

The Inter-parliamentary connection: how national parliaments empowered the European Parliament

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Existing studies highlight that the multiplication of inter-parliamentary interactions and the increased interdependence between parliamentary bodies at the national and European levels is a relatively recent development, triggered by the empowerment of the European Parliament (EP) in the 1990s. This article argues instead that the emergence of this ‘multilevel parliamentary field’ is a much older and more profound phenomenon. In particular, since the 1960s, national parliaments (NPs) have played a decisive role in the progressive EP empowerment.

Two case studies are selected to illustrate this argument: the first transfer of budgetary powers to the EP (1965–1970) and the first transfer of legislative powers through the European Single Act (1985–1986). These transfers have previously been explained by the EP’s supranational activism and by the ‘legitimizing beliefs’ of national governments seeking to decrease European institutions’ democratic deficit. I advance that NPs were the true driving force behind EP empowerment. When national governments were about to transfer some of their budgetary or legislative powers to the European level of governance, many NPs passed resolutions that threatened to oppose those reforms, unless governments agreed to increase the EP’s powers. Indeed, many NPs considered EP empowerment to be effective compensation for their own lost powers.

I show in particular that governments that supported EP empowerment were often not genuinely convinced of the legitimacy of the EP but felt constrained by pressure from their NP. This pressure was particularly effective when intra-cabinet competition made ministers more vulnerable and eager to respond to MPs’ demands. Therefore, the ‘multilevel parliamentary field’ should be viewed not only as a consequence of EP empowerment but also as the main driving force at its origin.

1. The origins of the EP’s powers

Faced with the question of which factors have promoted the empowerment of the European Parliament (EP), existing research identifies two: supranational activism and intergovernmental beliefs.

First, many authors focus on the role of MEPs themselves and highlight the inter-institutional ‘battles’ (Priestley 2008) and ‘coups’ (Beauvallet and Michon 2012: 127) through which they have managed to increase their own powers. From its origins, the EP tried to increase its prestige on its own initiative, for instance, by insisting on being called the ‘European Parliament’ and not the ‘Assembly’ (Cohen 1997). In the 1980s, directly elected MEPs

strategically used their new budgetary powers and managed to expand their influence through regular budget fights with the Council (Costa 2001: 143-160; Mény 2009: 151–63). In 1984, the EP even tried to act as a constituent assembly by adopting a draft treaty for a European Union that included new legislative powers for itself (Corbett 1998). In the 1990s, the EP was able to increase its role in the legislative process and in the appointment of the Commission by interpreting the Maastricht Treaty to its advantage and by imposing its interpretation on the Council (Hix 2002). In particular, MEPs used the threat of blocking or slowing legislations to win institutional concessions from the Council (Farrell and Héritier 2003).

The problem with this approach is that it can provide only marginal explanations of the empowerment of the EP. Supranational activism can merely explain why, once they were given some powers by treaties, MEPs managed to capitalise on those powers. It cannot explain why national governments gave those powers to the EP in the first place, at a time when, by definition, MEPs had no institutional leverage over the Council.

This problem has driven some authors to focus on governments. König (2008) argues that governments can benefit from introducing a co-decision procedure. According to König, when the Council has a strategic informational advantage over the EP, co-decision can strengthen governments' position vis-à-vis the European Commission. However, many authors claim that, from a rationalist perspective, the empowerment of the EP is an 'anomaly', since it tends to limit governments' margin of manoeuvre (Costa and Magnette 2003: 49). The main answer to this puzzle relies on constructivism: governments would act not according to their interests but according to their beliefs. The empowerment of the EP would thus be explained by governments' federalist ideology (Moravcsik 1998: 311; Wagner, 2002) or by their beliefs in terms of legitimacy (Costa and Magnette 2003; Rittberger 2005). Rittberger (2005: 55) distinguishes three types of legitimating beliefs: the federal state, intergovernmental cooperation, and the economic community. According to Rittberger, every time a legitimacy deficit was created by delegation or pooling of sovereignty, national political elites sought to address it according to their beliefs. The empowerment of the EP would thus be explained by the efforts of governments adhering to a federal state-legitimating belief. Similarly, Knudsen (2012a) studied the discursive process through which MEPs managed to convince Council and Commission officials of the legitimacy of their demands.

The constructivist approach actually introduces a new question. Why would some governments believe in the necessity to empower the EP, which directly weakens the powers of the Council and thus their own powers? Constructivists argue that governments are willing to limit their own powers because they perceive a 'legitimacy deficit'. However, according to

specialist of states' formation Charles Tilly (1985: 171), legitimacy 'depends rather little on abstract principle'; instead, 'legitimacy is the probability that other authorities will act to confirm the decisions of a given authority'. According to this definition, a legitimacy deficit exists only if European decisions are effectively challenged by other authorities. This leads to the question of which authorities had the interest and the power to challenge governments' decisions and thus force them to acknowledge the existence of a legitimacy deficit. An obvious answer would be MEPs themselves. However, we have observed that, except on marginal occasions, they were not powerful enough to constrain governments alone.

