

# Will the Real Scrutinizer Please Stand Up? The Role and Control of the French European Affairs Committee Over Its Executive

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## ABSTRACT

While traditionally considered the losers of European integration, scholars argue that national parliaments have clawed their way back to European affairs. The Lisbon Treaty has also sought to formally empower the national legislatures. However, little academic attention has focused on studying through which channels national parliaments have a say in the supranational arena. This explorative research aims at tackling this issue by analyzing what role the French European Affairs Committee (EAC) plays in EU affairs' scrutiny and control of the executive. Through a qualitative design based on interviews with EAC members and content analysis, this paper shows that this French committee makes use of police-patrol oversight, rather than fire-alarm scrutiny to follow its executive's behavior in the EU. However, the EAC remains legislatively powerless in the face of EU negotiations in the Council. Interviews reveal nonetheless that this is not perceived as a problem, as many respondents explain that national interests align at the supranational level, regardless of one's political affiliation. This contradicts the argument of the importance of opposition in scrutinizing executive conduct. Instead, the French EAC is best conceived as an information hub, for other deputies and citizens, which reinforces the communicative function of the national legislature. This, in turn, questions the legitimacy of empowering national parliaments to solve the democratic deficit of the EU.

## 1. Introduction

A report from the European Ombudsman concluded that deliberations in the Council of the European Union<sup>2</sup> (EU) lack transparency and certain practices of the institution constitute "maladministration" (European Ombudsman, 2018, p. 1). The findings of the report display arguments supporting the idea of a democratic deficit in the EU (see for instance Moravcsik, 2002; Follesdal & Hix, 2006). Indeed, Follesdal and Hix (2006) argue that a crucial channel ensuring democracy in the EU is the possibility to hold executive governments to account (pp. 534-535). Yet, the lack of transparency of the Council drastically reduces the possibility for citizens or their representatives to demand justifications from responsible actors, undermining its accountability (Hobolt & Tilley, 2014, p. 4). This is complicated further by the EU's multilevel system of governance where citizens face difficulties understanding where responsibility lies in EU policymaking and therefore assign blame accurately (Hobolt & Tilley, 2014, p. 4; Schmidt, 2013, p. 4). Thus, this paper aims to further explore accountability mechanisms towards executive governments negotiating in the Council (European Ombudsman, 2018). An absence of such mechanisms undermines the EU's democratic legitimacy, which

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<sup>2</sup> Later referred to as the Council.

fuels Euroscepticism and undermines the European integration project as a whole (Hobolt & Tilley, 2014, p. 25; Schmidt, 2013, p. 13).

France has been afflicted by rising Euroscepticism in its population (Likaj et al., 2020). The founding member of the EU has put an end to a permissive consensus on EU politics (Likaj et al., 2020, p. 10; Schmidt, 2013, p. 13). The far-right Eurosceptic *Rassemblement National* has been gathering the most votes in the past two European elections in France. Moreover, over half of the population does not feel well represented at the EU level (Likaj et al., 2020, p. 32). These facts convey the idea that French citizens are unwilling to accept an unchecked EU policymaking process and instead call for the enhancing of democratic oversight.

In the past decades of EU integration, the European Parliaments' powers have been expanded to counter this alleged democratic deficit (Follesdal & Hix, 2006, p.535). However, the Lisbon Treaty, signed in 2007, aimed at tackling this salient issue via another channel: enhancing the powers of national parliaments. This was done through the implementation of new formal mechanisms, which allow for direct parliamentary involvement in EU legislation (Auel, 2019, p. 4). Aside from procedural mechanisms, some scholars argue that national parliaments in recent years have undergone a process of Europeanization (Auel et al., 2015b; Auel & Neuhold, 2018; Strelkov, 2015). Europeanization is understood here as the changes national parliaments undergo as a result of the EU integration process (Auel & Neuhold, 2018, p. 10). As a result, part of the academic debate has focused on the enhanced role national parliaments play in EU affairs.

A way in which national parliaments act at the EU level is through the European Affairs Committees (EACs). These assemblies are present in each national parliament, and their role is to scrutinize what is being produced at the EU level (Auel, 2019, p. 2). Yet, scholars have largely ignored studying the scrutiny practices of these committees. As a result, this paper aims at analyzing this role in more detail, by answering the following research question: what is the role of the French EAC in performing traditional scrutiny regarding Council negotiations? Traditional scrutiny is defined as the control by the parliament of the executive regarding EU affairs at the Member State level (Auel & Neuhold, 2018, p. 6).

Answering this question would identify whether the French national parliament can control their executive through these specialized committees. As it is a directly elected institution, this can, in turn, present new elements in light of the debate surrounding the EU's democratic deficit (Follesdal & Hix, 2006, pp. 534-535). To answer the research question, this paper draws on McCubbins and Schwartz's (1984) depiction of parliamentary oversight strategies: the police-patrol and fire-alarm mechanisms. This theoretical framework is applied to the French EACs. The analysis relies on document analysis and interviews with EAC members and third parties for data collection.

The paper is structured as follows. First, it reviews the latest research on the role of national parliaments within EU affairs. Second, it depicts police-patrol and fire-fighting oversight, as developed by McCubbins and Schwartz (1984). Third, the methodology is elaborated upon. Fourth, the role of the French EAC is examined, and a conclusion places these findings within the broader academic and societal debates.

## 2. Literature Review

Scholars have displayed a renewed interest in national parliamentary activity regarding EU affairs. However, research focuses largely on formal powers and aims to establish cross-country comparisons, rather than delving into actual scrutiny practices. A few studies have opened the path to addressing this gap with crucial findings, but they remain a minority. Yet, this paper argues that, in order to assess whether national parliaments are competent EU scrutinizers, domestic practices need to be understood. This can be done by analyzing the role of European Affairs Committees, which have, to date, been ignored by scholars.

