count of amendments is available (excluding the resolution on COP 21 in Paris where at least 230 amendments

were tabled and one further report with amendments is not available). CMD as conceptualized by DI, in short, is ‘thicker’ in internal legislation than in decision-making on external climate policy.

Second, an important qualifying observation about the way the EP negotiates political conflict in relation to climate governance is that contention in this field can hardly be reduced to a single dimension, in which disagreements between party groups and EU institutions could be easily mapped and compared as a measure for politicization. As documented by the high number of amendments tabled and negotiated at the committee stage, decision-making evolves through a highly specialized and complex CRD between policy experts of the involved EP committees and the Council. To systematize this complexity, the distinction of three separate issue dimensions—namely within a socio-economic, territorial and institutional dimension (cp. Hix, Noury, & Roland, 2007)—helps to identify issue dimensions that are balanced with each other to accommodate political conflict between party groups. These issue dimensions can be conceptualized and specified for the given case studies as follows (see also Table 2):

- (1) Regulation dimension: This dimension reflects the overall stringency and ambition of action taken to restrict carbon emissions as a cause of climate change, either at the supply-side

(Renewable Energies), or at the demand-side (Energy Efficiency) of energy policy, and by establishing a framework for limiting and pricing those emissions (Emissions Trading/Effort Sharing). As a regulatory framework for economic investment, production and consumption, this set of issues is identified with the contrast between market freedom and regulatory intervention ('left/right');

- (2) Intergovernmental dimension: A second dimension consists in the accommodation of asymmetries resulting from distributive effects between different economic sectors and by extension, Member States with different constellations of industries and geographical location. This aspect therefore resonates with the representation of territorial interests represented mainly at the intergovernmental level in the institutional framework of the EU;
- (3) Integration dimension: Finally, a third issue dimension arises from negotiating the degree of authority of the supranational layer of rules and institutions in the governance of climate change, partic-

ularly with regard to processes of implementation, oversight and potential sanctioning, as well as the allocation of financial resources to the discretion of supranational institutions; this set of questions therefore relates to a third dimension of political conflict between national sovereignty and supranational integration.

Comparing EP decision-making in internal and external climate policy within these issue dimensions reveals two different patterns of political conflict: EP decision on external climate action are relatively antagonistic and emphasize the stringency of climate action over the other dimensions. Internal legislation, by contrast, combines moderate advances in the market regulation dimension with concessions and flexibility in the territorial and authority or institutional dimension.

Resolutions on the external climate policy of the EU establish highly critical stances of the EP towards policies proposed by the Commission as well as the international community and denoting considerable and quantifiable position differences. Within these resolutions,

Table 2. Three issue dimensions in decision-making on Phase IV of EU Climate Action.

	Market regulation dimension: Stringency of climate action	Intergovernmental dimension: Asymmetries between industries/Member States	Integration dimension: Authority of EU policy framework
Resolutions on external/global action on climate change	<ul style="list-style-type: none"> • Appraisal of EU action in relation to 2C/1.5C goals • Balancing mitigation, adaptation and compensation 	<ul style="list-style-type: none"> • Appraisal of Nationally Determined Contributions (NDCs) by EU Member States • Balancing efforts from affected industries; LULUCF (land use and forestry) 	<ul style="list-style-type: none"> • Appeals to partners on global scale, particularly US • Shared EU position, inclusion of EP
Revision of ETS	<ul style="list-style-type: none"> • Linear Reduction factor (trading cap) • Market Stabilization Reserve • Balance between auctioning/allocation 	<ul style="list-style-type: none"> • Provisions on carbon leakage (allocation of allowances) • Just Transition and Modernisation Funds 	<ul style="list-style-type: none"> • Inclusion of aviation and shipping • Allocation of funds from ETS revenues
Effort Sharing Regulation	<ul style="list-style-type: none"> • Reduction path to 2030 • Longer term perspective to 2050 	<ul style="list-style-type: none"> • Flexibility mechanisms (banking, trading, transfer) • Early action reserve for Member States 	<ul style="list-style-type: none"> • Monitoring and reporting cycles by Commission
Renewable Energies Directive	<ul style="list-style-type: none"> • Target percentage of Renewable Energy Sources by 2030 • Stringency of provisions on biofuels • Extension to further sectors (esp. transport) 	<ul style="list-style-type: none"> • Provisions on financial support schemes in Member States • Provisions on permission of cross border generation 	<ul style="list-style-type: none"> • Inclusion of binding targets or indicative national contributions • Monitoring and reporting duties
Energy Efficiency Directive	<ul style="list-style-type: none"> • Energy efficiency/consumption target • Uniform or flexible benchmark for measurement 	<ul style="list-style-type: none"> • Exemption and flexibility clauses (sector exemptions) 	<ul style="list-style-type: none"> • Binding national energy savings targets • Review and revision clauses (evaluation by Commission)

the EP criticizes both the international response to climate change but also the stance of the Commission, whose communication is deemed ‘short-sighted and unambitious on a number of levels, specifically as regards the lack of national targets for renewable energy and of any meaningful new action to incentivize energy efficiency’ (EP, 2014, p. 11). With regard to substantive policy goals, the most remarkable position expressed in the EP resolutions is the call for more stringent policy goals, calling for the inclusion of a 40% goal for the reduction of carbon emissions, of 40% for the improvement of energy efficiency, and of a 30% share of renewable energy sources into the strategy for 2030 (compared to values of 40, 27, and 27 proposed by the Commission, respectively). Beyond climate action by the EU, the EP expresses concern that action pledged in NDCs under the Paris agreement ‘does not bring the world even close to the 2C target’, pointing out that ‘that additional ambition is necessary’ and calling for concerted action by the EU and other major emitters to adjust their action plans (EP, 2016, p. 4). Finally, another important aspect of EP resolutions is the call for more determined financial action, requesting that the EU and its Member States build on existing commitments to bring their contributions to ‘their fair share in the overall targeted amount of USD 100 billion a year by 2020’ to climate action (EP, 2015, p. 12).

Turning to legislation on internal climate policy, much of the ambitious stance of the EP is softened considerably, particularly with regard to the main target values for climate action. Furthermore, an important finding is that the moderately progressive demands raised by the EP in the socio-economic dimension are mostly accommodated and balanced in the other dimensions, defusing political conflict and helping to create broader based coalitions supporting the passage of legislation.

3.2.1. Revision of the EU ETS

The revision of Emission Trading demonstrates the construction of a compromise of positions within the three dimensions outlined above, aiming at the general goal of consolidating and strengthening emission trading. The most high-profile issue of negotiations in this context is the balance between market competition and public regulation concerning the limitation of emissions, particularly through the definition of the linear reduction factor for the emissions cap (hence, concerning the regulation dimension). Concerning this question, the EP accepted to maintain the 2.2% target as in the Commission proposal, securing only an option of an increase to the 2.4% target it initially sought, along with the establishment of a Market Stabilization Reserve to avoid an over-allocation of allowances. Highly important for the achievement of the political compromise achieved with the Council, however, is the combination between an increase in the regulatory stringency of the supranational framework with flexibility mechanisms and targeted recompensation for vulnerable industries: in this sense, the EP achieved more

stringent rules for the inclusion of aviation and shipping, reviews of the ETS by the Commission and allocation of revenues to climate action (integration dimension), while providing exemptions for medium-sized enterprises, and supporting companies at risk of carbon leakage with revenues from emissions trading. As a compensation, the agreement increases resources for a ‘Just Transition Fund’ to assist workers affected by the transition to climate-friendly technologies and providing a Modernisation Fund for countries with a GDP below 60% of the EU average, an aspect considered in the intergovernmental dimension (cp. EPRS, 2018a).

