The EU Comitology System:
Intergovernmental Bargaining and Deliberative Supranationalism?

By
Jens Blom-Hansen
Department of Political Science
University of Aarhus
Denmark
Email: jbh@ps.au.dk

First and preliminary version!

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Abstract. Two images exist of the day-to-day practice of the EU comitology system. The first claims that comitology is a technocratic version of deliberative democracy in which informal norms, deliberation, and good arguments matter more than economic interests and formal voting rules. The second image portrays comitology as an arena for hardball intergovernmental bargaining designed by the member states to control the Commission. The paper makes a systematic empirical investigation based on survey evidence from a questionnaire to Danish national representatives to all comitology committees in 2006. The evidence suggests that both images hold, and that their relative importance is determined by the nature of the issues dealt with by the individual comitology committees.

Introduction
Comitology committees have grown rapidly in number in the EU system since the creation of the first management committees for implementing the common agricultural policy in the 1960s. Decisions on policy implementation are now routinely taken by about 200 mixed committees of Commission and member state representatives in virtually every area of EU policy making.

The comitology system was originally created as a solution to the Council of Ministers’ need to delegate implementing powers to the Commission without losing too much control. Viewing comitology as a control mechanism is still the approach taken by the main EU actors in the ongoing inter-institutional battle over the establishment of new committees. The Commission and the European Parliament favour soft (or no) comitology procedures whereas the member states in the Council of Ministers argue for tough procedures in order to constrain the Commission (Dogan 2000, Franchino 2000a; Bergström 2005: 43-57).

However, it is often the case that the effects of institutions turn out to be quite different from the motives that led to their establishment (Pierson 2000). This institutional insight is also relevant in the comitology area. The significance and day-to-day practice of the comitology committees remain a matter of dispute. The literature offers two distinct images of the daily workings of comitology.

The first image - associated with authors such as Joerges and Neyer (1997a; 1997b), Dehousouse (2003) and Wessels (1998) - is drawn from sociological institutionalism and constructivism. It suggests that comitology committees provide a forum in which experts meet and deliberate...
in search for the best or most efficient solutions to common policy problems. According to this image, comitology is a technocratic version of deliberative democracy in which informal norms, deliberation, and good arguments matter more than economic interests and formal voting rules. The second image - drawn from rational choice theory and associated with authors such as Steunenberg et al. (1996; 1997), Pollack (2003a: 114-146; 2003b), Ballman et al. (2002) and Franchino (2000b) - portraits comitology as a mechanism designed by the member states to control the Commission’s executive duties. In this view, the comitology committees function as en miniature versions of the Council of Ministers. They provide an arena for hardball intergovernmental bargaining where the member states fight over secondary rules to implement EU legislation.

The question is which image is true. Or, can they both be true? Might the two images have different domains of application? Some comitology committees might be deliberative, others arenas of intergovernmental infighting. Although far from conclusive, there is empirical evidence to suggest that this may be the case. The purpose of this paper is to make a systematic empirical investigation. The approach taken is that both images may have merit. The question then is under which circumstances they each dominate. The data to analyse this question come from a survey of Danish national representatives to all comitology committees in 2006. The evidence suggests that both images hold, and that their relative importance is determined by the nature of the issues dealt with by the individual comitology committees.

The paper is divided into four parts. The first part presents in more detail the two images of the day-to-day workings of comitology and their empirical backing. The second explains the methods and data to investigate the relative empirical validity of the two images. It discusses how to measure them empirically, and it introduces the survey of the Danish comitology participants. The third part contains the paper’s empirical analysis. This is a set of regression analyses of the Danish questionnaire data. The fourth and final part concludes with a brief summary of the findings and discusses the lessons for the study of EU committee governance.