There is consensus amongst scholars that the Lisbon Treaty was a turning point for national parliaments in EU affairs (Auel et al., 2015a; Auel, 2019; Finke & Dannwolf, 2013; Karlsson & Persson, 2020; Mastebroek et al., 2014; Strelkov, 2015). While European integration was initially a synonym of “de-parliamentarisation” (Moravcsik, 1994), national parliaments now have an explicit role in the EU decisional process, as displayed in Article 8c of the revised Treaty (Auel et al., 2015a, p. 60; EU, 2007). For this reason, literature has been expanding around the role these legislators play or can play (Auel et al., 2015a; Auel et al., 2015b; Auel & Neuhold, 2017; Christiansen et al., 2014; Cooper, 2012; Finke & Herbel, 2015; Heffler & Gatterman, 2015; Mastebroek et al., 2014). Most literature to date has focused on analyzing national parliaments’ power instead of the use of said power in practice. Researchers have depicted formal powers stemming from the Lisbon Treaty. For instance, some scholars have focused on the Early Warning System (Auel & Neuhold, 2018; Groen & Christiansen, 2015), increased interparliamentary cooperation (Heffler & Gatterman, 2015), or the Political Dialogue with EU institutions (Rozenberg & Heffler, 2015, p. 34). Overall, scholars agree that national parliaments, traditionally considered the losers of European integration, are fighting their way back to the European arena thanks to new formal mechanisms granted by the Lisbon Treaty (Mastebroek et al., 2014, p. 763; Strelkov, 2015, p. 18).

Another way in which researchers have assessed national parliaments’ powers is through the production of rankings between legislatures in Europe, according to their involvement in EU affairs (Auel et al., 2015b; Maurer & Wessels, 2001; Winzen, 2012). This is motivated by the assumption that to understand the role of national parliaments, one must take into account their diverging power within the EU (Auel et al., 2015b). These asymmetries, in turn, have called for different explanatory factors. Raunio (2005) and Karlas (2011) have ascertained that the domestic power of the parliament is a necessary condition for tighter scrutiny, while Euroscepticism can also influence this process. However, Auel et al. (2015b) find that domestic strength only indirectly influences national parliaments’ activity in EU affairs (p. 297). Instead, they put forward the argument that a mix of institutional and motivational factors determine whether Members of Parliament (MPs) will engage in EU affairs (Auel et al., 2015b, p. 300). To summarize the various roles national legislators can play in theory, Auel and Neuhold (2017) coin them as “multi-arena players” (p. 1551). They can exercise traditional scrutiny with regards to the domestic arena, they can engage with the EU through mechanisms such as the Political Dialogue, and they can work together with other legislatures, through the Early Warning Mechanism for instance (Auel & Neuhold, 2018, p. 13). These studies focus on describing formal scrutiny mechanisms and parliamentary power, instead of delving into accurate depictions of parliamentary practices (Auel et al., 2015a, p. 60; Strelkov, 2015, p. 21). Moreover, they usually investigate large-scale quantitative data,

which limits an accurate understanding of parliamentary scrutiny strategies (Auel et al., 2015a; Finke & Dannwolf, 2013; Finke & Herbel, 2015; Winzen, 2012).

This paper argues that before making generalizable comparisons at the cross-country level, authors should first have an accurate depiction of traditional scrutiny by national parliaments. Some scholars have taken interest in pursuing this path (Auel et al., 2015b, Hoerner, 2017; Karlsson & Persson, 2020; Winzen, 2013). For instance, Winzen (2013) focuses on the role oversight institutions play in their scrutiny of the executive. Findings reveal that these institutions create fora in which legislatures can monitor EU affairs and discuss the executive's conduct (Winzen, 2013, p. 300). Karlsson and Persson (2020) focus on the opposition in national parliaments' EACs to scrutinize EU affairs. Their conclusions posit that about 40% of EAC deliberations express opposition, and this latter is spearheaded by Eurosceptic parties (Karlsson & Persson, 2020, pp. 20-21). Their research thus presents evidence that EU debates are politicized within the national arena and subject to scrutiny and criticism by the opposition.

Hoerner (2017) describes the effects of European resolutions adopted by the national parliaments. These resolutions are motions or official texts voted and published by a chamber of parliament regarding a certain EU documentation or legislation. Resolutions are often assumed by scholars to be drafted by national parliaments as an oversight tool over the executive. Instead, Hoerner (2017) finds that European resolutions are primarily used as a position-taking instrument, which fulfills a communicative role for parliaments (Hoerner, 2017, p. 308). They often support the executive (Hoerner, 2017, p.320). This conclusion hints at a new research agenda, where scholars should challenge their assumptions regarding classical scrutiny tools. This idea is rejoined by another strand of literature, which studies the communicative function of national parliaments (Auel & Neuhold, 2018; Auel & Raunio, 2014; Auel et al., 2016). The argument is that parliaments have a communicative role towards their populations, and by politicizing EU issues and integrating them into plenary debates, EU accountability and legitimacy can be enforced (Auel & Raunio, 2014; Auel et al., 2016, p.155). New communicative venues such as parliamentary websites are increasingly identified as such (Auel & Neuhold, 2018, p. 7). However, empirical data to confirm such claims is still rare (Auel & Raunio, 2014, p. 13).

These studies present key findings regarding traditional scrutiny practices. The understanding of classical scrutiny tools should be reconsidered, and new accountability mechanisms such as communicative functions should be explored. However, they remain a minority. Most literature focuses on examining cross-country comparisons informed by quantitative data, rather than investigating actual behavior (Auel & Neuhold, 2017, p. 1551; Karlsson & Persson, 2020, p. 2). Moreover, the rare studies tackling actual scrutiny processes between member states overlook the domestic situations (Raunio, 2005, p. 338). This gap in the literature has led to traditional scrutiny roles entering oblivion. Yet, as the Ombudsman report shows, there remains a discrepancy between democratic processes and the Council negotiations (European Ombudsman, 2018). This must imply that further attention should be devoted to how national parliaments can hold their executives to account in the EU legislative process.