3.2.2. Effort Sharing between EU Member States

A similar combination of progressive and accommodating positions in two different issue dimensions can be observed in the revision of the Regulation on Effort Sharing, the legal framework to establish reductions of carbon emissions for each Member State for sectors not covered by the ETS. Here, the EP sought and achieved a slightly more stringent collective effort of Member States (regulation dimension). This point aims at establishing a base reference and trajectory calculation that results in a lower overall emission budget until 2030 than the one proposed by the Commission, and establishing a long-term linear trajectory for the longer-term period until 2050. These innovations, however, are compensated by more generous flexibility mechanisms advocated by the EP (affecting the intergovernmental dimension). Here the EP pushed to increase the level of ‘borrowing’ for the first implementation phase from 2021 to 2025 from 5% as proposed by the Commission to 10%, and introducing the right to transfer up to 10% to other Member States in the subsequent phase from 2026 to 2030 (up from 5% in the Commission proposal). Furthermore, the EP proposed an ‘early action reserve’, under which Member States with lower GDP are allowed to use emission cuts made prior to 2020 in the implementation period from 2026 to 2030 (EPRS, 2018b). The integration dimension, finally, is present mostly in provisions on monitoring cycles and the stringency of reporting duties by Member States to the Commission.

3.2.3. Renewable Energies

Within the comparison of cases presented here, the directive on the promotion of renewable energies appears as the initially most polarized example. Concerning the overall stringency of action (regulation dimension), the EP initially called for a target value of 35% until 2030 in first reading, as compared to 27% in the Commission proposal and only 30% in a previous EP resolution. At the same time, the EP also pushed for a lower threshold for the share of newly created capacity open to cross-border generation, hence limiting transnational exchanges of energy and increasing pressure on Member States to achieve committed targets for renewable en-

ergy (intergovernmental dimension). Along with stricter provisions on biofuels (particularly the exclusion of bioliquids produced from palm oil) and setting targets for the transport sector to be realized by each individual Member State, the EP established stringent positions that were however softened in subsequent trilogue negotiations (cp. EPRS, 2019a). In the final agreement, the binding EU target for renewable energies is set at 32% and therefore at a higher level than in the initial proposal, but to be achieved through indicative national contributions without the corrective measures initially pursued by the EP (and hence, a softer approach in the integration dimension).

3.2.4. Energy Efficiency Regulation

As in the previous example, the directive on energy efficiency started out with a clear discrepancy of positions concerning the stringency of action (regulation dimension): here, positions ranged from the target value advocated by the EP as advocated in several resolutions, namely an increase in energy efficiency of 40 % to be reached until 2030 in comparison to a target of 27% target initially adopted by the Council. A second main issue, however, concerned the authority of supranational regulation towards the Member States (integration dimension), with the EP calling for setting individual national targets, and the European Council excluding such targets in favor of indicative national contributions. In addition, the question was raised how to set and operationalize annual savings obligations for Member States. In legislative negotiations with the Council, the EP therefore addressed issues in several dimensions, concerning the overall stringency of regulation, its form of implementation and scope concerning its extension to sectors such as private buildings, transport, and industrial activity (cp. EPRS, 2019b). The agreement reached with the Council represents a compromise with the EP's initial position, setting the EU headline target at the relatively ambitious level of 32.5% but using (non-binding) indicative national contributions and lower annual savings obligations than sought by the EP (0.8% per year for the period through 2030). With regard to its scope, the new directive combines an extension of sectors with a right of Member States to exclude especially sensitive sectors such as transport (intergovernmental dimension). As in other examples, the EP pushed for more stringency in the overall ambition of EU climate policy, but eventually agreed to only moderate advances in combination with flexibility mechanisms aimed at the accommodation of Member State interests, and only moderate advances towards more EU authority in implementation.

4. Conclusion: Is the EP Resistant to the Politicization of Climate Change Policy?

In summation, this article demonstrates how full legislative involvement of the EP in decision-making about a

potentially politicized aspect of global governance works less as a triggering, but more as a constraining factor for partisan polarization of parliamentary decision-making: overall, EP decision-making on legislation passed to revise and advance the policy framework of EU climate action is negotiated effectively and often informally with the Council, is based on broad majorities both at committee and plenary level, and results in policy-making decisions that carefully balance moderate advances in one issue dimension with compensation and flexibility mechanisms in another. While this is not to deny the significant and often very conflictual content of agreements, party group polarization as a first indicator of politicization emerges only to a limited extent (confirming H1). DI offers plausible theoretical arguments to explain this relative restraint: incentives for MEPs to seek policy modifications at the level of CRD in most cases outweigh the incentive to establish more polarizing claims aimed at the wider public at the level of CMD. In this sense, the governance of EU climate action is largely policy-oriented, technical and relatively immune to more fundamental disputes about the severity of climate change or principles of its mitigation.

Nevertheless, a comparison of EP decision-making on the internal and external dimension of EU climate policy reveals variation in the extent of party polarization that equally fits a DI explanation: In the external dimension, EP activity is mostly confined to declaratory, non-binding resolutions that are relatively stringent and polarizing in their content and based on less internal negotiation and coordination in the EP than legislative acts. EP resolutions at this level are relatively ambitious but do not create strong incentives for intensive partisan contestation or polarization (in this sense, contradicting H2). Within the internal dimension, the EP operates as a highly specialized legislator that uses a sophisticated set of arrangements to conduct a mostly technical legislative bargaining, both between EP party groups and with the Council. Policy coordination at this level is highly specialized and involves substantial political conflict in different issue dimensions, but succeeds in accommodating positions within these dimensions through negotiations that are largely detached from public communication or scrutiny. Taken together, the findings confirm H3, positing that political conflict on climate governance is internalized within the EP rather than projected to external audiences or institutions.

In the bigger picture, and compared to other legislatures, the relative immunity of the EP against broader politicization appears to work in favor of a relatively stringent and progressive development of climate change policy in the EU compared to other political entities, particularly the US (Harrison & Sundstrom, 2010; Skjaereth, Bang, & Schreurs, 2013). Future research should engage in more comparative studies to investigate the interrelations between the politics and policy of climate change: more specifically, how different issue dimensions and policy-making frames are brought together to build the

coalitions needed to pass climate legislation through the EP, and how resulting findings can be set in comparison with other legislatures on the national level, both within and beyond Europe.

Conflict of Interests

The author declares no conflict of interests.