Two images of comitology

The advocates of the deliberative image argue that comitology is government by persuasion, argument and discursive processes rather than by command, control and strategic action. Joerges and Neyer (1997a; 1997b) introduced the term ‘deliberative supranationalism’ as the most apt charac-
terisation of comitology. This is based on three arguments. First, they find formal structures to be of little importance. The boundaries of the comitology system cannot be equated with its formal structures. The lines are blurred between the Commission’s informal advisory groups, which prepare new rules, the working groups under Coreper, which negotiate about the adoption of rules in the Council of Ministers, the comitology committees, which implement the rules, and semi-public and private policy networks, which are consulted in the process. Issues as well as persons overlap across these various committee arenas. Within the comitology committees formal voting rules appear to have no particular importance and are rarely invoked. The Commission, which has no formal voting power in the comitology committees, stands out as the most important player by means of its ability to structure flows of information and to set the agenda of the committees. Second, the decision style in the comitology system is not one of bargaining, but of problem-solving. Power is the ability to present and substantiate arguments. To be convincing, arguments must be backed by evidence. As argued by Joerges and Neyer (1997a: 288-9):

Administrations without the requisite resources for elaborating their reasoning in ‘reasonable terms’ (terms which are backed by scientific evidence and refer to agreed upon standards), face serious difficulties in giving credence to their position. Because of the function of scientific discourse to serve as a filter for claims, it is very difficult for participants to maintain positions without being backed by generally acceptable arguments.

Finally, according to the advocates of the deliberative image, comitology has a strong socialising effect upon its participants. They note that negotiations among national representatives sometimes last for years with the same personnel attending. During their course of working together, the representatives develop common understandings of problems and solutions. Again, according to Joerges and Neyer (1997a: 291):

They slowly move from representatives of the national interest to representatives of a Europeanised interadministrative discourse in which mutual learning and understanding of each others difficulties surrounding the implementation of standards becomes of central importance.
The prevalence of the deliberative image of comitology has been stressed many times by Joerges & Neyer since their presentation of it in the mid-1990s (Joerges 2002; 2006; Neyer 2003; 2006). They now refer to it as ‘the comitology mode of decision-making’ (Joerges 2006: 779). The deliberative image is endorsed by other observers of comitology. Dehousse (2003: 803) finds comitology to be characterised by ‘consensual deliberations between well-intentioned experts’. Wessels (1998: 225) speaks of the ‘direct consensual problem-solving’ style of interaction within comitology.

The rational choice image of comitology is very different. It is based on the premise that the member states are wary of the Commission’s influence. To prevent it from becoming too powerful by having unrestricted discretion at the implementation stage, the Council of Ministers delegates implementing powers to the Commission under the condition that specific decision making procedures have to be used. These procedures are the backbone of the comitology system.

According to this image comitology meetings are implementation games or principal-agent relationships. Comitology is necessary because legislative acts by the Council are incomplete contracts whose daily operation needs to be monitored to avoid problems of agency slippage and defection by the original contracting partners. Comitology is a continuation of Council negotiations by stand-ins. A fixed number of players can be identified – the Council, member state representatives, the European Parliament, and the Commission. The players’ preferences are stable and exogenous to the given negotiation situation. The general assumption is that the Commission and the European Parliament are in favour of closer integration, the member states and their representatives sceptical. Comitology rules are instruments to pursue these preferences (Steunenberg et al. 1996; 1997; Pollack 2003a: 114-146; 2003b; Ballman et al. 2002; Franchino 2000b).

According to this picture, a comitology committee is a mini-Council of Ministers. Voting rules are the same and, as in the policy formulation phase, the right of initiative belongs to the Commission. Consequently, the decision style is intergovernmental bargaining well-known from the Council (cf. Moravcsik 1998). Member state representatives are careful watchdogs of their national interest. In contrast to the deliberative image, formal rules are of paramount importance since they constrain the Commission to varying degrees. For instance, in this view the advisory procedure has no particular importance or scientific interest because it ‘does not restrict the Commission in the slightest way’ (Steunenberg et al. 1996: 341).

To what extent are the two images supported by empirical data? Four types of evidence have been brought forward in the literature.
Voting results. No formal decisions can be taken by the committees without a vote. The voting records are readily available from the Commission’s annual comitology report (see e.g. Commission 2006). As often noted in the literature, they show that the committees rarely reject the Commission’s proposals. However, since this fact is consistent with both the deliberative image (voting is the formal result of consensual deliberation) and the rationalist image (the Commission anticipates what is acceptable to a majority of the committee), this type of evidence is not considered further here.