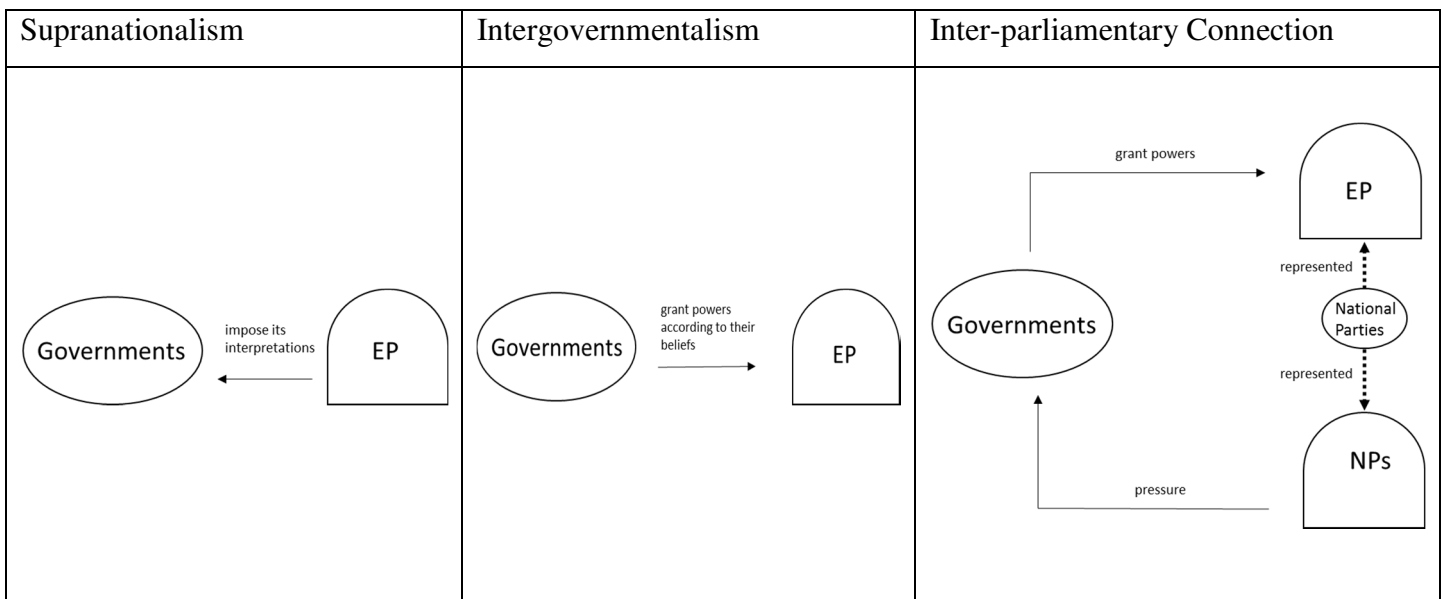
This article argues that national parliaments (NPs) constitute the missing link between governments and the EP. When some NP powers are transferred to the European level through the pooling or delegation of sovereignty, the parties represented in those parliaments risk losing some of their power of oversight over government decisions. However, this loss at the national level can be compensated at the European level by the empowerment of the EP, in which national parties are also represented. Therefore, when NPs are weakened by European integration, national parties can have a direct interest in EP empowerment. Moreover, national parties also have the leverage to impose EP empowerment via their presence in NPs. Since they exercise parliamentary oversight over their governments, NPs can constrain those governments to support EP empowerment. In particular, NPs can make their approval of the new transfer of powers to the European level conditional on the empowerment of the EP. In sum, national parties can have both an interest (via their presence in the EP) and the power (via their presence in NPs) to push in favour of EP empowerment.

In a nutshell, the logic behind this model of EP empowerment is the balance of powers. When European integration strengthens the Council of Ministers at the expense of NPs, it risks unbalancing the relationship between executive and parliamentary powers. In reaction to that, NPs push to restore the balance at the European level, and by exerting pressure on governments in NPs in order to gain powers in the EP, national parties tend to convert their national power into a European power.

This inter-parliamentary model challenges both the supranational and the intergovernmental models reviewed above:

1. Contrary to supranationalism, this model argues that the main parliamentary constraints exerted on governments were located not at the European level but at the national level. When the EP asked for its first important powers, it was heard by governments only insofar as its demands were supported by NPs.

2. Contrary to constructivist intergovernmentalism, the inter-parliamentary model argues that not only governments but also NPs constituted one of the key driving actors behind EP empowerment. According to this model, governments' default position was to defend the powers of the Council. When they supported the empowerment of the EP, it was not necessarily because they genuinely believed it was the most legitimate solution; rather, they were also institutionally and politically constrained to do so under pressure from their respective NPs.



2. The inter-parliamentary connection

The inter-parliamentary model implies that NPs can consider EP empowerment to be an effective compensation for their own loss. In other words, NPs and the EP can have converging interests. This is not self-evident, as the academic literature often insists on their potential competition (Neunreither 2005), suggesting that NPs might have been the ‘losers’ of European integration (Maurer and Wessels 2001). However, it can be argued that NPs and the EP are strongly connected to one another within the framework of a multi-level parliamentary field marked by multiple links and interactions (Crum and Fossum 2009).

Before 1979 and the direct election of the EP, MEPs were simultaneously MPs in a national chamber and often had an important experience in national politics (Knudsen, 2012b). This dual mandate allowed them to develop multi-level strategies. MEPs could use their national position to influence the Council of Ministers and, conversely, could inform and advise their national colleagues on European affairs (Van Schendelen 1979). Therefore, because the

EP was an emanation of NPs, the empowerment of the EP could allow NPs to indirectly influence the policies that they could no longer directly oversee at the national level.

After 1979, the end of the dual mandate and the increasing specialisation of MEPs' careers (Beauvallet and Michon 2012) broke the personal connection between NPs and the EP. However, a political connection persisted through national parties, which acted as multi-level organisations. Indeed, national parties still control candidate selection to EP elections, which allows those parties to direct their MEPs' votes on important issues (Faas 2003). Although transnational party groups monitor MEPs' behaviour in day-to-day politics, MEPs attach greater importance to representing the views of their national party (Rasmussen 2008). Raunio (2000) and Miklin and Crum (2011) observe substantial contacts between MEPs and their national party executives. Finally, MEPs' votes primarily reflect their national party affiliation. Hix (2002a) shows that voting in the EP is driven by national party preferences, not by individual preferences or by transnational party groups. Corbett et al. (2005: 104) highlight that voting discipline is primarily imposed by national parties. Similarly, Hix et al. (2009: 827–8) show that, when they clash, national parties' preferences tend to prevail over transnational groups' positions, particularly in close votes.