A way in which one can analyze such practices is through a parliament's EAC. EACs concentrate and specialize in EU affairs, making them a hub of expertise on these topics and arenas wherein European affairs may be domesticated to the national level (Karlsson & Persson, 2020, p.2; Strelkov, 2015, p. 42). However, Karlsson and Persson (2020) point out that practices within EACs are rarely investigated by scholars (p. 2). This is unexpected as EACs are present in every national parliament of the EU (Rozenberg & Heffler, 2015, p. 8). Moreover, some research has been using quantitative data of

EAC activity to measure a parliament's involvement in EU affairs, while assuming that they play a scrutinizing role (Auel et al., 2015b, p. 291). However, this assumption remains to be verified. As a result, this research aims at uncovering actual practices of EU affairs scrutiny by national parliaments in an arguably uncharted terrain: EACs.

### 3. Theoretical Framework

To address this question, I will draw on McCubbins and Schwartz's (1984) theory of parliamentary oversight. They identify two main channels in the American political system through which Congress can hold their executive to account: (1) police-patrol oversight, and (2) fire-alarm oversight (McCubbins & Schwartz, 1984). On the one hand, police-patrol oversight involves a centralized, active, and direct accountability mechanism by which Congress studies a sample of executive actions to discover administrative violations (McCubbins & Schwartz, 1984, p. 166). It involves active surveillance, through hearings, investigations, and resolutions which discourage malpractices in the future (Jensen, 2007, p. 454; Saalfeld, 2000, p.363; Wohlstetter, 1990, p. 25). On the other hand, fire-alarm oversight is an indirect mechanism, where the parliament establishes and maintains a system of rules, procedures, and practices that allows third parties to examine executive behavior (McCubbins & Schwartz, 1984, p. 166). If a breach is detected, the theory predicts that third parties will raise a fire alarm to MPs, who will then take action to extinguish the fire (McCubbins & Schwartz, 1984, p. 166). Fire-alarm oversight is thus a reactive mechanism as opposed to active police-patrolling.

McCubbins and Schwartz (1984) conclude that, while usually harder to reveal, Congress makes use of fire-alarm oversight more than police-patrol oversight. The fire-alarm system is found to be more effective as it picks up on most executive transgressions that are voiced by organized interests. Moreover, it allows MPs to bypass the time and resource constraints that come along with police patrol, as they can pursue politically profitable breaches which directly harmed their electorate (McCubbins & Schwartz, 1984, p. 168). West (2020) builds upon this understanding and argues that there are two main components to fire-alarm scrutiny. The first is decentral and involves third parties that monitor governmental activities and identify executive breaches (West, 2020, p. 3). Having identified harmful practices, these third parties launch a *fire-alarm* to parliamentarians. This leads to a second, more centralized, and reactive action on behalf of parliamentarians who act as *firefighters* and decide on which actions to undertake to extinguish the fire (West, 2020, p. 3). A crucial condition for the functioning of this mechanism is that interest groups view national parliaments as an effective venue to hold the executive to account. This is a key notion when applying this US-based theory to the EU multi-level system, where interest groups and national parliaments have to operate on different levels. As a result, the reliance on fire-alarm scrutiny depends on the powers of a national parliament to fight the fire, which is not given.

To study whether the French EACs make use of fire-alarm scrutiny, the analysis attempts to identify the "system of rules, procedures, and practices" the parliament has established and maintained (McCubbins & Schwartz, 1984, p. 166). This is revealed through scrutiny of the documentation made available to third parties by these parliaments. The paper also asks third parties whether the national parliament facilitates in some way their access to EU information. Additionally, interactions between

interest groups and parliamentarians need to take place to confirm the presence of fire-alarm scrutiny. These interactions should be the forum for information exchange and result in fire-fighting behavior by the concerned MP(s).

Evidence of police-patrol oversight is discovered through traces of active oversight (McCubbins & Schwartz, 1984, p. 166). There should be a systemic and centralized institutional setting allowing for police patrolling. This can be seen through the presence of constitutional provisions which give MPs access to EU documents and legislation. Time and resources should be devoted to accomplishing this task specifically, which can be discovered through interviews. Moreover, there needs to be a trace of systematic scrutiny of EU documents, which can be revealed in interviews and meeting minutes. Additionally, MPs should launch at their initiative studies, observations, or hearings as part of their scrutiny activity (McCubbins & Schwartz, 1984, p. 166). Finally, MPs would need to adopt resolutions or stall negotiations if a legislative breach is detected. This can be identified in the content of EAC resolutions and through interviews.

**Table 1**  
*Operationalization of the two scrutiny mechanisms*

What process	What to look for
Police-patrol oversight	<ul style="list-style-type: none"> <li>- Constitutional provisions empowering the EAC to gain access to EU legislation/documents</li> <li>- Systematic scrutiny of EU documents</li> <li>- Establishment of studies, hearings, and observations</li> <li>- Drafting of resolutions/stalling of negotiations if a violation is detected</li> </ul>
Fire-alarm mechanism	<ul style="list-style-type: none"> <li>- System of rules and practices facilitating access to information by third parties</li> <li>- Interactions between third parties and MPs</li> <li>- Fire-fighting behavior from MPs after information exchange</li> </ul>

*Note.* Author’s own interpretation based on Jensen, 2007; McCubbins & Schwartz, 1984; Saalfeld, 2000; West 2020; Wohlstetter, 1990.