Institutional preferences. In the continuing inter-institutional battle over the establishment of new comitology committees, the Commission and the European Parliament spend considerable time and energy to argue for soft (or no) comitology procedures, while the member states in the Council of Ministers argue for tough procedures in order to constrain the Commission. In other words, in the policy formulation phase the main EU actors normally view the comitology system as a control mechanism. Although not unequivocal (Dogan 2000), this is evidence in support of the rationalist image (Pollack 2003a: 130-144; 2003b; Franchino 2000b; Bergström 2005: 209-249; Vos 1997). But it is indirect evidence. As readily acknowledged by Pollack (2003b:153) and as often found in other institutional settings (Pierson 2000), it may be the case that comitology committees are established for one purpose, but take on a different purpose in their day-to-day practice. For this reason this type of evidence is not considered further here.

Survey evidence. In some studies, questionnaires have been used to investigate the negotiation climate in the various EU committees. However, unfortunately for our purposes, comitology committees are seldom included. And when they are, they are treated en bloc. That is, as one distinct type of committee which is then compared to working groups under the Council of Ministers and expert advisory groups under the Commission. Egebjerg et al. (2003) survey 218 EU committee participants from 14 EU member states. They find support for a distinct EU negotiation culture across all committees which is characterised by arguing (rather than bargaining), expertise (rather than power), and a high level of loyalty and trust. This is evidence in support of the deliberative image. However, they also find differences across types of committees. Compared to Commission expert groups, comitology committees and Council working groups appear to be intergovernmental arenas where participants behave as representatives of their home government. This is evidence in support of the rationalist image. Similar results have been reached by Sannerstedt (2005) in a survey of Swedish EU committee members. In sum, the existing survey evidence is inconclusive.
Case studies. A number of authors have made intensive studies of the daily workings of selected individual comitology committees. Joerges and Neyer (1997a; see also Neyer 1998) – the prime advocates of the deliberative image – build their case on a careful study of the Standing Committee for Foodstuffs. Daemen and van Schendelen (1998) investigate the Advisory Committee on Safety, Hygiene and Health Protection. As Joerges and Neyer, they find a dominant culture of consensus based on an expertise orientation. But at the same time they discover that national representatives seem to be rather cynically pursuing national interests in the setting of common standards for workers’ protection. In the Eco-label committee, which awards eco-labels to environmentally friendly products, Philip (1998) finds little trace of deliberative processes. The label is commercially sensitive, and the national representatives have a keen eye on their national competitive advantages. Töller (1998), in a study of the Environmental Management and Audit Scheme (EMAS) Committee, finds strategic use of voting rules coexisting with a consensus oriented decision-process. In a review of the Genetically Modified Organisms (GMO) Committee’s treatment of a multinational company’s application to market genetically modified maize in the EU-territory Bradley (1998) reports cynical and daring use of formal voting rules. In a study of three environmental comitology committees – the drinking water committee, the nitrate committee, and the packaging waste committee – Gehring (1999) finds that member state representatives refuse to ignore their national interests, but are also compelled to provide reasonable arguments rather than to rely on their power resources. He concludes (ibid.: 215) that “comitology committees are hybrids that must accommodate two different, and possibly conflicting, modes of interaction”. In sum, case studies show traits of both deliberative and rationalist images of comitology.

All in all the available evidence cannot refute either of the two images of comitology. Although scanty, there is support for both of them. The purpose of the following analysis is to make a systematic analysis covering all comitology committees. Given the above evidence the research question is not which image is correct, but rather under which circumstances they each dominate.

Which factors pull comitology committees in either a deliberative or intergovernmental direction? Advocates of the deliberative image basically point to two factors that cause comitology meetings to become dominated by persuasion, argument and discursive processes. The first is the technical nature of the questions dealt with by the committees. This is the reason why representatives are experts and why preferences need to backed by scientific evidence. This is also the reason why representatives have leeway to develop common understandings of problems and solutions. Due to their highly technical nature the distributive effects of comitology questions are often
uncertain and national interests unclear. The second factor is the long-term interaction among committee members. Meetings are frequent, and negotiations in the committees may last for years. This is the reason why comitology has such a powerful socialising effect upon participants. As noted by Joerges and Neyer (1997a: 291): “The emergence of shared feelings of interadministrative partnership is crucial to understanding the course of the negotiation”. However, technical complexity and the representatives’ interaction patterns are, of course, not constants, but factors that are likely to vary across comitology committees.