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Article

Parliamentarizing a Politicized Policy: Understanding the Involvement of the European Parliament in UN Climate Negotiations

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Abstract

Climate change is a central topic of concern for EU international diplomacy and is the site of increased politicization globally. Concomitantly, a parallel process of parliamentarization of the EU has unfolded. Whilst the European Parliament (EP) has enjoyed significant powers in internal policy-making on climate change, since the entry into force of the Lisbon Treaty in 2009 the EP has gained the right to veto the EU's ratification of international (climate change) agreements. This development raises questions about our understanding of the EP as an actor in international climate diplomacy that this article addresses through the following research question: What impact have the increased powers of the EP had on its involvement in UN climate diplomacy? We analyze the EP's evolving role in international climate diplomacy through an evaluation of its policy preferences prior to international climate conferences (COPs) and its activities during those meetings. We find evidence that the EP's preferences have become more moderate over time, and that it is also more active at COPs and increasingly engaged with a range of more important actors. However, we find little evidence that the EP's involvement in international negotiations is significantly different when it holds a veto power, which we attribute to a willingness to depoliticize internal EU climate negotiations to secure policy gains at the international level.

Keywords

climate change; climate diplomacy; Conference of the Parties; European Parliament; European Union; parliamentarization; parliamentary diplomacy; United Nations Framework Convention on Climate Change

Issue

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1. Introduction

The European Parliament (EP) has gradually become an important and influential actor in shaping the EU's internal climate policies. Acting as an environmental champion, it has pushed the EU's green agenda and strengthened its legislation (Burns, 2013; Judge, 1992). Interestingly, it has had historically limited formal powers in the external policy-making arena of international climate diplomacy, a highly politicized policy field where

the EU has profiled itself as a leader (Burns, 2017; Burns & Carter, 2010; Delreux, 2011). However, whilst the formal powers of the EP have grown with the entry into force of the Lisbon Treaty in 2009 there has been limited attention paid to the parliamentarization of the EU's international climate diplomacy (Biedenkopf, 2015, being a notable exception). For example, a recent thematic issue of this journal on the 2015 Paris climate conference has no specific discussion of the EP (Hovi & Skodvin, 2016) and an article focused upon the EU's position (Schreurs,

2016) makes only passing reference to the Parliament. This article addresses this lacuna in our knowledge by investigating the EP's involvement in international climate diplomacy through a systematic evaluation of its expressed policy preferences prior to United Nations Framework Convention on Climate Change (UNFCCC) Conference of the Parties' (COP) meetings and its activities during those COPs. In doing so we contribute to the literatures on the parliamentarization of external EU policy-making, the rational choice institutionalist scholarship on the empowerment of the EP, works on international climate diplomacy and we contribute to a better understanding of how the politicization of climate change at the international level has shaped the EP's positioning on the issue.

The Lisbon Treaty introduced the right for the EP to veto the ratification of most international agreements, including climate treaties. The EP has used its *ex post* veto power to reject the Anti-Counterfeiting Trade Agreement (ACTA) and the Society for Worldwide Interbank Financial Telecommunications (SWIFT) Agreement (Monar, 2010; Ripoll Servent, 2014). Given this new power we ask: *What impact have the increased powers of the EP had on its involvement in UN climate diplomacy?* We examine that involvement by analyzing the activities of the EP before (*ex ante*) and during (*ad locum*) international climate negotiations. Before the negotiations, the EP adopts resolutions in which it signals its preferred outcomes for the international negotiations. During the negotiations, a delegation of Members of the EP (MEPs) attends the negotiations and conducts its own diplomatic activities. We develop two expectations on the EP's *ex ante* and *ad locum* involvement. First, we anticipate that the EP's involvement has evolved over time, in the sense that: (a) the EP's expressed preferences have converged with those of the Council; and (b) it has become diplomatically more active. Second, we expect that both the *ex ante* and the *ad locum* involvement depend on whether the EP has a veto power. Assuming that the *ex post* veto will cast its shadow on *ex ante* and *ad locum* involvement, we envisage that the EP's preferences will be closer to the Council's and the EP delegation will be more active when the intended outcome of the international negotiations is a legally binding treaty (where the EP's *ex post* consent is required) than when the intended outcome is not a treaty (and where there is no consent requirement). Overall, we suggest that the increased politicization of climate change around such legally binding treaties is a crucial part of the explanation for the EP's conduct.

To develop our argument, we examine the Parliament's involvement in the EU's climate diplomacy at the annual COPs of the UNFCCC between 2007 and 2017. In the following Section 2 we review the literature on the EP's powers and involvement in the EU's external relations, before deriving four expectations. We then analyze the resolutions adopted by the EP before the international negotiations (Section 3) and the activities of the EP delegation during the negotiations (Section 4).

We conclude in Section 5 that whilst there is evidence that the EP has converged with the Council over time it has simultaneously become more active at COPs and increasingly engaged with a range of more important actors. We find limited evidence that the EP's behaviour is different when it holds a veto power.

2. The EP's Empowerment in EU External Relations and Involvement in International Negotiations

In 2009 the Lisbon Treaty introduced two key powers for the EP in the field of external affairs that have contributed to the parliamentarization of EU climate diplomacy, and challenged the traditional executive dominance of this policy area. First, the EP's consent is now required for the EU's ratification of most legally binding international agreements, i.e., treaties (EU, 2012, Art. 218§6). Therefore, the EP has no veto power over international negotiations that do not have treaty status, such as 'normal' COP decisions. Since 2009, the consent procedure applies to agreements in fields covered by the ordinary legislative procedure, including climate change. Prior to the entry into force of the Lisbon Treaty, the Parliament was only involved through consultation in the ratification process, and therefore did not enjoy an *ex post* veto power (Delreux, 2011).

Second, the EP 'shall be immediately and fully informed at all stages of the procedure' (EU, 2012, Art. 218§10). As the Treaty does not specify how the EP should be informed, a number of Interinstitutional Agreements (IIAs) have been adopted in order to clarify inter-institutional relations, most notably by requiring that the EP be informed and consulted on all international treaty negotiations (Thym, 2008). The EP's information right is achieved through giving access to documents about the negotiations and through allowing MEPs to attend international meetings in a so-called 'EP delegation' (Urban, 2018). However, there is no formal role for the EP in drafting the EU position for international negotiations, which remains the prerogative of the Council. Nevertheless in a broad range of external policy fields, the EP regularly adopts resolutions in order to put issues on the agenda (Ripoll Servent, 2018), to influence the official EU position (Jančić, 2016) and to signal its preferences—and the range of agreements that will be acceptable in the ratification stage—to the Council and the Commission, as well as to third actors.

Although the EP's most straightforward formal power is limited to an *ex post* veto power, the EP has long been 'rather successful in maximizing its influence through informal decision-making' (Van Hecke & Wolfs, 2015, p. 303), both in the stages of *ex ante* and *ad locum* involvement. Interestingly, the rising parliamentarization of the EU's external relations has not been strongly opposed by EU negotiators. The recognition of the EP by the other institutions has been driven by both legitimacy concerns (Rosén, 2015) and the wish to strengthen the EU's negotiation position at the international level (Rosén, 2016).