#### 4. Methodology

The research design follows a qualitative approach, as it hopes to understand scrutiny practices and behaviors by MPs in the national parliaments (Hesse-Biber & Leavy, 2011, p. 5). To collect data, it focuses on a single case study, which allows us to zoom into the scrutiny role that a national parliament can play (Gerring, 2004, p. 342). The Member State chosen is that of France. French parliamentary involvement in EU affairs is argued to be that of the EU average (Auel et al., 2015b; Thomas & Tacea, 2015). However, France’s government is a semi-presidential system, characterized by a strong executive and majoritarian government, thus making it a standalone case (Grossman & Sauger, 2009, p. 427). Therefore, it is expected that the national constitutional rules do not lay the ground for strong parliamentary involvement in EU affairs. This choice is further motivated by the role France plays within the Council negotiations, formally and informally. Its sheer population size grants it an important share of the votes under Qualified Majority Voting. Informally, France plays an influential role as a founding state of the EU and is often considered as one of its leading figures, alongside Germany. Finally, France

is often considered to be plagued by growing Euroscepticism, which can be a direct result of democratic concerns within its population (Likaj et al., 2020). French citizens share the feeling of not knowing enough about EU affairs (Thomas & Tacea, 2015, p. 171). Over 50% of the French do not feel well represented in the European sphere, resulting in dissatisfaction with EU democracy (Likaj et al., 2020, p. 32). It is therefore socially relevant to understand France's domestic accountability mechanisms which ensure democratic processes in a multilevel system. The analysis focuses on a single committee of the French parliament: its EACs. EACs are the only body in the French parliament entirely devoted to following and scrutinizing European affairs (Assemblée Nationale, n.d.; Sénat, n.d.). They are the recipients of all EU documentation sent by EU institutions or the French government. Through exclusive access to documentation, the committees are in an informed position to follow negotiations in the Council.

A method of triangulation is used in identifying, retrieving, and analyzing data so as to increase its validity (Hesse-Biber & Leavy, 2011, p. 51; Kumar, 2014, p. 33). The paper engages in document content analysis to unravel the legal framework under which the French EACs operate and study third parties' and parliamentarians' official interactions. The data is retrieved from parliamentary websites and the national transparency register (Assemblée Nationale, n.d.; Sénat, n.d.; HATVP, n.d.). Relevant reports from the EAC presenting statistics on the committee or other information are also included (e.g. Assemblée Nationale, 2021; Sénat, 2021). However, such documents will be inadequate to understand scrutiny processes fully. Indeed, official political reports may not represent accurately the situation at hand. As the aim of the research is to delve deeper into practices of scrutiny, limiting the data collection to legislation and reports risks obviating the hidden side of scrutiny practices.

Therefore, the design further retrieves data from interviews with parliamentarians of the EACs and their employees. Interviews allow this research to uncover subtlety and nuance, but also discover new topics and ideas that might be absent in the official documentation (Rubin & Rubin, 2012, p. 51). The interviews were semi-structured through an open-ended question guide (Leech, 2002b, p. 665), and can be classified as elite interviewing, which has important validity and reliability consequences (Berry, 2002, p. 679; Leech, 2002a, p. 663). However, this paper argues that the quality of the sample, as well as the triangulation method, help overcome most methodological challenges. Interviewees were pooled amongst the 48 members of the National Assembly EAC, as well as the 40 members of the Senate EAC and their EU affairs assistants. In total, 153 e-mails were sent, leading to fifteen interviews (cf. Table 1). The analysis also draws on insights from a parliament administrator. Furthermore, to triangulate the data obtained, four interviews were conducted with interest group representatives, identified through the national transparency register (HATVP, n.d.). Unfortunately, due to time constraints, this research was only able to conduct interviews with associations or professional organizations with EU interests (cf. Table 1). Thus, the third-party sample is rather unrepresentative, which limits the reliability of the findings. However, this data is primarily used to triangulate findings from interviews with parliamentarians and their advisors and official document analysis.

In the Assemblée Nationale, the sample is slightly over-representative of the majority (80%) as it only occupies around 60% of the seats of the chamber. For the Senate, all interviews were conducted with members of the opposition, as the chamber itself is governed by opposition political parties. Care was given to select interviewees from five different opposition parties, to ensure representativeness of

this broad political spectrum. As a result, this sample accurately gathers data from the majority in the Assemblée Nationale, as well as opposition in the Senate and, to a lesser extent, the Assemblée Nationale. This increases the reliability and validity of the data (Berry, 2002, p. 680).

**Table 2**

*List of interviewees and their function*

Interviewee number	Functional position
Interview 1	Administrator of the EAC (lower chamber)
Interview 2	Deputy advisor (majority)
Interview 3	Trade policy officer, association
Interview 4	Deputy advisor (majority)
Interview 5	Deputy advisor (majority)
Interview 6	Public affairs specialist, association
Interview 7	Senator (opposition)
Interview 8	Deputy advisor (majority)
Interview 9	European affairs specialist, professional organization
Interview 10	Deputy advisor (majority)
Interview 11	Deputy (majority)
Interview 12	Deputy (opposition)
Interview 13	Deputy (opposition)
Interview 14	Senator (opposition)
Interview 15	Deputy advisor (majority)
Interview 16	Senator (opposition)
Interview 17	European affairs specialist, association
Interview 18	Deputy advisor (majority)
Interview 19	Senator (opposition)
Interview 20	Senator (opposition)

The interviews took place on Zoom, Microsoft Teams, or via telephone and lasted on average 30.95 minutes. All interviews were conducted in French, transcribed by the author, and then translated to English for coding following Boeije's (2009) open, axial, and categorical coding method. The resulting codebook and code tree which guide the analysis were inspired by Hennink et al. (2011, p. 226).<sup>3</sup>

## 5. Analysis

France is governed by the constitution of the Fifth Republic, which is characterized by a strong executive and weak parliament (Grossman & Sauger, 2009, p. 427). The parliament is composed of two

<sup>3</sup> Interview transcripts and the author's codebook and code tree are available upon request.



chambers: a lower chamber (Assemblée Nationale) and an upper chamber (Sénat). The lower chamber has more powers than the upper chamber and is directly elected by the people, unlike the Senate. Elections of the Assemblée Nationale are organized to ensure a partisan continuity between the president and its parliament (Grossman & Sauger, 2009, p. 433). Conversely, the Senate is often governed by an opposition party. Each chamber has seven permanent committees, whose focuses are: finances, economic affairs, foreign affairs, social affairs, laws, sustainable development, and culture and education. These standing committees have legislative powers and can propose new legislation or amend legislative proposals from the government.