To advocates of the rationalist image comitology is intergovernmental bargaining over the implementation of EU legislation. They also point to two causal mechanisms. First, as argued in detail by Moravcsik (1998: 18-86), EU member states meet to negotiate because cooperation is mutually beneficial. But cooperation can take many forms, and different cooperative arrangements impose different gains and losses upon the member states. This is basically why negotiation is necessary. In this view, the distributional consequences determine the negotiation climate. Second, negotiations are influenced by the intensity of member state preferences. The higher value a member state places on an agreement, the greater its incentive to offer concessions and compromises. In terms of Putnam’s (1988) two-level negotiation model, this member state has a broad ‘win-set’. This is a situation which the other member states have an incentive to exploit to achieve concessions. The situation lends itself to political horse trading. But, again, distributive effects and preference intensity are not constants, but factors that are likely to vary across comitology committees.

In sum, we are left with four factors that are likely to shape the interaction style in the comitology committees: Technical complexity, representatives’ interaction patterns, distributive effects, and preference intensity. We thus have dependent and independent variables. The object of the following section is to explicate how they can be investigated empirically.

Methods and data

To investigate the hypothesised relationships we need, first, measures of deliberation as opposed to bargaining and, second, a selection of comitology committees that vary along the independent variables. These data have been obtained by a survey covering Danish representatives in all comitology committees that were operative in the Autumn of 2006.
The survey was conducted in the following steps. First, comitology committees had to be identified. There is no precise up-to-date register of comitology committees. But help is available in the Commission’s annual comitology report which contains a list of all committees at the time of the report’s writing. An initial list of committees was compiled on the basis of the Commission’s (2006) comitology report for 2005. Committees that had held no meetings in 2005 were excluded as ‘dead’ committees. Committees that were established after the report was printed were identified as participating actors were consulted in the process. In total, 191 committees were identified in this way.

The second step was to identify the national representative. This soon proved to be an arduous task. Member states are free to send whoever they want to comitology meetings. At least in Denmark, this means that a variable number of civil servants sometimes spanning more than one ministry are attached to the various committees. The choice of the participant to a given meeting is then made depending on what is on the meeting’s agenda. This problem was discussed with the relevant ministry’s or agency’s EU coordinator in order to identify the most frequent, important or experienced Danish representative in the individual committees. This representative was then contacted by phone and asked to fill out a questionnaire which was then sent to him or her by ordinary mail. 161 respondents out of a total of 191 filled out the questionnaire which gives an overall response rate of 84 per cent (see Blom-Hansen 2007 for a full explanation of the survey).

We thus have a dataset covering almost all comitology committees providing an account of the individual committees as seen from a Danish perspective. It is difficult to say whether representatives’ nationality matters for impressions of comitology meetings. But any potential ‘noise’ from this variable should be neutralized since nationality is kept constant across committees.

Measuring deliberative supernationalism. In a review of applied deliberative democratic theory Chambers (2003) defines deliberation as debate and discussion aimed at producing reasonable, well-informed opinions in which participants are willing to revise preferences in light of discussion, new information, and claims made by fellow participants. Absent from this definition is the result of the deliberative process. Many believe that deliberation leads to consensus, and often consensus-oriented politics is equated with deliberation (certainly, this is the case within debates over comitology). But, as stressed by several empirical students of deliberation (Chambers 2003; Steiner et al. 2004 (25-26; 41-42); Lascher 1996), it should be treated as an empirical question whether deliberation promotes toleration and understanding or disagreements and conflict. Consequently, the following analysis focuses on deliberative processes, not their results. At the heart of
Deliberation is talking. Deliberative politics is discursive or communicative politics. But there is more to deliberation than talking. The quality of the talking matters. High quality deliberation consists of four central components (cf. Steiner et al. 2003: 52-61). First, speakers must be able to participate freely in the debate. Second, speakers should justify their positions with explicit arguments. Third, arguments referring to the common good should carry greater weight. Finally, deliberation is constructive. It should be able to change minds and transform opinions. In the survey these four factors are measured empirically, and the respondents’ answers are combined to form an index of deliberation by the use of factor analysis, cf. Table 1 below.