More precisely, recent studies have demonstrated that national parties tend use their presence in both their NP and the EP to develop multi-level strategies. Proksch and Slapin (2011) suggest that national opposition parties can use their MEPs to reduce their informational deficit in European affairs vis-à-vis their governments. Finke and Dannwolf (2013) argue that opposition parties that are weak in their NP but strong in the EP forward information to their MEPs to influence EU policies at the European level, whereas opposition parties that are weak in the EP but strong in their NP try to influence their government's position at the national level. Finally, Wonka and Rittberger (2014) show that German MPs have important contacts with MEPs from their own party, particularly when those MPs are in the opposition. Those studies tend to corroborate that national parties are multi-level organisations that are able to use their MEPs to compensate for the weakness of their national MPs. This supports the idea that national parties can have an interest in EP empowerment in matters that NPs can no longer directly oversee.

Winzen et al. (2015: 76) note that the question of the connection between NPs and the empowerment of the EP is still understudied. They observe in particular that national MPs and MEPs 'come from the same countries and parties', which 'opens up the possibility of compensating for domestic losses of parliamentary authority with European gains' (2015: 77). However, their study focuses on only one side of 'the interdependent process of

parliamentarization in the EU's multilevel system'—how EP empowerment affects NPs. They argue that, when NPs regard the EP as a competitor, the empowerment of the EP encourages them to demand additional powers to oversee EU policies at the national level. In contrast, when the EP is considered an ally, NPs do not demand reforms in reaction to EP empowerment.

In this article, I will explore the other side of the interdependent relationship between NP powers and EP powers by examining how NPs can push in favour of EP empowerment to compensate for their own power losses. I will focus on two case studies of EP empowerment: the 1970 budgetary treaty and the 1986 Single European Act (SEA). I have elected these cases because they correspond, respectively, to the first budgetary and the first legislative powers granted to the EP. In subsequent treaties, the EP was regularly empowered, but the issue was increasingly less debated and almost became 'a matter of habit' (Goetze and Rittberger, 2010). Therefore, empirically, the first empowerment presents the advantage of providing debates in which arguments were more explicitly stated and pressure more clearly exerted. Moreover, the 1970 budgetary treaty preceded the first direct EP election in 1979. The direct election changed the nature of the link between NPs and the EP; thus, it is interesting to complement this case study with that of the SEA, which constituted the first empowerment of the newly directly elected EP.

3. The 1970 budgetary treaty

The question of the EP's first budgetary powers was linked to the funding of the Common Agricultural Policy (CAP). In April 1970, the Council agreed to replace national contributions with the Community's own resources to fund the European Agricultural Guarantee Fund (EAGF). In parallel, a new treaty was signed that granted budgetary powers to the EP. The underlying logic was that, since those funds would no longer be transited through national budgets, the parliamentary oversight that could no longer be performed by NPs had to be performed by the EP.

The principle of a progressive transition towards the Community's own resources was agreed upon in a 1962 regulation, but the first attempt to implement this commitment failed in 1965, when the European Commission presented a proposal linking the creation of the Community's own resources to the granting of budgetary powers to the EP. France was strongly in favour of the funding of the CAP by the Community's own resources; however, it was isolated in the Council in its opposition to EP powers, which led to the Empty Chair Crisis (Ludlow 2006a). The negotiation was relaunched in December 1969, after the Hague Summit. This time, a compromise was reached that established the Community's own resources and

granted the last word to the EP in the new budgetary procedure, but only on administrative expenditures. Additionally, the EP's ability to increase spending was restricted (Coombes 1972). The treaty was signed in Luxembourg on 22 April 1970. During the negotiation, the Netherlands and Germany were the most favourable to the empowerment of the EP, while France was the most reluctant.

I will show that NPs were the true driving force behind this first EP empowerment. The EP by itself had no leverage over governments to impose its demands, and governments supported EP empowerment essentially insofar as they were encouraged to do so by their NPs. According to article 201 of the Treaty of Rome, the establishment of the Community's own resources had to be approved by NPs, which gave them excellent leverage. Several NPs passed resolutions giving very precise instructions to governments and conditioning their approval of the establishment of the Community's own resources on EP empowerment.

The first to demand budgetary powers for the EP were MEPs themselves. On 27 June 1963, based on a report by German CDU member Hans Furler, they adopted a resolution stating that budgetary powers should be granted to the EP when the Community had its own resources.¹ At this stage, a French diplomat noted that the EP had 'no competence to discuss its own competence' and that no government appeared to be genuinely willing to empower the EP.²

However, the EP's demands were soon backed by some NPs. In December 1963, the Dutch Second Chamber adopted a resolution in favour of transferring budgetary powers to the EP. In February 1964, Dutch Foreign Minister Joseph Luns told the Second Chamber that his government had followed the resolution and had submitted proposals to the Council (Niblock 1971: 83). Similarly, in Germany, in June 1964, the Bundestag's Foreign Affairs Committee passed a resolution that was tabled by the SPD group and demanded budgetary powers for the EP (Niblock 1971: 86). During the 16 June 1964 Council meeting, the German delegation stated that the question of the EP's empowerment was 'thoroughly discussed in the Federal Republic' and that the German government 'attached great importance to finding solutions that could be approved by the EP'.³ In private meetings, German diplomats explicitly cited pressure from NPs when explaining their position. As noted by the French ambassador in Bonn:

¹ Historical Archives of the EU (HAEU), CM2 1965, 1001.