This discussion leads us to expect that the empowerment of the EP will have two types of effect on its *ex ante* and *ad locum* involvement in international climate negotiations: a changing involvement over time; and an amplified impact in the context of COPs where the consent procedure applies for the ratification of an international climate treaty.

A first set of expectations is that the increased powers of the EP will make the EP's stated policy preferences less ambitious and its involvement more active over time. Several studies suggest that the empowerment of the EP has coincided with growing political efforts to increase its international prestige and visibility (Raffaelli, 2013; Stavridis & Irrera, 2015) and with more influence on the EU's external policies, both in CFSP (Riddervold & Rosén, 2015; Rosén & Raube, 2018) and in trade (Meissner, 2016; Van den Putte, De Ville, & Orbie, 2015). We anticipate that the EP's expanding powers and increasing prestige manifest themselves in its involvement before and during COP negotiations.

Regarding the content of the resolutions and the EP's *ex ante* involvement, studies on the evolution of the EP in internal EU environmental policy-making have demonstrated that the policy positions adopted by the EP become more moderate once the EP has secured increases in power (Burns, Carter, Davies, & Worsfold, 2013). Analyzing the EP's amendments over different policy-making procedures and over time Burns and Carter (2010; also see Burns et al., 2013) find that as the EP's powers increased through the extension of the ordinary legislative procedure the environmental ambition of the EP's amendments declined, but the Parliament's success in securing the adoption of its amendments increased. There are a number of reasons for this development. First, as the EP's powers have increased it has become more able to secure its policy preferences. A standard tactic used by the EP when the institution had more limited legislative influence was to adopt highly ambitious amendments knowing they were unlikely to be accepted by the Council. The purpose of such amendments varied: it could be to express a policy preference and shape future agendas; or they could serve as an opening gambit in a legislative negotiation in which the EP would be prepared to weaken its demand as the process unfolded (Burns & Carter, 2010). The advent of the ordinary legislative procedure and the EP's ability to reject legislation has made this behaviour less relevant. In addition, the Council and EP have much greater informal and formal contact with each other and can discuss their preferences more openly. There is also scope for anticipatory compliance on the part of the Council and Commission where they too might moderate their positions to accommodate the EP's preferences (Ripoll Servent, 2013, 2018). We expect that this general trend of convergence will also apply to external climate policy, as a result of which the EP is likely to adopt positions that are more similar to the official EU position determined by the Council, which in turn may also be taking into account the likely policy

positions of the EP and amending its own position, especially where the EP has a veto. This trend is likely to be reinforced by the EP's wish to be recognized as a significant diplomatic actor. This leads us to expect that the EP's stated preferences are more likely to be further away from the Council when it has less power, and that the Council and EP preferences converge when the EP has greater power and responsibility in the field of external relations. Hence, we expect that:

E1a. The *ex ante* expressed policy positions of the EP will converge with the Council's positions over time.

The EP's empowerment is also likely to affect the EP's *ad locum* involvement, i.e., the activities of the MEPs attending the international negotiations, over time. We expect that it will increase the level of activity of the EP delegation attending the COPs and that the number of activities by MEPs *sur place* will grow when the EP has acquired more powers. Additionally, the nature of the activities and the actors to whom the EP delegation reaches out is likely to change. We expect the EP delegation to conduct more diplomatic activities with third actors who really matter in international negotiations, i.e., governmental representatives. Hence, we expect that:

E1b. The number of activities of the EP delegation will grow over time and the nature of its interlocutors will change.

A second set of expectations is that the anticipated effects discussed above are amplified when the intended outcome of a COP is legally binding. This distinction between legally binding and non-legally binding outcomes of COPs matters as the EP only has formal *ex post* veto power on legally binding outcomes. Of the 11 COPs falling in the scope of our study, three were expected to lead to a legally binding outcome:

- COP 15 (Copenhagen, 2009): although COP 15 did not result in a treaty but only an 'accord', it was reasonable to expect that the consent procedure would be applicable to the Copenhagen outcome as a legally binding outcome was expected in the run-up to the COP (Earth Negotiations Bulletin, 2015);
- COP 18 (Doha, 2012): resulted in the 'Doha Amendment', a treaty establishing the second commitment period of the Kyoto Protocol. The Council adopted a decision on the ratification of the Doha Amendment in July 2015 after having received the consent of the EP in June 2015;
- COP 21 (Paris, 2015): where the Paris Agreement was agreed. The Paris Agreement was ratified by the Council in October 2016, one day after having received the EP's consent. While we recognize the difference between the substantive scope of the Doha Amendment and the Paris Agreement, both

COP outcomes are legally binding, which makes it likely that the ‘shadow of the consent procedure’ affected the EP involvement.

One reason for this expectation relates to the politicization of the wider climate change agenda. Climate change has become increasingly politicized in many parts of the world, especially in the US (McCright & Dunlap, 2011). The politicization of climate change internationally generated more polarization on the issue (De Wilde, 2011), which has had paradoxical effects. In order to secure support for the climate agenda, one reaction has been to seek to depoliticize the issue by fostering social consensus and public engagement (Pepermans & Maesele, 2016). In the EU, the issue of climate change has generally led to less polarization than in the US and other states such as Australia and Canada, nevertheless the rise of right-wing euro-sceptic parties that tend to be climate-sceptic has challenged the broad consensus (Carter, 2018). When a COP is expected to lead to a binding treaty, we therefore expect a higher level of politicization and a greater scope for disagreement at the international level, which puts more pressure upon the EU institutions to present a united front to secure EU policy preferences. In other words, politicization of climate change internationally leads to moves to depoliticize the issue across the EU’s institutions. Hence, we expect that:

E2a. The shadow of consent is likely to lead to increased convergence between the EP’s preferences and those of the Council for COPs that intend to produce a climate treaty.

Regarding *ad locum* involvement, the backwards shadow that the Parliament’s veto can cast along the policy-making process may lead other EU actors to engage in anticipatory compliance in order to avoid the likelihood of the EP exercising its veto (Dür, 2006; Ripoll Servent, 2014). The Parliament has rarely used its veto and is most likely to do so either as a matter of principle (to remind the Council that it enjoys such powers and should not be ignored) or because its preferences significantly diverge from those of the Council. Both of these conditions pertained in the case of the ACTA and SWIFT vetoes. The EP felt it had been excluded from discussions so was prepared to use its veto to remind the Council that it was a key institutional player that could not be ignored (Monar, 2010; Ripoll Servent, 2014). Moreover, in the case of SWIFT the EP was concerned about the implications of the agreement for EU citizens and their data and in the case of ACTA it was concerned over privacy and internet freedom. In both cases the agreements were designed to establish new international regulatory regimes that had direct implications for EU citizens and their freedom and personal data. By contrast, when it comes to international climate diplomacy, the international climate regime has been in place since 1997 and the Council and EP are both committed to international

climate policy and share similar goals. It consequently seems unlikely in this case that the EP’s and Council’s preferences would be so far apart that the EP would be prepared to reject EU ratification of an international climate treaty that the Council has accepted. It is possible, and more likely, that the EP would be prepared to reject a climate treaty if it felt that its prerogatives and signals have been ignored by the other EU institutions. Therefore, in order to avoid the exercise of an *ex post* veto, the Council and the Commission have an incentive to involve the EP during the negotiations (Biedenkopf, 2015; Monar, 2010; Onderco, 2018). This includes, on the one hand, organizing more direct contacts between the EU negotiators and the EP delegation, whereby the EU negotiators can transmit the pressures from the international negotiators to the EU’s veto players who do not experience these pressures directly (Delreux, 2011), and, on the other hand, allowing the EP delegation to reach out to more actors, and notably to executive actors from third parties.