Measuring intergovernmental bargaining. In a review of realist, liberal intergovernmental and rational choice institutionalist studies of EU politics Pollack (2001) argues these approaches converge around a single rationalist model sharing most basic assumptions, especially the notion that EU negotiations consist of a set of states in rational pursuit of relatively stable and well-ordered interests determined by national constituents. More specifically, four central components can be identified. First, states are self-interested. They act instrumentally on the basis of national interests. For instance, to Moravcsik (1998), the first step in international cooperation is the formation of national preferences which are determined by powerful domestic constituents. In Putnam’s (1988) terms, international negotiators’ ‘win-set’ depends on the preferences, coalitions and institutions of ‘level II’ (i.e. national) constituents. Second, as especially emphasised by realists, negotiations are power plays. The broad parameters of inter-state cooperation are set by the most powerful actors in the international system. It is telling that Moravcsik’s (1998) influential account of the major turning points in the history of the EU does not include the three small Benelux-countries or (after 1973) Ireland and Denmark, but focuses solely on Germany, France and Britain. Third, negotiation results are often obtained by compromises covering several issues (‘issue linkage’, ‘side payments’, ‘package deals’). This is an efficient negotiation form since it reaps the gains of cooperation by exploiting asymmetrical preferences among the negotiators. Finally, insincere behaviour should be expected. This is partly because international cooperation is plagued by collective action problems. Negotiators have incentives to commit themselves at one point in time, but later to defect or renge on those promises. And it is partly because of information asymmetries among the negotiators. They are often incompletely informed about each others’ domestic politics. In this situation, in Putnam’s (1988: 452) words, “negotiators have an incentive to understate their own win-sets”. In the survey these four factors are measured empirically, and the respondents’ answers are combined to form an index of intergovernmental bargaining by use of factor analysis, cf. Table 1 below.
This empirical approach makes it possible to resolve an issue that is often left unclear in the literature. Is the interaction style among participants in international negotiations a one-dimensional concept the extreme values of which are deliberative supranationalism and intergovernmental bargaining? Or, are they different dimensions of interaction styles that should be treated as separate phenomena? Table 1 strongly suggests the latter. The four indicators of deliberative supranationalism and intergovernmental bargaining load on two different factors. Furthermore, table 1 reports the results of a reliability test (Chronbach’s alpha) of combining the four factors, respectively, into indices of deliberative supranationalism and intergovernmental bargaining. As expected, the indices are relatively strong.

The frequency distributions of the two indices are shown in Figure 1. Both indices are coded so that they vary between 1 and 5. High values correspond to high degrees of, respectively, intergovernmental bargaining and deliberative supranationalism. Panel A in Figure 1 shows the 160 comitology committees ordered according to their value on the index of intergovernmental bargaining. Intergovernmental bargaining is found to the highest degree in the committee to the far right (this happens to be the DG Environment’s Committee for the adaptation to technical progress concerning electric and electronic equipment). In Panel B the committees are arranged in the same order, but this time showing their value on the index of deliberative supranationalism.

The two panels in Figure 1 are instructive. It is obvious that both images of comitology are both true and false. They are both true in the sense that they can both be identified in reality. They are both false in the sense that neither is characterising all comitology committees. As the two panels make evident, there is a lot of variation in the extent to which the two images are true. Furthermore, since the committees are arranged in the same order in the two panels, it is clear that intergovernmental bargaining and deliberative supranationalism are separate phenomena. In Panel A the committees’ values are neatly rising, in Panel B the pattern is erratic. The two indices are simply uncorrelated (r=-.05; sign.: .49). What this means is that intergovernmental bargaining is prevalent in some committees, deliberative supranationalism in other committees. In some committees intergovernmental bargaining coexist with deliberative supranationalism, in other committees neither image prevails. How can this be explained? This is the object of the following section.