The EACs were formally introduced in both chambers in 2008. Their functioning is laid out in article 88 of the Constitution and the circular law of June 21, 2010 (French Republic, 2015, p. 37; Premier Ministre, 2010). They are the only standing committee without the “permanent” label, rendering them legislatively powerless. The EAC’s role is to ensure the day-to-day scrutiny of EU affairs through weekly meetings. The committees are also tasked with ensuring that the principle of subsidiarity is not breached (Assemblée Nationale, n.d.; Sénat, n.d.). It is composed of 48 members in the Assemblée Nationale, and 40 in the Senate. The partisan representation matches the proportion of each political group in the plenary. It is aided by a group of administrative staff, called the EAC Secretariat. The EACs are the only body of the legislature fully devoted to EU affairs. Thus, they are the core of the national parliament’s involvement in EU affairs scrutiny (Assemblée Nationale, 2018; Sénat, n.d.).

## 2.1 Fire-alarm vs. police-patrol oversight?

Interviews and document analysis were conducted to test the theory developed in the theoretical framework section. The first goal is to uncover whether MPs make use of fire-alarm scrutiny, as predicted by McCubbins and Schwartz (1984). A necessary condition for this phenomenon is the presence of a system allowing for interactions between third parties and legislators and facilitating access to information. A respondent revealed that, apart from individual MPs’ e-mail addresses, there was no such system (Interview 8). Moreover, there was no trace of procedures or rules facilitating access to EU information for third parties (Interviews 3, 6, 9, 17). MPs pointed out that they regularly reach out to third parties when drafting an information report (Interviews 1, 4, 5, 15, 18). However, Interviewee 18 explains this as a way to gather information and verify pre-gathered facts. This does not align with McCubbins and Schwartz’s (1984) pre-conditions for fire-alarm scrutiny. Furthermore, members of the EAC largely denied being contacted by third parties on EU affairs (Interviews 1, 2, 4, 5, 7, 11, 12, 14, 15, 20). Interest groups also confirmed that the French national parliament is not an attractive venue to defend their European interests (Interviews 3, 6, 9, 17). Respondents explained that the national parliament simply has no powers to defend their interests, and that going to Brussels or the executive directly was a much more efficient strategy (Interviews 3, 6, 9, 17). As a result, the French national parliament is not seen by interviewed organized interests as a suitable venue to raise their grievances. Without information exchange between third parties and MPs, fire-alarm oversight cannot take place according to McCubbins and Schwartz (1984).

This lack of exchange can be explained by the fact that the EAC has no legislative power and can only produce non-binding resolutions (Interviews 1, 2, 7, 10, 11, 12, 15, 18, 20). Indeed, the EAC

has a special status in the rules governing the French parliament and is the only standing committee with no legislative power. It can produce European resolutions, but these are not binding towards the executive. This renders members of the EAC legislatively powerless in the face of a fire alarm. In other words, they do not have the means to fight the fire, if it is raised. Furthermore, some respondents shed light on the idea that European affairs are usually not a priority, even for members of the only committee that specializes in such matters (Interview 2, 8, 14). As Interviewee 2 phrases it: "European affairs aren't of interest for French politicians, because it is too complex and too far away. There are much more urgent problems locally to fight for". As a result, the data gathered shows that MPs do not have the will or power to act as firefighters. Combined with the lack of information exchange with third parties, this implies that the French Parliament does not employ fire-alarm scrutiny.

Regarding police-patrol oversight, McCubbins and Schwartz (1984) define it as systematic scrutiny of the executive to spot breaches or malpractices (p. 166). Being a centralized scrutiny practice, it depends on the presence of an institutionalized setting enabling it. In the French political landscape, articles 88-4 and 88-6 of the constitution guarantee that the executive must systematically send every EU document or legislation to the French EACs (French Republic, 2015, pp. 36-37). In addition, the government secretariat sends briefing notes following Council negotiations, to inform the Parliament of the executive's position and its evolution (Assemblée Nationale, 2021). This was further confirmed with interviews of members of the EAC, who praised good information flows between the executive and their chamber (Interview 7, 10, 11, 12, 13, 14, 15, 16, 18, 20). Interviewee 10 explained that "the transmission of information is fluid, there isn't really any opacity from the executive". Respondent 11 further declares that "the tools are there, you just need to want to use them". Interviewee 14 metaphorically explains that they "have gold mines of information, but no time to dig into them". As a result, both French deputies and senators can make use of a system facilitating police-patrol oversight, though limitations such as individual will and time constraints are mentioned by some respondents.

However, McCubbins and Schwartz (1984) argue that this is not enough to determine a politician's course of action; indeed, police-patrol oversight comes at high political costs (p. 168). For French EAC members, the time costs are rather limited, as weekly EAC meetings are dedicated to scrutinizing EU documents (Assemblée Nationale, n.d.; Sénat, n.d.). Moreover, both chambers are aided by administrative staff who also help reduce and simplify the understanding of the information sent by the government (Interview 1, 7, 14, 15, 18, 20). Besides, scrutiny missions such as the production of information reports can be highly beneficial for individual MPs (Interview 11, 8, 12, 14, 18). Being a member of the EAC implies going on regular trips within the EU. Depending on the subject they investigate, members of the EAC can fund physical trips in the concerned countries, but also in the context of interparliamentary fora (Interview 5, 8, 12). Interviewee 8 even compared it to a "travel agency for deputies and senators". Furthermore, some interviewees reflected on the intellectual gains that come from being a member of this committee (Interview 11, 12, 14, 18). The quality of the debates and the variety of topics covered were cited as positive aspects of the EAC (Interview 8, 11, 14, 18). Finally, individual MPs usually work on topics closely related to their area of expertise (Interview 4, 7, 8, 11, 12, 14, 15, 16). Thus, political and timely costs can be absolved as politicians rely on previous knowledge for their work in the EAC. As a result, while some members of the EAC are negatively impacted by scrutinizing their executive, they find ways to personally gain from it. Based on this thesis' operationalization, these findings predict that MPs will make use of police-patrol scrutiny. But how does this work in practice?