Similarly, in COPs where the outcome will be subject to the consent procedure, we also expect an intensification of the number of briefings from the Commission and the Council to the EP delegation towards the end of the two-week COP meeting. It is at the end of the negotiations that the EU negotiators will be forced to make concessions that might be difficult to accept for the veto players. Hence, the EU negotiators will have the incentive to involve the EP delegation at that moment, in order to check whether certain concessions are acceptable, to make sure that the EP understands the difficulties faced by the EU negotiators, and ultimately to assure the acceptance of the final deal by the EP (Delreux & Kerremans, 2010). Consequently:

E2b. The shadow of consent is likely to affect the number, nature, and intensity of the EP’s activities in its *ad locum* involvement.

3. *Ex ante* Involvement: EP Resolutions

In order to determine the EP’s preferences and their proximity to the Council we reviewed all EP resolutions and Council conclusions adopted prior to the COPs from 2007 to 2017 (the EP did not adopt a resolution in 2008 for COP 14 in Poznan). The COPs are typically held in November or December. The EP resolutions are debated and drafted in parallel with the Council developing its position but the EP tends to formally adopt its opinion a month ahead of the Council. We coded the resolutions and conclusions allowing key themes to emerge from the text. Hence, all the EP resolutions and Council conclusions were read through to determine the themes emerging from the text. Those themes were listed and then the documents were uploaded to a qualitative comparative software tool. The software was used to carry out a word count analysis, to find key phrases associated with the themes identified and to determine if any other

key phrases emerged from the documents that the initial analysis had missed or overstated. Then each document was coded line by line to see whether and how key phrases were used. It is important to note that the number of times a phrase is used is only one indicator as a key theme can be mentioned only once whilst nevertheless still being important.

Figure 1 indicates nine core themes, the number of times they are mentioned by both institutions, and the relative attention the Council and the EP attach to each theme. Hence, Figure 1 allows a comparison between the EP and the Council in absolute terms—and an intra-institutional comparison of EP resolutions and Council conclusions in relative terms. It shows that, in relative terms, the Council conclusions pay more attention to mitigation than the EP resolutions, whereas forestry, technology and transport are mentioned more frequently in EP resolutions than in Council conclusions. Figure 1 also indicates that the EP generally tends to mention the issues it cares about more than the Council—reflecting the fact that the EP’s resolutions generally tend to be longer and less focused. Council resolutions are more legalistic and tightly framed. For instance, prior to the Bali COP in 2007, the Parliament chose to emphasize ‘the moral obligation on industrialized countries to provide increased financial and capacity building support for risk reduction and adaptation to climate change’ (EP, 2007), which is the kind of language that the Council typically eschews and certainly this statement of morality is not mirrored in any of the Council conclusions.

Hence, a first kind of difference that emerges between the Council and Parliament concerns the way in which topics are discussed. For example, on climate finance, an on-going issue in climate change diplomacy, the EP has consistently called for any climate finance pro-

vided by the EU to be additional to official development assistance (ODA). The EP resolution and the Council conclusions ahead of the Copenhagen Conference reveal a significant difference between the EP and Council in language and positioning (see Table 1). The Council calls for all ODA to incorporate climate change considerations and for synergies to be sought between climate change and ODA goals, which could undermine the pursuit of genuine additionality in ODA as called for by the EP.

A second kind of difference is that, in contrast to the Council, the EP makes several calls for EU leadership and unity. Following COP 15 in Copenhagen, which was largely regarded as a failure for the EU, the EP identified the lack of EU unity as a reason for that failed leadership and urged the Council to speak with ‘one voice’ (EP, 2010a). EU unity became a key theme for the EP from 2009–2015 (EP, 2009, 2010b, 2011, 2012, 2013, 2014, 2015), but it disappeared from the resolutions for the 2016 Marrakech and 2017 Bonn COPs (EP, 2016, 2017). This finding suggests that the ‘one voice’ rhetorical device was used to shore up a united EU front in the run up to a COP intended to result in a legal treaty (COP 21 in Paris), but since then has no longer been regarded as necessary. Another theme that appears in EP resolutions but not in Council conclusions is the Parliament’s call to be included in the daily EU coordination meetings during the COPs—a request that has yet to be accepted. However, a shift in wording appeared in 2015, the year of the Paris COP 21 that led to an international agreement, where the EP states that ‘as it will also need to give its consent to any international agreement that it needs to be well integrated into the EU delegation’ and ‘expects therefore to be allowed to attend EU coordination meetings in Paris’ (EP, 2015). Similar wording is used in the resolutions for the Marrakech (EP, 2016) and Bonn (EP, 2017) COPs. Here

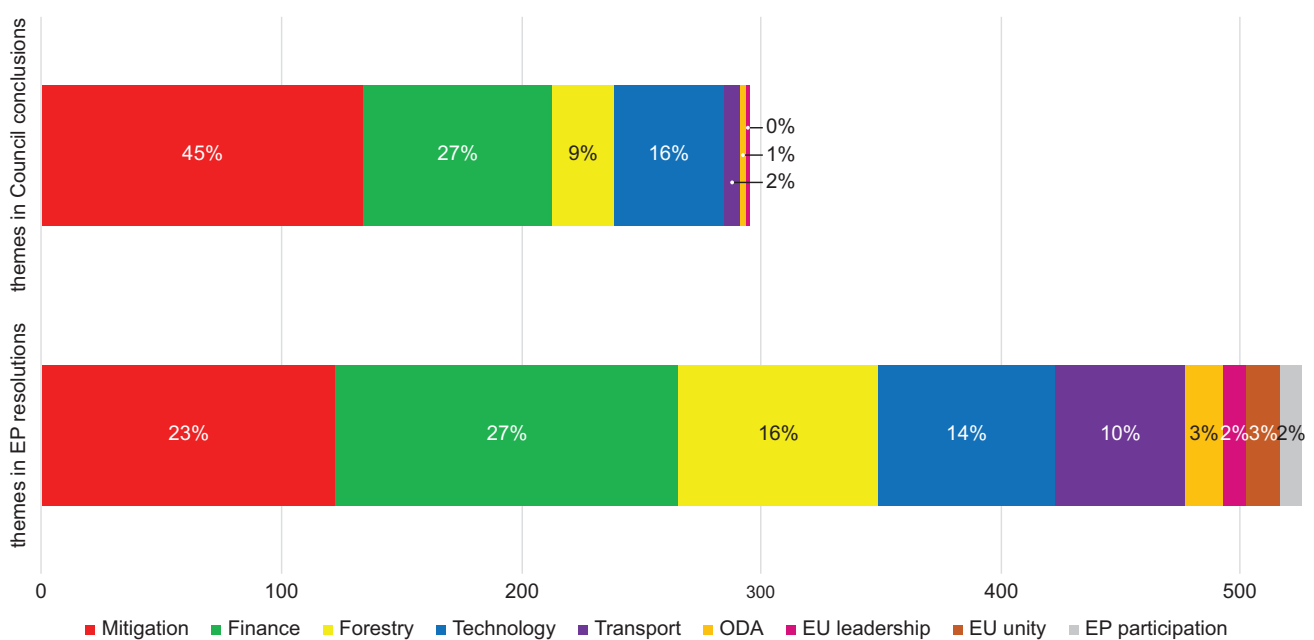


Figure 1. Core themes mentioned in Council conclusions and EP resolutions prior to the COP.