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But first the measurement of the explanatory factors should be introduced. As argued in the preceding section four factors are likely to pull comitology meetings in the direction of either deliberative supranationalism or intergovernmental bargaining: Technical complexity, representatives’ interaction patterns, distributive effects, and preference intensity.

Two of these factors – technical complexity and distributive effects – were measured by asking the respondents to characterise the cases dealt with in their committees. The results are reported in Table 2 which, as Table 1, reports the result of a factor analysis and reliability test. The indicators of technical complexity measure both the respondent’s own impression of the committee’s cases and her impression of the ability of outsiders to understand her cases. The indicators of distributive effects measure both institutional (rules, procedures) and economic effects. But as can be seen the respective indicators clearly measure one underlying concept. We are left with two indices that form good indicators of technical complexity and distributive effects.

The third factor – preference intensity – is measured by the respondents’ impression of the interest taken in their work by actors in their surroundings. These indicators are reported in Table 3 which, like the previous tables, reports the result of a factor analysis and reliability test. As can be seen indicators load on two factors which can be interpreted as, respectively, political interest and business interest. The interest of the press is something substantively different. It loads to some extent on both factors, but is not included in any of the indices. The reliability test shows that the indicators form good indices of these concepts.

The final factor – representatives’ interaction patterns – is measured by the frequency of meetings in the individual committees. The data source is not the respondents’ memory, but something more reliable, namely the Commission’s comitology register (accessible at http://ec.europa.eu/transparency/regcomitology/registre.cfm?CL=en). This register contains official documents such as agendas, summary records, and voting results from all comitology committees.
The register is not complete, but if the different documents for the individual committees are all taken into account, it is possible to make a reliable estimate of the number of meetings in most committees. Since the survey was conducted in November/December 2006 and January 2007, this measure includes all meetings in the year 2006. The number of meetings varies from very few to almost one per week. The most active is the agricultural management committee for cereals which met 40 times in 2006.

**Empirical analysis**

Why is the interaction style characterised by intergovernmental bargaining in some comitology committees and deliberative supranationalism in others? It is now time to explore this question. This is done through a series of regression analyses.

According to advocates of intergovernmental bargaining this interaction style is caused by the distributive effects of the cases dealt with by the committees and the intensity of the member states’ preferences. However, the causal order of these two factors is not the same. Member states preferences in given cases are probably to some extent influenced by the distributive effects of the cases. In other words, preferences are partly intervening in the relationship between distributive effects and intergovernmental bargaining. This hypothesis is illustrated and investigated in Figure 2, which is the basic causal model of intergovernmental bargaining.

(Insert Figure 2 about here)

The figure shows that both distributive effects and member state preferences (as measured by political and business interest) have a causal impact on the degree of intergovernmental bargaining in the comitology committees. The figure also shows that distributive effects have an indirect effect through member state preferences.

The explanation of intergovernmental bargaining is explored in more detail in Table 4. The first model shows the strong bivariate impact of distributive effects. In the second model member state preferences are added. This model corresponds to the final analysis in figure 2. In the third model the impact of distributive effects is controlled for the homogeneity of the cases in the individual committees. The index for distributive effects is composed of items where the respondents...
were asked to make general statements of the meetings in their committee (cf. Table 1 above). If these statements cover a very heterogeneous set of cases their impact on the interaction style in the committee is supposedly less powerful. To control for this the respondents were asked whether the individual cases in their committee resemble each other. Since this factor is hypothesised to condition the effect of distributive effects, it is added to the model as an interaction term. However, although the sign is in the expected direction, the coefficient is statistically insignificant. In the final model a control is made for the explanatory variables in the rival deliberative image. This model is the best (in terms of $R^2$) that can be built using all four independent variables. Somewhat unexpectedly technical complexity turns out statistically significant. In sum Table 4 supports the basic causal model in Figure 1, but also shows that intergovernmental bargaining is a multicausal phenomenon influenced by other factors than those usually brought forward in the literature.