² French Diplomatic Archives (DA), Note de la sous-direction d'Europe occidentale, 27 juillet 1963, *Coopération économique*, vol. 1124.

³ HAEU, Extrait du projet de procès-verbal de la réunion restreinte du Conseil du 16 juin 1964, 28 septembre 1964, CM2 1965, 1008, p. 33.

Our [German] interlocutors report that the Federal government – as those in The Hague, Brussels and Rome – is submitted to very strong pressure from MPs in the Bundestag (indeed, the SPD and FDP groups have tabled projects, the details of which will be debated, but that no one opposed – or dared to – in principle).⁴

At the end of the year, aware that no compromise was in sight due to French opposition, Joseph Luns issued a long declaration in favour of EP empowerment on 1 December 1964 Council meeting. In particular, he stated:

I can tell you that no one in this room should delude himself into thinking that the Dutch parliament could, without any guarantee in terms of parliamentary oversight, participate in the procedure laid down in Article 201 of the EEC treaty...⁵

The Foreign Minister was clearly warning the French that without the concession of EP empowerment, the Dutch parliament was ready to veto the creation of the Community's own resources. This threat was confirmed by the Dutch Second Chamber. On 2 February 1965, it adopted by unanimity a new resolution stating that establishing the Community's own resources was out of the question unless the EP was granted a prominent role in the budgetary procedure. Additionally, the Chamber urged the Dutch government to continue to strongly advocate this position.⁶

At this stage, all NPs except the French parliament had expressed their support for EP empowerment (Niblock 1971: 88) when the European Commission tabled its plan on 23 March 1965. This plan included the establishment of Community's own resources and a modification of the budgetary procedure, which made it harder for the Council reject the EP's amendments.⁷ Walter Hallstein, the German President of the European Commission, was particularly aware of the pressure exerted by the Bundestag (Loth 2001: 231). On 12 May 1965, the EP voted on a resolution approving the Commission's plan and suggested amendments intending to strengthen its role even more.⁸

⁴ DA, Télégramme de Margerie, 1^{er} juillet 1964, *Coopération économique*, vol. 1124.

⁵ HAEU, Déclaration concernant le renforcement des pouvoirs de l'Assemblée faite par le ministre Luns au cours de la session du Conseil de la CEE des 30 novembre et 1^{er} décembre 1964, 3 décembre 1964, CM2 1965, 1011, p. 5.

⁶ HAEU, Note du secrétariat général du Conseil, 12 février 1965, CM2 1965, 1012

⁷ HAEU, Financement de la politique agricole commune, proposition de la Commission au Conseil, 31 mars 1965, BAC, 25/1980, n° 495, 1963-1965.

⁸ *Journal Officiel des Communautés Européennes*, résolution du 12 mai 1965, 2 juin 1965, n° 96.

On 9 June 1965, the Dutch Second Chamber's foreign affairs budgetary committee adopted a resolution that was tabled by the five main political groups and supported the Commission's plan as amended by the EP.⁹ Among the five MPs that tabled the motion, four were also MEPs. The resolution also called on the Dutch government to 'strongly maintain' its position in favour of the EP. Notably, the Dutch government tried to alleviate the constraint exerted by the Second Chamber but failed to do so. During the debate, Foreign Minister Joseph Luns declared that, if unanimity was unreachable in the Council—which was predictable due to France's opposition—he would consider himself free to re-evaluate his position. However, the committee forced the Minister to adopt a much firmer stance and to declare that he would support the Commission's plan as long as the Commission would defend it (Newhouse 1967: 94–5). This episode reflected differences in preferences: on the one hand, the Dutch government's priority was the development of the CAP; on the other hand, a majority of MPs attached more importance to EP empowerment (Harryvan 2006: 131–2). Within the Dutch cabinet (a coalition among the Catholic, Labour and Anti-revolutionary parties), the strongest advocates of EP empowerment were Labour ministers (Harryvan 2006: 134). This could be explained by the fact that Labour leader Anne Vondeling and Catholic leader Joseph Luns had been in competition for the position of foreign minister. By accusing Luns of not defending the parliament's position firmly enough, the Labour party was continuing this intra-cabinet rivalry.¹⁰ This rivalry also explains why the Dutch Cabinet could not afford to resist parliamentary pressure and adopted a very radical position in favour of the EP. As French Foreign Minister Maurice Couve de Murville put it, the Dutch government had 'its hands tied by its parliament' (Peyrefitte 2002: 885).

In Germany as well, in their discussions with their French counterparts, diplomats insisted on the necessity to respond to German MPs' demands.¹¹ Indeed, on 30 June 1965, the Bundestag adopted by unanimity a resolution stating that the Commission's proposals on EP empowerment were still insufficient and calling on the German government to support the EP's proposals.¹² Here, as well, the political context encouraged the government to hear MPs' demands. General elections were scheduled for September 1965. Foreign Minister Gerhard Schröder was not ordinarily a defender of supranational institutions, and EP powers were not his priority (Oppelland 2001: 233–4). However, many CDU/CSU politicians—particularly

⁹ HAEU, Motion du parlement néerlandais du 9 juin 1965, CM2 1965, 1012.

¹⁰ DA, Télégramme de Ledoux, 19 août 1965, *Coopération économique*, vol. 1112.

¹¹ DA, Entretien de Wormser avec Lahr, 11 juin 1965, *Coopération économique*, vol. 1111.

¹² DA, Texte de la commission du budget du Bundestag adopté le 30 juin 1965, 4 septembre 1965, *Coopération économique*, vol. 1112.