Table 1. Positions on Climate Finance in EP and Council Resolutions in preparation of COP 15 in Copenhagen.

EP	Council
<p>Insists that such commitments to provide for the required predictable financial support for climate change mitigation and adaptation in the context of the UNFCCC must be new and additional to ODA and independent from annual budgetary procedures in the Member States; recalls that the resources should be distributed not as concessional loans, but as grants; recalls the already-existing commitments, aimed at achieving ODA levels of 0,7% of Gross Domestic Product by 2015.</p>	<p>STRESSES that all ODA expenditure should take climate considerations into account with a view to making it climate-proof; EMPHASISES that synergies in the implementation of international climate finance and other assistance in developing countries should be used as much as possible, that the experience of existing institutions, including multilateral and bilateral development financial institutions, in delivering aid in developing countries should be used and the agreed principles of aid effectiveness should be applied.</p>

Sources: EP (2009) and Council of the EU (2009).

we see a shift from a request to be included in coordination meetings to an expectation from the Parliament that given its legal role that it *will* be included.

Turning to the evolution of the proximity between the EP and the Council preferences, our analysis reveals an increasing similarity between the EP's and Council's positions. This is particularly the case for the mitigation theme. The positions on the other core themes are also largely similar, but are characterized by differences in tone and framing.

For example, on *forestry*, whilst the EP and Council both make the link between financing and combatting deforestation, the EP's resolutions are different in tone. Ahead of COP 21 the EP called on the EU to scale up international finance to combat deforestation (EP, 2015), whereas the Council does not use such wording and is mainly concerned with monitoring and verification (Council of the EU, 2015). Both institutions pay less attention to forestry from 2013 onwards with the Council failing to mention it from then on.

Likewise, on *technology*, because of the central role of technology in the clean development mechanism, much of the difference between the EP and Council stems from the association with finance and development, and the on-going development of renewables. In its Copenhagen resolution the EP was keen to ensure that developed countries do not use offsets instead of transferring technology to poorer countries (EP, 2009). The EP also called upon the EU ahead of COP 16 in Cancun (2010), to establish a leadership position in its own investment in clean technologies to set a good example for others (EP, 2010b). Prior to Durban (2011) the EP called for investment in 'appropriate technologies' (EP, 2011) and in its Paris resolution (2015) called for the removal of subsidies for fossil-fuel based technologies (EP, 2015). The Council though tends to emphasize national measures to encourage technology deployment and noted in its Poznan (2008) resolution that the EU supports the establishment of carbon capture and storage demonstration projects (Council of the EU, 2008). Across all these core themes—finance, forestry, technology—the two share broad policy preferences and the princi-

pal differences between the EP and Council tend to be less about substance but more about framing with the EP pushing the Council—and thus the EU as an international actor—to be more ambitious and to take a leadership role.

When it comes to *mitigation* and targets the EP and Council were initially further apart and the EP has converged more obviously with the Council. From 2007 to 2013, although they were agreed on the overall direction of policy, there was a discrepancy in the targets they advocated. The Council committed to a 30% reduction in greenhouse gas emissions if other UNFCCC participants agree to the same target, by contrast the EP called for 30% without conditions. However, from 2013 onwards the institutions' expressed preferences on targets became identical.

Generally speaking then for the period 2007–2017 the expressed policy positions of the two institutions have been fairly consistent, especially on the most important core theme of mitigation since the failure to achieve a treaty at Copenhagen. Hence, we find some evidence (particularly on mitigation) that the EP's positions converge with the Council's over time and that the former become more moderate (E1a). However, there is no particular shift in at COPs 15, 18 and 21 when the shadow of consent was present (E2a).

4. Ad Locum Involvement: EP Delegations

The EP has sent a delegation to every COP of the UNFCCC since the early 1990s. The EP delegation generally attends the second week of the COP. In the period under study, the EP delegation varied between 11 and 28 members, apart from the politicized outlier case COP 15 with 48 MEPs attending. In most cases, all political groups have at least one MEP in the delegation. The MEPs are accompanied by EP staff, mostly from the secretariat of the EP Committee on Environment, Public Health and Food Safety and EP Committee on Industry, Research and Energy, and the EP's Directorate-General for Communication, by an agent per political group, and sometimes by assistants to an individual MEP. During

the COPs, the EP delegation holds meetings with EU actors who participate in the multilateral negotiations and with non-EU actors (our analysis is based on the ‘summary notes’ or ‘mission reports’ detailing the activities of the EP delegation, including a precise hour-by-hour programme). The meetings with the EU negotiators take the form of briefings. The number of briefings with the EU negotiators—Commission, Council Presidency, lead negotiator—is presented in Figure 2. As MEPs do not have direct access to most of the negotiation rooms as they are not allowed to participate in the daily EU coordination meetings (see above), these briefings are of crucial importance for them to get up-to-date about the developments in the COP negotiations.

Although the trend is neither systematic nor linear, the EP delegation now receives more briefings from the EU negotiators than a decade ago (E1b). By contrast, we do not find strong evidence supporting the expectation E2b that more briefings are organized when the COP’s outcome is intended to be legally binding. On the one hand, indicating support for our ‘shadow of consent’ expectation, most briefings were indeed organized at COP 21 (which resulted in a legally binding outcome) and there were also more briefings at COP 15 than at the preceding and subsequent COPs. On the other hand, suggesting a rejection of the expectation, the number of briefings at COP 21 rather fits within the growing number of briefings over time than within a pattern related to the degree to which the outcome is binding. Moreover, we do not see a higher number of briefings at COP 18 (although the Doha Amendment was legally binding). Also, COP 17, with a high number of briefings but without a legally binding outcome, challenges the expectation.

We also expected that the number of briefings would intensify towards the end of a COP meeting in case that

COP meeting was intended to result in a legally binding agreement (E2b). Figure 3 presents the number of briefings per day at each COP. For a confirmation of our expectation, we should observe a pattern with an intensification of the number of briefings towards the end of COPs 15, 18 and 21 than in other COPs. Yet, the empirical data do not provide evidence for this expectation.