## 2.2 EAC police-patrol in practice

The EACs have three main tools at their disposal to scrutinize their executive: hearings, information reports, and resolutions. Under article 88-4 of the French constitution, the government must send all EU documentation or legislation to the chambers (French Republic, 2015, p. 37). Half of these documents are pre-emptively approved by the EAC secretariat (Assemblée Nationale, n.d.; Sénat, n.d.; Interview 1). The other half is discussed during the EAC meetings (Sénat, 2021, p. 7; Assemblée Nationale 2020, p. 30). If a topic needs further exploration, then a *binome* (i.e., group of two) will be tasked with the production of a report on that issue. Information reports are drafted following a period of investigation of 6 to 12 months (or more), and in coordination with at least one member of the administrative staff (Interview 1, 7, 14, 15, 18, 20). Once the report is finalized, the MPs in charge of it present it in the EAC plenary and can suggest a European resolution, which reflects the position of the chamber on a specific topic (Interview 1, 7, 10, 15, 18, 20). If a resolution is adopted by the EAC, it is then sent to the relevant permanent committee for a vote. Being a non-binding resolution, there is no *accusé de réception* (Interview 10). In other words, the executive can either take it into account or discard it without justification. The resolution is simultaneously sent to the European Commission in the context of the Political Dialogue (Interview 10).

The EAC also makes use of hearings (Interview 1, 13, 18). Hearings with third parties are utilized to help the production of reports (Interview 1, 4, 5, 15, 18). The subpoenaed actors can include non-governmental organizations, EU politicians, Members of the European Parliament (MEPs), or professional organizations. (Assemblée Nationale, 2020, p. 40; Sénat, 2020). Interviewee 18 explains that “hearings are carried out to check out the facts we have previously gathered, and understand what interests are at stake from different perspectives”. Regular hearings are also held with members of the French executive, especially the Minister of European affairs (Interview 1, 2, 5, 7, 15, 16). These hearings are seen by a few respondents as a crucial part of the committee’s oversight of the executive (Interview 10, 13, 16). However, these tools’ impact on the executive is rather limited.

Indeed, the European resolutions adopted by the EAC have no legislative power (Interview 1, 2, 7, 10, 11, 12, 15, 18, 20). The government can simply ignore them. Some respondents explain this by depicting the broader constitutional constraints within which the French parliament operates (Interview 1, 10, 13). Interviewee 1 says that “the limited powers of the EAC are inherent to the place the national parliament has in the fifth republic”. The fifth republic gives significant autonomy to the executive, who does not need to “listen to the parliament” (Interview 10). Moreover, the EAC’s good functioning is hampered by political tensions between its members (Interview 2, 7, 8). Tensions for leadership and within political parties led to cleavages between members of the committee. Interviewee 7 regrets these political tensions and explains that they have a true impact on the good functioning of the EACs. Furthermore, the EAC has a special status within the French parliament. Not only does this imply a lack of legislative powers, but it also means that there are no attendance or participation rules for the members of the EAC, unlike other legislative committees (Interview 2, 7, 11, 12, 15). Out of the 40 members of the upper chamber EAC, Interviewee 7 estimates the number of involved deputies at 20 to

25 members (Interview 7). Interviewee 12 agrees and explains how there is “a dedicated core with some free-riders” in the lower chamber EAC (Interview 12). Moreover, Interviewees 8 and 14 regret the lack of investment in the production of information reports. Differentiated involvement combined with political tensions makes it difficult to ensure cohesion and the good functioning of the committees.

A few interviewees also deplored a chronic lack of time in their work (Interview 2, 5, 7, 12, 14). Members of the EAC are simultaneously members of a permanent standing committee, which has attendance and participation rules, unlike the former. Thus, MPs often find themselves in a position where they have to prioritize their tasks, and EAC work is often discarded. When discussing how easy it is to access EU documents from the government, Interviewee 12 explains that “the difficult part is to find the time to examine them” (Interview 12). Despite the system institutionalizing police-patrol oversight, politicians still have to prioritize their tasks. A senator, in particular, pointed out that they were limited in terms of administrative staff (Interview 7). When asked why, they responded that this was due to internal governing practices of the Senate, guided by political parties who did not view the EAC as important (Interview 7).