Federal President Heinrich Lübke—wanted Schröder to be removed from his post after the elections. By responding to his MPs’ demands, Schröder essentially intended to ensure that he could rely on the support of the Europhiles within the party (Oppelland 2001: 237). In the Council meeting on the same day, he invoked the Bundestag’s resolution. He added that his government would soon hold a coalition meeting (between CDU/CSU and FDP) and that it could not afford to go against its MPs’ wishes (Newhouse 1967: 117). In response, Belgian Minister Paul-Henri Spaak regretted that some of his colleagues ‘were letting themselves be influenced by parliamentary motions’.¹³ The rigid positions of the Netherlands and Germany largely contributed to the failure of the negotiation with France, which led to the Empty Chair Crisis (Ludlow 2006b). In the French National Assembly, Foreign Minister Couve de Murville accused governments ‘submitted to all sorts of political and parliamentary pressures’ for being responsible for the crisis.¹⁴

The 1962 regulation had established 1970 as the deadline for the transition towards the Community’s own resources, which is why discussions resumed in 1969. On 7 October 1969, the EP adopted a resolution reaffirming that the creation of the Community’s own resources should be accompanied by a reform granting it budgetary powers. Aware that they were able to influence governments only through the support of NPs, MEPs also called on NPs to condition their approval of own resources on EP empowerment.¹⁵ During the debate, German CDU MEP Hans Furler declared that he was convinced that the Bundestag would never approve own resources without budgetary powers. He concluded by warning the Council that MEPs would do everything they could in their NPs to ensure that own resources did not slip away from the EP’s control. Belgian Christian Democrat MEP Maurice Dewulf also mentioned a motion, adopted by the Dutch parliament, that conditioned the creation of own resources on EP empowerment.¹⁶

The negotiation resumed in the Council after the Hague Summit in late December 1969. As in 1965, the Dutch and German governments were the most active defenders of EP empowerment not so much because they genuinely believed that it was the right thing to do but because they felt constrained by their respective NPs. In a January 1970 private meeting, Willy Brandt, the new German SPD Chancellor, even told newly elected French Gaullist President Pompidou that he did not attach much value to the EP: ‘I sometimes wonder if the path taken

¹³ DA, Télégramme de Boegner, 2 juillet 1965, *Coopération économique*, vol. 1111.

¹⁴ *Journal officiel de la République française*, Assemblée nationale, 1^{ère} séance du 20 octobre 1965, p. 3890.

¹⁵ HAEU, Procès-verbal de la séance du 7 octobre 1969, CM2 1970, 120.

¹⁶ HAEU, Extrait du Journal officiel des Communautés européennes, Parlement européen, séance du 7 octobre 1969, CM2 1970, 120, p. 40-1.

by the Treaty of Rome was reasonable. I would have preferred some kind of Senate than a Parliament based on the model of national parliaments.’¹⁷ The German government actually sympathised with the French reluctance to grant too much power to the EP, but Chancellor Brandt admitted that he could ‘run into trouble’ vis-à-vis the German parliament if he did not defend the EP strongly enough (Rittberger 2005: 135). Similarly, German diplomats explained to their French counterparts that German Foreign Minister Walter Scheel (FDP) was willing to get closer to the French position, but that he also had to avoid ‘overly strong criticism from the Bundestag’.¹⁸ The Dutch government was equally constrained. On 10 September 1969, the Second Chamber adopted a resolution that was tabled by all the major parties of both the right-wing majority and the opposition and called on the government to agree to the creation of the Community’s own resources only if the strengthening of the EP was satisfactory (European Parliament 1970: 211). During the negotiation, the Dutch State Secretary for Foreign Affairs Hans de Koster (liberal) explained to the French ambassador in The Hague that his government did not intend to create a crisis on the powers of the EP but that it had to ‘demonstrate its fighting spirit to its parliament’.¹⁹ Similarly, when, at the end of the negotiation, Joseph Luns defended EP’s right to adopt or reject the budget en bloc, the French ambassador noted that the Dutch Foreign Minister did not insist and that it was ‘obvious that this intervention had no other purpose than to allow him to tell to his parliament that he had tried to make an additional effort’ for the EP.²⁰

Concomitantly, the EP was aware that its main leverage came from its ability to influence NPs and thus, indirectly, national governments. On 7 October 1969, the EP called on NPs not to approve the creation of own resources unless the EP was simultaneously granted budgetary powers, and it asked its president to forward this resolution to NP presidents (European Parliament 1970: 129). In December, just before the relaunch of negotiations in the Council, Mario Scelba, President of the EP, wrote to Joseph Luns, President of the Council, and warned him about the ‘difficulties that could arise’ when the decisions would be sent to NPs for ratification if the EP’s demands were not fully met. In turn, Luns warned his colleagues that the ratification of the creation of the Community’s own resources would not be possible without EP empowerment.²¹ During the negotiation, the EP voted on a new resolution on 3 February 1970 that again threatened the Council not to recommend ratification to NPs (European

¹⁷ Quoted by Gerbet (2001: 358)

¹⁸ DA, Télégramme de Seydoux, 28 janvier 1970, Coopération économique, vol. 806.

¹⁹ DA, Télégramme de Margerie, 5 février 1970, Coopération économique, vol. 806.

²⁰ DA, Télégramme de Boegner, 9 mars 1970, Coopération économique, vol. 806, p. 2.

²¹ HAUE, Compte-rendu des séances du Conseil du 19 au 22 décembre 1969, BAC 3/1978, 432, p. 12.