Instead, what we see since COP 17 is an emerging standard practice of organizing one or two briefings a day. Particularly at COP 20 in Lima (2014), a practice seems to be institutionalized to organize two briefings per day. After the daily EU coordination meeting that takes place in the morning, the rotating Presidency briefs the MEPs on the state of play in the negotiations and on the discussions in the EU coordination meeting (which was chaired by the Presidency). The second briefing is given by the Commission. It takes place in the evening to discuss the progress made during the day (and sometimes the prospect of the upcoming all-night negotiations). Evidently, the contacts between the MEPs and the EU negotiators are not limited to these reported briefings. Informal talks with representatives of the Commission, the Presidency and other member states undoubtedly occur in the corridors of the negotiations and particularly in the ‘EU Pavilion’, where the EU’s offices are housed during the COP (and where the EP has its own office since COP 15).

The second kind of interlocutors of the EP delegation *sur place* are non-EU actors. Figure 4 presents the evolution in the number of ad locum outreach activities by the EP delegation. Examining *with whom* the EP delegation meets at the COP venues reveals a number of interesting observations.

First, with the exception of COP 18, the number of meetings with representatives of international or-

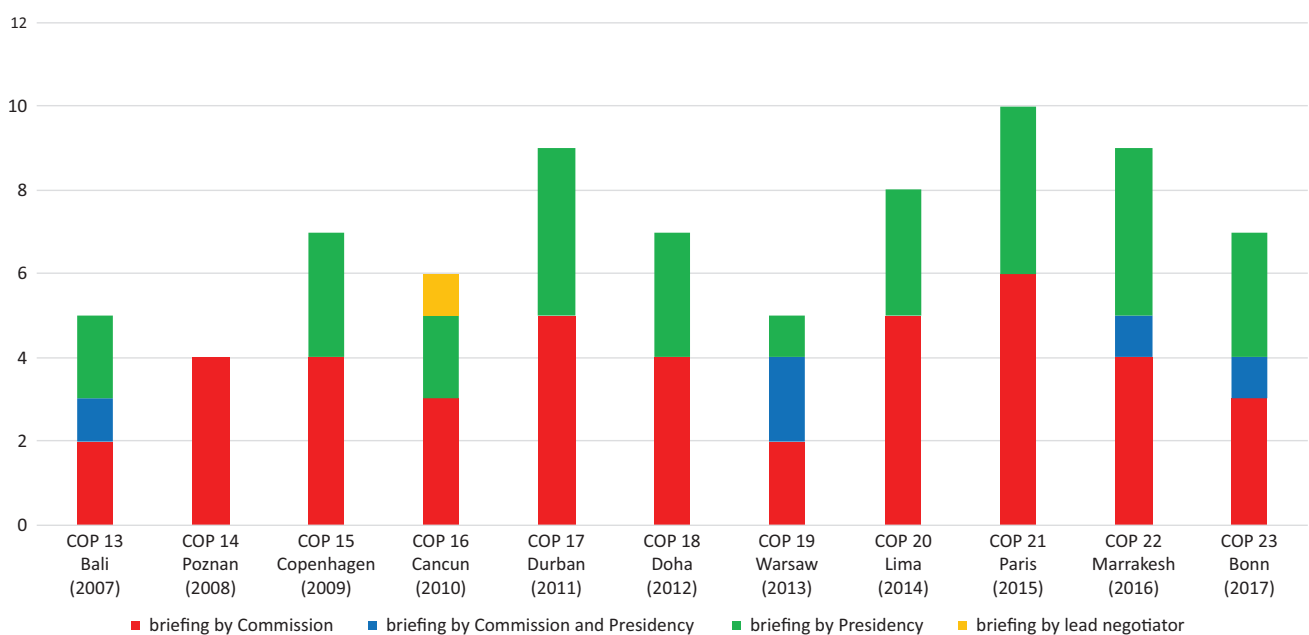


Figure 2. Number of briefings with EU negotiators.

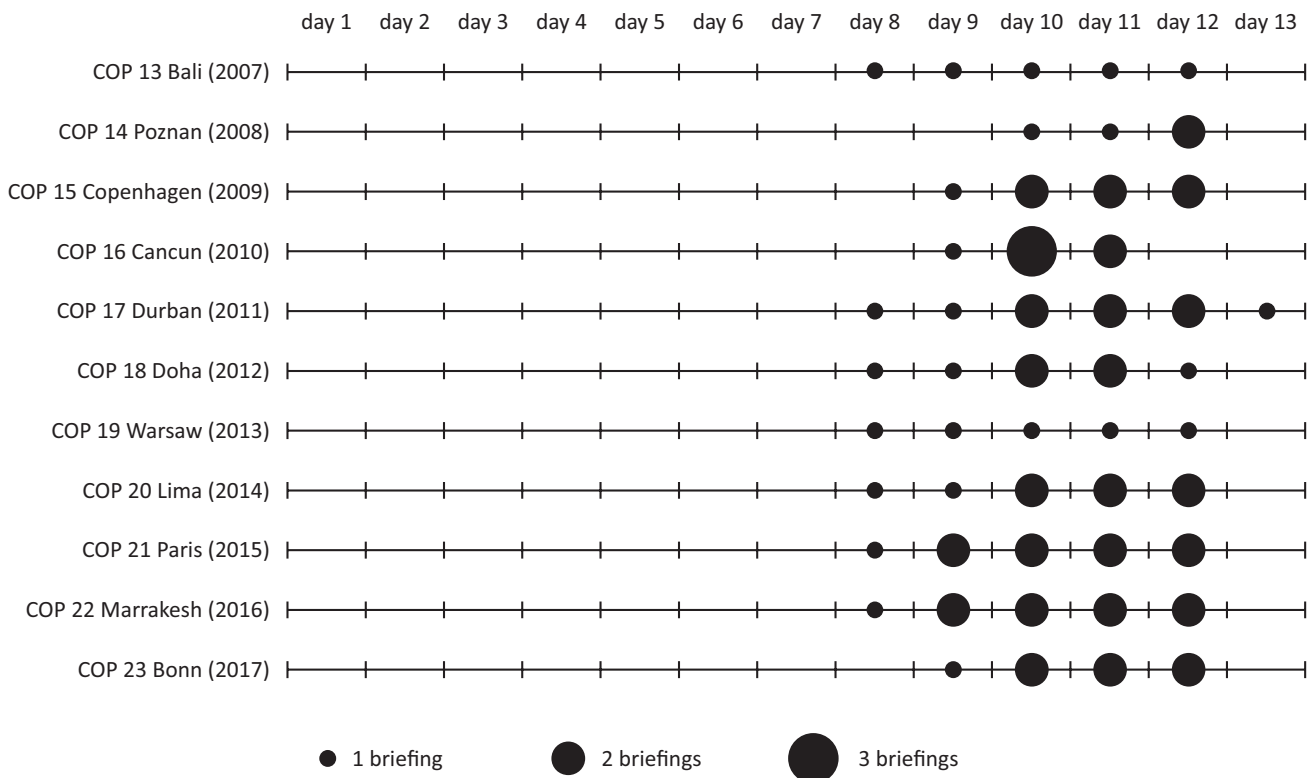


Figure 3. Distribution of briefings with EU negotiators per day per COP.