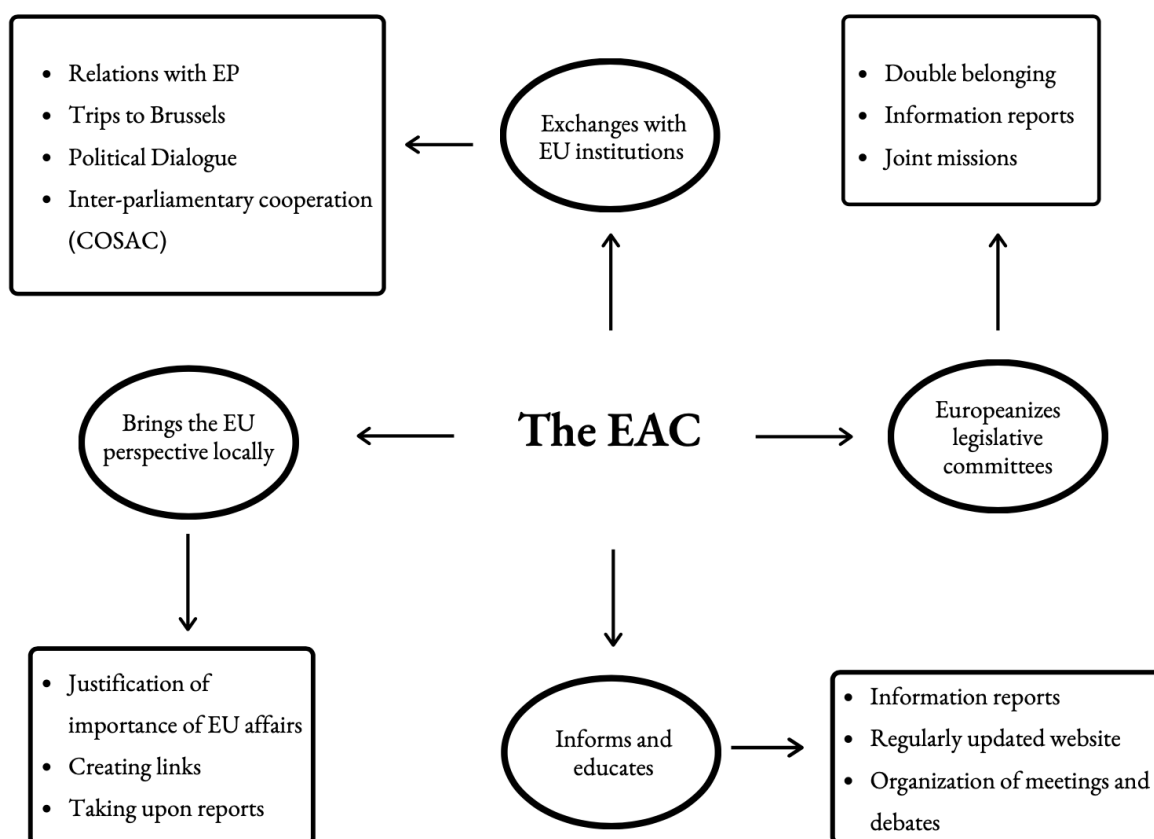
Finally, this section on EAC scrutiny ends on the content of European resolutions. Relatively few resolutions are adopted: two for the 2019-2020 year in the *Assemblée Nationale* and seventeen for the same period in the Senate (*Assemblée Nationale*, 2020, p. 31; *Sénat*, 2021, p. 11). The Senate is historically more active in adopting resolutions and the chamber is led by the opposition (Interview 1). What was remarkable was to learn that most of the European resolutions support the executive (Interview 7, 11, 14, 15, 16). As resolutions allow the parliament to position themselves on European topics, I expected that position to diverge from that of the executive. Yet, resolutions align with the government’s position (Interview 1, 7, 10, 15, 16, 18, 20). This is in line with findings gathered by Hoerner (2017). Interviewee 7 explains that resolutions help the executive gain leverage and domestic support, which are crucial for Council negotiations. Respondent 1 agrees and posits that the chambers would never position themselves oppositely from the government. This strategy is justified by the idea that EU affairs remain a part of foreign affairs, a domain in which French interests take precedence over political cleavages (Interview 18). As a result, legislator and executive align together for the sake of French interests (Interview 15). While this is anticipated for the lower chamber, whose majority is the same as the government, it is puzzling for the senate, where a strong opposition dominates. However, interviewee 16 from the Senate held the same beliefs: “we find ourselves behind this common project where, despite political cleavages, French interests take priority”. These findings go against the assumption of the EACs scrutinizing their executive. The EACs support the government and seem ill-equipped to take action against them if a legislative breach is detected. Going back to the initial research question, the paper argues that the French EAC plays a very limited police-patrol role in scrutinizing its government. Yet, the analysis reveals a different and less obvious role for the EACs in both chambers.

### 2.3 A coordination and information hub

The paper wraps up the data analysis by arguing in favor of a reconceptualization of the French EAC. Despite an attempted use of police-patrol mechanisms, the committee remains largely powerless in the face of legislative breaches. Instead, the gathered elements lead me to argue that the committees fulfill informative and coordinative tasks, through four main channels: (1) exchanges with EU institutions, (2) Europeanization of legislative committees, (3) informing and educating the public, and

(4) bringing the EU perspective locally. This section elaborates on all four means below, which have also been modeled in Figure 1. However, the reader should be warned that some characteristics of the channels overlap.

**Figure 1**  
*The EAC's informative and coordinative role*



First, the EAC holds regular exchanges with EU institutions. MEPs are de facto invited to every EAC meeting, and the minutes show that there is usually one or more MEPs present at the meetings (Assemblée Nationale, n.d.; Sénat, n.d.). Interviewees 5 and 14 also highlight the strong connections local MPs hold with French MEPs, which are maintained through debates and conferences, for instance (Interview 5, 14). Some respondents further mentioned the physical trips to Brussels in the context of their work for the EAC (Interview 8, 11, 12). Members of the European Commission and other EU instances are regularly heard in EAC meetings (Interview 12; Assemblée Nationale, 2020, p. 16; Sénat, 2020, pp. 3-8). The EAC also sends resolutions and political opinions to the Commission with regards to the Political Dialogue, which encourages exchanges between both institutions (Interview 1, 12). Finally, there are a few fora of interparliamentary cooperation in which the EAC members can participate, the most important one being the COSAC (Interview 1, 12). Interviewee 1 explains that a major function of the EAC is to be an active member of a dense interparliamentary network (Interview 1). As a result, the EACs are in regular contact with many actors involved in EU affairs.

Second, the EAC europeanizes other legislative committees. Since the EAC is not a standing committee on its own, MPs are also full-time members of another legislative committee (Interview 1, 2, 4, 5, 8, 10, 12). Interviews shed light on the importance this double-belonging had in Europeanizing the parliament. For instance, interviewee 4 explained how the defense committee regularly engaged with European topics through reports and joint missions, in close coordination with the EAC. Interviewee 1 also pointed out how the double-belonging increased the likelihood of European topics being debated within the legislative committees. Thus, European topics and debates flow from the EAC to the other committees in both chambers. This double-belonging also sets the ground for individual MPs to pursue their area of expertise in EAC reports (Interview 4, 7, 8, 11, 12, 14, 15, 16). For instance, interviewee 8, an expert on EU-Russia relations with a focus on social development, was commissioned with writing a report on EU-Russia ties, which was also relevant for the social affairs committee. Interviewee 4 described similar processes; as a geostrategic specialist, they could easily combine their work produced within the EAC with their committee's work or personal knowledge. The similarity between the specialization in the EAC and other tasks of the MPs' life facilitates information flows within the parliament, but also at other levels, such as local ones (Interview 10).