Parliament 1970: 156). Finally, after the treaty was signed, the EP tried to impose its own interpretation, according to which it had the power to reject the budget en bloc. On 13 May 1970, a report by French socialist Georges Spénale recommended calling on NPs to interpret the text, arguing that the EP and NPs had a common interest in maintaining ‘parliaments’ global budgetary powers’. The report also noted that, after the ratification process, the EP would lose its ‘bargaining power’ vis-à-vis the Council (European Parliament 1970: 183–4). The EP adopted a resolution calling on NPs to support its own interpretation of the text during their ratification debates (European Parliament 1970: 190). This interpretation was contested by the President of the Council, Belgian Foreign Minister Pierre Harmel.²²

On 6 November, the Bundestag unanimously adopted a resolution calling for further EP empowerment (European Parliament 1970: 81). On 2 December 1970, the Dutch Second Chamber adopted a resolution that was tabled by five MEPs representing the five main parties in the Chamber and stated that it supported the EP’s interpretation (European Parliament 1971: 179). This resolution was also approved by the First Chamber (European Parliament 1971: 182). In Luxembourg, on 3 December 1970, a similar resolution was tabled by the three main parties and adopted by the Chamber of Representatives (European Parliament 1971: 158). Foreign Minister Gaston Thorn criticised the EP’s interpretation but agreed to defend it, as requested by the motion (European Parliament 1971: 157). In Belgium, the two main parties of the Chamber of Representatives (Socialist and Christian Social) supported the EP’s power to reject the budget (European Parliament 1971: 46, 49). In the Senate, the rapporteur Fernand Dehousse (Socialist, MEP) explicitly rejected Prime Minister Harmel’s interpretation and defended the EP’s right to reject the budget (European Parliament 1971: 57). In Italy, the Senate adopted a resolution that was tabled by the President of the EP, Mario Scelba, and called on the government to take action in the Council to support the further strengthening of the EP’s budgetary powers (European Parliament 1971: 126). The rapporteur Giusto Tolloy (Christian democrat, MEP) stated: ‘The European Parliament develops itself today only insofar as national parliaments approve it and support it. National parliaments are those who will decide to further broaden the powers of the European Parliament’ (European Parliament 1971: 129).

²² DA, Télégramme de Boegner, 12 juin 1970, *Coopération économique*, vol. 806.

4. The Single European Act

In the case of the SEA signed on February 1986, the question of EP empowerment was linked to the extension of qualified majority voting in the Council. Governments' main objective at the time was the completion of the single market. On 14 June 1985, the Commission presented a White Paper that outlined the many measures required for achieving this goal by 1992. To facilitate the implementation of this programme and accelerate decision making, governments decided to extend the use of qualified majority voting in the Council in the SEA. This evolution threatened the NPs' power of oversight over European decisions. Indeed, under the unanimity rule, NPs could indirectly oversee European legislations through the oversight of their government at the national level (Frears 1975: 142). However, with the generalisation of majority voting, governments could be outvoted in the Council, and parliamentary oversight at the national level could then become powerless.

Similar to the 1970 Budgetary Treaty, the SEA sought to compensate this weakening of NPs by empowering the EP. Under the new cooperation procedure, the EP's amendments that were supported by the Commission could be adopted by the Council by a qualified majority but could be rejected or amended only by unanimity. This compromise solution created an incentive for governments to consider the EP's demands while letting the Council have the final word. During the negotiation, Italy and Germany were the most favourable towards the EP empowerment, and Denmark and the UK were the most sceptical.

As in the 1960s, the EP actively promoted its own empowerment but was aware that it needed NPs' support to be able to influence governments. On 14 February 1984, the EP adopted a draft treaty that was largely inspired by Italian and German MEPs. The Chairman (Mauro Ferri) and the coordinating rapporteur (Altiero Spinelli) of the Institutional Committee were both Italian, and half of the rapporteurs were either Italian or German (Schmuck 1987: 194). Article 38 of the draft treaty provided a co-decision procedure that required a law to be approved by both the Council and the EP. The EP invited NPs to ratify the draft treaty and sent delegations to seek support (Corbett 1998: 174). The Italian parliament was the first to respond to the EP's call, which can be explained by the prominent role played by Italians within the EP's Institutional Committee. On 14 February 1984, the Chamber of Representatives adopted two resolutions (one tabled by the opposition Radical party, the other by the Christian democrat and Socialist-led ruling coalition) calling on the Italian government to support the draft treaty and

to work towards its ratification.²³ The Senate adopted a similar resolution.²⁴ The German Bundestag held a debate on the EP's initiative on 13 April 1984, which showed general support from the main parties (Corbett 1998: 225). In Belgium, the Chamber of Representatives unanimously adopted a resolution calling on the ratification of the draft treaty.²⁵ In the Netherlands, both chambers adopted resolutions in May 1985 that approved the draft treaty and insisted on the strengthening of the EP's legislative power (Corbett 1998: 190). In contrast, on 29 May 1984, the Danish Folketinget adopted a resolution rejecting the draft treaty, particularly the EP's empowerment (Corbett 1998: 186). Governments did not directly discuss the EP's draft treaty but decided to set up their own ad hoc Committee on Institutional Affairs in June 1984 and then established an Intergovernmental Conference (IGC) at the Milan European Council on 28-29 June 1985.