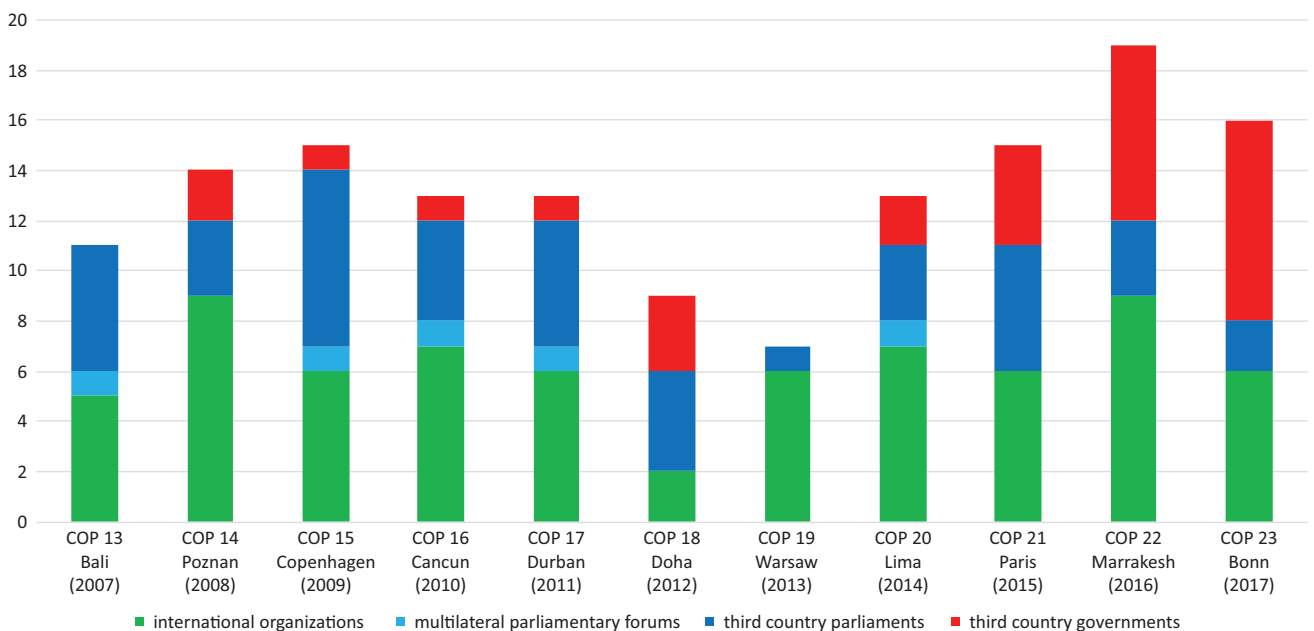


Figure 4. Number of meetings with non-EU actors.

ganizations has been relatively stable. On average, approximately half of the EP delegation’s meetings with non-EU actors are with representatives of inter-governmental organizations that deal with climate-related issues, both within the UN framework (e.g., United Nations Environment Programme, Food and Agriculture Organization, United Nations Development Programme, Global Environment Facility, International Energy Agency, World Health Organization, International

Civil Aviation Organization, International Maritime Organization) and outside the UN framework (e.g., Council of Europe and Organisation for Economic Co-operation and Development).

Second, at every COP, meetings are held with parliamentary delegations from third countries, which show a constant pattern over the years. With the exception of COP 19, the MEPs usually meet with counterparts from 3 to 7 other countries. With a number of these parlia-

mentary delegations—particularly from the US, Brazil, Japan, South Korea, Mexico and South Africa—meetings are rather common.

Third, a recent development, particularly since COP 18, is that the EP delegation also meets increasingly with governmental representatives from third countries. For instance, at COP 23, the EP delegation met with ministers (or in some cases heads of delegations) from Russia, the US, Brazil, Japan, China, India and Australia, as well as the chief negotiator of the Alliance of Small Island States. This shows that the EP's *ad locum* involvement is becoming more mature as it increasingly focuses its outreach activities on the actors who actually conduct international negotiations—governments, not parliaments. Hence, rather than an evolution in the number of meetings with third country actors, it is the kind of interlocutor that recently started to strengthen the EP's *ad locum* involvement in UN climate negotiations (E1b).

5. Conclusions

This article sought to answer the following research question: *what impact have the increased powers of the EP had on its involvement in UN climate diplomacy?* We find evidence to support the claims that the expressed positions of the EP have grown closer to the Council's over time (E1a) and that the EP has become more active and increasingly interacts with governmental representatives during the negotiations, thereby presenting itself as a maturing actor in the EU's climate diplomacy (E1b). However, we do not find support for the shadow of consent affecting the EP's positions or its activities at COPs. The *ex ante* preferences of the EP are not closer to the Council's in COPs expected to lead to a legally binding treaty (E2a). Likewise, the number, nature and intensity of the EP delegation's *ad locum* activities do not significantly differ between the Copenhagen, Doha and Paris COPs and COPs that are not characterized by a shadow of consent (E2b).

There are a number of ways of interpreting these findings. First, the backward shadow of consent operates across more than one COP. UNFCCC climate negotiations are rather a continuous process than a sequence of separate, annual meetings. In other words, the consent procedure does not cast its shadow on individual COPs, but rather on a multi-year negotiation process culminating in a COP where a treaty is ultimately adopted. Second, the EP and Council share broadly similar preferences on climate change making the EP unlikely to use its veto. Here we suggest that the politicization of climate change at the global level has increased the perceived need for unity at EU level as evinced by the one-voice rhetorical device post-Copenhagen that sought to depoliticize the issue to reduce conflict amongst the EU's institutions, thereby signaling the EU's unity of purpose to external actors (also see Schreurs, 2016). Third, and relatedly, we see the EP seeking to be a reliable partner with a desire to secure a progressive international climate deal, in

line with the traditional approach of the EP (Burns, 2017). The ACTA and SWIFT rejections imply that where the EP feels it has been ignored or excluded, and where there is potentially direct impact of agreements upon citizens' rights the patterns of behaviour may be different. Hence the impacts of parliamentarization and politicization are likely to vary between policy fields. Comparing the EP's involvement in international negotiations across a range of policies may reveal different patterns and is thus a promising future research agenda.

Our findings also have implications for our understanding of the role parliaments can play in international negotiations, a relatively understudied topic. It was beyond the scope of this article to investigate the implications of the parliamentary preferences and activities. A future project could investigate whether the participation of parliamentarians in international negotiations result in changes in the way other actors behave, and/or in the substantive content of international agreements. Likewise, the EP's impact on the outcome of international negotiations, as well as the possible use of the EP delegation by the Commission and the Council as part of the overall EU climate diplomacy arrangement are interesting questions to be examined in future research on the role of the EP in the EU's external relations. Overall our article demonstrates that the relationship between formal parliamentary empowerment and actual behaviour is complex and only through systematic careful analysis can we uncover patterns in parliamentary involvement.

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Conflict of Interests

The authors declare no conflict of interests.

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