Third, the EAC informs and educates. Information reports play a crucial role in the EAC's day-to-day business (Interview 1, 5, 7, 8, 11, 14, 18). The reports are seen by some respondents as very serious investigative work and an essential part of the EAC's role (Interview 11, 15, 16, 18). Many different actors are interviewed to take stock of the various interests at stake and develop specialized expertise (Interview 1, 4, 5, 15, 18). Reports and their subsequent resolution allow the chamber to then position itself on that issue (Interview 5, 8, 12). These reports are also perceived as a means through which the French parliament can inform citizens or other MPs (Interview 1, 5, 13). Moreover, both committees hold a regularly updated public website, where full reports accompanied by smaller summaries can be found (Assemblée Nationale, n.d.; Sénat, n.d.). Further, the Senate has been publishing European "*notes d'actualités*" since 2010, which are short summaries of EU policies on a certain topic (Sénat, n.d.). Sixty-six of them are accessible on the website and hope to educate citizens on EU policies (Sénat, n.d.). Furthermore, both chambers regularly hold debates and symposiums which are accessible to the public and regroup EU affairs experts and personalities (Assemblée Nationale, n.d.; Sénat, n.d.). These findings are in line with the argument made by previous scholars that the national parliament can serve a communicative function regarding EU affairs (see Auel et al., 2016; Auel & Neuhold, 2018; Auel & Raunio, 2014). Furthermore, and linked with the fourth channel, EAC members often educate local populations on EU topics. For instance, interviewee 8 explains how their deputy had to take the time to explain the relevance of translating the national ID card in English, as it serves as a passport for the Schengen area. MPs in the EAC thus play a crucial role in informing and educating other politicians and citizens about EU affairs.

Finally, the EAC brings back the local perspective. (Interview 1, 8, 10, 11, 12, 14, 18). Interviewee 8 explains the importance for members of the EAC to create and shed light on the links between local and European affairs. Members of both chambers are closely related to a certain territory in France, so it is important to justify to their electorate why European affairs matter (Interview 8, 15). For instance, respondent 8 worked on the EU microplastic directive, which they argue strongly affected local companies and recycling centers. Members of the EACs, therefore, become experts at seeing local problems through their EU expertise (Interview 1, 15). Respondent 10 explains the importance of such qualities, as everything happening at the European level has repercussions on the local one. Finally, as

mentioned before, information reports and other missions can be undertaken regarding MPs personal expertise, which is linked to local issues (Interview 5, 8, 19). I, therefore, conclude that the true role of the EAC is that of a coordination and information hub, through the four main channels outlined above.

## 5. Conclusion

This paper has set out to answer the following question: what is the role of the French EACs in performing traditional scrutiny towards their executive? This was motivated by the belief that there are not enough studies magnifying traditional scrutiny practices by national parliaments in the EU Member States. Indeed, to fully comprehend the role parliaments can play at the EU level, domestic scrutiny processes must be analyzed. Furthermore, academia has largely ignored the role EACs play in practice. The analysis examined whether French EACs made use of fire-alarm or police-patrol scrutiny. On the one hand, the analysis found no evidence of fire-alarm scrutiny. There was no system facilitating exchanges between the committees and third parties. Furthermore, MPs do not have the means or will to effectively fight the fire. Accordingly, interviews confirmed that the EAC members did not make use of fire-alarm scrutiny. On the other hand, the data collected showed traces of police-patrol oversight. EU documents are systematically scrutinized in EAC meetings, and reports can be conducted to gather information on specific topics. However, this police-patrol work seemed very limited; operating under strict constitutional constraints and political tensions, MPs are virtually powerless to control the executive on EU affairs. This was also confirmed as most resolutions support the government's position, which does not reflect opposition stemming from the EACs.

Therefore, this paper argues in favor of a reconceptualization of the EAC, from a scrutinizer of the government to an information hub and coordination forum. Indeed, the EAC is a committee where a variety of levels meet; local, national, and European. Close cooperation with EU institutions, the government, legislative committees, and frequent contacts on local terrain enable vertical and horizontal coordination on EU affairs. Moreover, the EAC plays a crucial role in terms of information flows between these entities. Information reports are the result of deep investigative work and serve to examine different views involved on a certain EU topic. As a result, members of the EAC become experts on EU issues, which then overflow in their other legislative committees. Thus, one should not see the French EAC as a scrutinizer, but as a 'Europeanizer' within a *franco-french* arena: the French parliament.

These findings are to be interpreted in light of several limitations. First, the French political system is quite unique within the EU, which limits the generalizability of conclusions. Second, reliance on the author's interpretation of documents and interviews can be seen as affecting the validity of the arguments presented. However, this research's method triangulation attempted to counter such concerns. Third, this research has limited the analysis strictly to the EAC, while there are other standing committees in the parliament, who might play a more thorough scrutinizer role. Yet, I argue that these findings have important implications in terms of the role the French parliament can play at the EU level. The analysis reveals that the only specialized committee on EU affairs is in an ill-equipped legislative position to scrutinize the executive, and therefore reinforce the democratic chain of delegation between French citizens and the EU. Instead, this research presents arguments rejoining the body of literature

that views parliaments as communicative venues regarding EU affairs (Auel & Neuhold, 2018; Auel & Raunio, 2014; Auel et al., 2016). Further research could examine in detail the role other EACs in the Union can play, especially in stronger parliamentary regimes. Moreover, scholars could further explore this informational and co-ordinational role the French EACs seem to play, by investigating its impact on the population for instance. Overall, scholars should refrain from overlooking the value that qualitative data provides when studying national parliaments' involvement in EU affairs. Indeed, this paper has shown the importance of delving deeper into parliamentary practices, before being able to generate meaningful cross-country conclusions.

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