As in the 1960s, the governments that were the most supportive of EP empowerment were less genuinely convinced of the legitimacy of the EP than pressured by their respective NPs. Similar to the Netherlands in 1965, Italy in 1985 was in a political context that encouraged the government to consider MPs' demands. There was an intense rivalry between Socialist Prime Minister Bettino Craxi and Christian democrat Foreign Minister Giulio Andreotti over who was doing more for the federalist project advocated by the Italian parliament. In accordance with the EP's draft treaty and the resolutions voted by the Italian parliament, the Italian government thus defended a procedure of full legislative co-decision between the EP and the Council.²⁶ Andreotti was the most vibrant defender of the EP's demands during the IGC. However, the personal view of the Italian Foreign Minister on the legitimacy of the EP was not necessarily as enthusiastic as it seemed. A few years later, in 1991, he told French President Mitterrand in a private meeting: 'Why did we create a European Parliament? Because we were demagogic! The evolution is not yet that federalist' (Védrine 1996: 469). Domestic politics explained the Foreign Minister's position more than beliefs did. The French ambassador in Rome interpreted Andreotti's hard-line approach during the 1985 IGC as an effort to strengthen his position in Rome, particularly vis-à-vis Craxi, and eventually to become Prime Minister again.²⁷

Indeed, by embracing the cause of the EP's powers, Andreotti actually responded to the Italian parliament's continuous pressure. On 16 October 1985, the Senate's Foreign Affairs

²³ Camera dei Deputati, *Atti Parlamentari*, 14 febbraio 1984, 7327-7328.

²⁴ Senato della Repubblica, *Resoconto stenografico*, 10 maggio 1984, 25-26.

²⁵ Chambre des représentants, *Annales parlementaires*, 24 mai 1984, 2975.

²⁶ DA, Note de la délégation italienne, 11 octobre 1985, *Coopération économique*, vol. 2532.

²⁷ DA, Télégramme d'Andréani, *Coopération économique*, 14 décembre 1985, vol.2499.

Committee called on the government to adopt the EP's draft treaty as the basis of its position in the IGC and to defend the EP's empowerment and its participation in drawing up and approving the future treaty.²⁸ A few days later, on 22 October 1985, in a meeting between Foreign Ministers and representatives of the EP, Altiero Spinelli complained that the EP would not have the right to amend the treaty negotiated by ministers before its ratification by NPs. He was immediately backed up by Andreotti, who underlined Italy's 'special situation', because both chambers of the Italian parliament had unanimously approved the EP's draft treaty. Andreotti added that a consensus had to be reached with the EP because a lack of EP approval of the treaty drawn up by the IGC could prevent ratification by the Italian parliament.²⁹ The Italian parliament even encouraged the government to radicalise its position. While the IGC was coming to a compromise on the principle of the new cooperation procedure, the Italian Chamber's Foreign Affairs Committee unanimously adopted a resolution on 29 November 1985. The motion criticised the Luxembourg presidency's compromise and reaffirmed its support for a full co-decision between the EP and the Council.³⁰ It also called on the government to reject any text that did not conform with the proposals of the EP and the Italian parliament, even if this meant precluding the unanimity required by the IGC. Finally, the motion asked the government to condition its approval on any final document to that of the EP. The Italian government strictly complied with these requirements, and when the Luxembourg European Council endorsed the presidency's compromise on 2-3 December 1985, Andreotti maintained a reserve on the text (along with Denmark but for opposite reasons) and conditioned his approval on the assent of the EP, criticising in particular the cooperation procedure.

It became clear that the Italian parliament's position constituted a genuine constraint for the Italian government. According to Renato Ruggiero, Secretary General of the Ministry of Foreign Affairs, his government could not afford to submit to the Italian parliament a treaty that would have been rejected by the EP.³¹ A symptom of this constraint was the government's attempts to appease MPs. In a speech to the Chamber, Andreotti declared that although Italy maintained its reserve, he thought that the final compromise should eventually be accepted. The French ambassador in Rome interpreted this statement as an effort to 'cool MPs' maximalist ardour'.³² On 10 January 1986, Andreotti told other member states' ambassadors that it would

²⁸ Senato della Repubblica, *Resoconto stenografico*, 3a Commissione permanente (Affari esteri), 16 ottobre 1985, 40.

²⁹ DA, Télégramme de Nanteuil, 23 octobre 1985, *Coopération économique*, vol. 2532.

³⁰ Camera dei Deputati, *Bollettino Commissioni*, III Commissione permanente (Affari esteri), 29 novembre 1985, 12-14.

³¹ DA, Télégramme d'Andréani, 26 novembre 1985, *Coopération économique*, vol. 2533.

³² DA, Télégramme d'Andréani, 19 décembre 1985, *Coopération économique*, vol. 2533

be foolish to consult the Italian parliament before the EP gave its opinion because the treaty was at risk of being rejected. He also observed that it would be less risky to consult with each Italian chamber in a plenary session rather than the parliamentary committees because these committees were more competent and motivated and thus more likely to cause difficulties.³³ Indeed, after the government got the green light from the EP and the Senate and thought that the Chamber's approval would be a mere formality, a surprise resolution was adopted by the Chamber's Foreign Affairs Committee, asking for a new review of the EP's power before 1988 and calling on the government to delay its signing of the SEA after the Danish reserve was lifted.³⁴ The Italian government was thus forced, despite itself, to wait until the Danish referendum to sign the SEA. On the occasion of the signing, Andreotti made a statement insisting that the cooperation procedure 'did not constitute the joint decision making power sought by the EP and the Italian Parliament'.³⁵ These incidents clearly show that the Italian parliament was a key driving actor behind the Italian government's defence of the EP's power.

The second most active government in the defence of EP empowerment was Germany, and in this case as well, the government was less convinced by the legitimacy of the EP than willing to respond to its NP demands. On 27 June 1985, the day before the Milan European Council, the Bundestag adopted a resolution that was tabled by the ruling majority (CDU/CSU – FDP) and set the government's negotiating mandate. The second point called on the strengthening of the EP's legislative power.³⁶ The SPD opposition supported a similar view, and Chancellor Kohl committed himself to defending a procedure that granted 'considerably more competencies' to the EP (Rittberger 2005: 157). However, in private, the representatives of the German government were less enthusiastic. On 6 June 1985, Horst Teltschik, Kohl's Foreign Policy Advisor, met his French counterpart Jacques Attali and Secretary General Ruggiero. Attali noted:

As far as Parliament's powers are concerned, the Germans are very worried that we do not propose anything serious, because they fear the rage of their own MPs. They insist on demanding a substantial increase of the Parliament's power of co-decision with the Council, even if they do not get it. (Attali 1993: 820)

³³ DA, Télégramme d'Andréani, 11 janvier 1986, *Coopération économique*, vol. 2534.

³⁴ DA, Télégramme d'Andréani, 13 février 1986, *Coopération économique*, vol. 2534.

³⁵ DA, Déclaration d'Andreotti, 28 février 1986, *Coopération économique*, vol. 2534.

³⁶ DA, Télégramme de Morizet, 13 février 1986, *Coopération économique*, vol. 2498.

This quotation suggests that the German government was not genuinely convinced that it was legitimate or necessary to empower the EP but that it wanted to avoid a backlash from the Bundestag. During the IGC, the German delegation proposed to extend the EP's right to be consulted and, in some areas, to establish a Conciliation Committee in cases of disagreement between the EP and the Council. If the conciliation procedure failed, the Council could make the final decision. Finally, Germany proposed granting the EP power of assent on new memberships and associations but also on treaty amendments.³⁷ The French interpreted these proposals as being especially motivated by 'domestic politics'.³⁸ The end of the negotiation confirmed Horst Teltschik's initial fear. Whereas the Luxembourg European Council had already approved the cooperation procedure that fell far short of the full co-decision demanded by the EP, the Bundestag adopted a resolution on 5 December 1985 that called on the government to use the EP's draft treaty as the basis of its position and supported the co-decision between the Council and the EP (Corbett 1998: 225). This parliamentary pressure forced Chancellor Kohl to blame other member states for the disappointing outcome of the IGC (Rittberger 2005: 167).

Parliamentary pressure was also important for the Netherlands, where NPs had supported the EP's draft treaty. According to Dutch diplomats, the question of the EP's powers had political importance because governments would eventually have to 'confront national parliaments supported by the European Parliament's determination'.³⁹ Indeed, Dutch MPs were 'paying very close attention' to the question of the EP's power. According to the French ambassador in The Hague, the Dutch government was interested in this question not for 'reasons of principle' but for 'political and tactical concerns', fearing 'maximalist criticism' from its opposition if the EP rejected the agreement.⁴⁰ Overall, governments empowered the EP not because of their own belief but because of NP pressure.

Similar to the situation in 1970, the EP by itself had no power to influence the IGC, but it could get some leverage through NPs. The EP demanded to be involved in the writing and approval of the new treaty.⁴¹ However, governments made clear that only member states and the Commission had the right to propose treaty amendments, which had to be ratified only by NPs.⁴² This position was criticised by the EP, which called for a collaboration between the EP

³⁷ DA, Note de la délégation allemande, 24 septembre 1985, *Coopération économique*, vol. 2532.

³⁸ DA, Note Sommet franco-allemand, 16 octobre 1985, *Coopération économique*, vol. 2532.

³⁹ DA, Télégramme de La Ferrière, 29 novembre 1985, *Coopération économique*, vol. 2533.

⁴⁰ DA, Télégramme de La Ferrière, 16 janvier 1986, *Coopération économique*, vol. 2534.

⁴¹ Central Archives of the Council of the EU (CACEU), Résolution du 9 juillet 1985, CM3 NEGO CIG. 1.24.

⁴² DA, Télégramme d'Ourmet, 24 octobre 1985, *Coopération économique*, vol. 2532.

and NPs so that they could ‘mutually strengthen their democratic action’.⁴³ Indeed, it was only through the pressures exercised by the Italian government and, indirectly, the Italian parliament that the EP managed to gain some influence over the IGC. The cooperation procedure that the IGC was discussing fell far short of the co-decision procedure defended by the EP, and MEPs could only express their frustration and disappointment in October.⁴⁴ However, in December, when the Italian government conditioned its approval on the assent of the EP, it offered the EP an opportunity to influence the IGC. On 11 December, the EP voted for a resolution that thanked the Italian government for allowing the IGC to consider the EP’s demands.⁴⁵ Eventually, Ministers of Foreign Affairs met again on 16 December 1985 and agreed on some additional concessions. In the second reading, all of the EP’s amendments would be submitted to the Council, even when the Commission did not support them. In this case, the EP’s amendments could be adopted by the Council by unanimity.⁴⁶ Ministers also agreed that if the Council failed to adopt a position on the EP’s amendments after 3 months, the proposal would be regarded as not adopted, which encouraged the Council to adopt the EP’s amendments (Corbett 1998: 246). The EP was thus able to influence the IGC only through the reserve of the Italian government that responded to the pressures of the Italian parliament.

Conclusion

Although NPs are often described as the ‘losers’ of European integration, they played a key role in the parliamentarisation of the European political system by putting pressure on the government, which otherwise would have been far from enthusiastic about empowering the EP. Further research will be needed to identify under which conditions NPs had an interest in supporting EP empowerment and what differentiated NPs that perceived the EP to be an ally from NPs that perceived the EP to be a potential rival.

⁴³ CACEU, Résolution du 23 octobre 1985, CM3 NEGO CIG. 1.24.

⁴⁴ DA, Télégramme d’Ourmet, 23 octobre 1985, Coopération économique, vol. 2532.

⁴⁵ DA, Résolution du 11 décembre 1985, Coopération économique, vol. 2533.

⁴⁶ CACEU, Note de la Présidence, 16 décembre 1985, CM3 NEGO CIG 1.13

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