According to advocates of deliberative supranationalism this interaction style is caused by the technical nature of the questions dealt with by the committees and the long-term interaction among committee members (which is operationalised as the frequency of the committees’ meetings). Again, these two factors are not in the same causal order. Solving highly technical questions probably requires more frequent meetings. In other words, the frequency of meetings is partly intervening in the relationship between technical complexity and deliberative supranationalism. This hypothesis is illustrated and investigated in Figure 3, which is the basic causal model of deliberative supranationalism.

This figure shows that technical complexity has a causal impact on the degree of deliberative supranationalism, but fails to confirm the impact of the frequency of meetings. This factor appears unrelated to both technical complexity and deliberative supranationalism.

The explanation of deliberative supranationalism is explored in more detail in Table 5. The first model shows the bivariate impact of technical complexity. In the second model the frequency of the comitology meetings is added. As noted above, this information is not available for all committees (note the drop in N). This model corresponds to the final analysis in figure 3. As in the analysis of intergovernmental bargaining, an interaction term to control for the homogeneity of the cases in the individual committees is added in the third model, but again it turns out statistically insignificant. It was again tried to build a final and best model (in terms of $R^2$) using all four inde-
dependent factors – that is, also those from the rival rationalist image. But technical complexity is the only factor that influences deliberative supranationalism. While this result confirms the literature on deliberative supranationalism, the low $R^2$ in the models in Table 5 also shows that a lot remains to be explained.

Conclusion and lessons for the study of EU committee governance

This paper has joined the ongoing debate between ‘intergovernmental’ and ‘deliberative’ – or ‘bargaining’ and ‘problem-solving’, or ‘rationalist’ and ‘constructivist’ approaches to understanding negotiations in the EU (Jupille et al. 2003; Elgström & Jönsson 2000; Scharpf 1988). The paper has applied what Jupille et al. (2003: 21-22) term the ‘domain of application approach’. That is, the working assumption has been that both images of comitology have merit, and that the main challenge is to identify their empirical occurrence and to specify how each underlying explanation works. The paper has succeeded in mapping the two images and demonstrated their simultaneous existence in the world of comitology. It has also gone some way towards identifying the factors pulling given committees in either a deliberative or intergovernmental direction. But, obviously, much work remains to be done in this latter regard.

Comitology committees are a crucial component of the implementation system in the EU. But committees are also prevalent in the preceding phases in the EU decision making process – expert advisory committees under the Commission and working groups under Coreper. To some extent, EU governance is governance by committees. These other committees also seem to be characterised by a curious blend of intergovernmental bargaining and deliberative supranationalism. As argued in the paper, empirical studies have taken two approaches – single case studies of selected committees and en bloc comparisons of Coreper working groups, Commission expert committees and comitology committees based on survey evidence. Given the empirical relevance of both the bargaining and deliberative image, it should come as no surprise that traits of both can be found in selected individual committees. The en bloc comparisons of Coreper, Commission and comitology committees are interesting as a mapping of the empirical occurrence of the two images, but less so as an explanation of them. The evidence presented in this paper suggest that the explanations should be found in the types of cases dealt with by the committees (are they distributive or technical in nature?), rather than their institutional affiliation in the EU system.
However, collecting data on the nature of cases of given committees is not straightforward. Survey evidence as presented in this paper is certainly possible, but the paper shows that there is probably a limit to how precise a picture one can draw using this type of data. Participants’ memories are not always accurate or reliable. Objective indicators of the nature of cases rather than subjective impressions would be preferable. There seems to be an argument for comparative case studies in which a number of committees are carefully selected and hard evidence is used to establish the nature of the cases dealt with by the committees.
Literature


Table 1. Factor analysis of the respondents’ evaluation of the meetings in their comitology committee

<table>
<thead>
<tr>
<th>Indicators of intergovernmental bargaining: In the meetings in my comitology committee….</th>
<th>Loading on factor 1 (intergovernmental bargaining)</th>
<th>Loading on factor 2 (deliberative supranationalism)</th>
</tr>
</thead>
<tbody>
<tr>
<td>... compromises are normally political horse trades</td>
<td>.756</td>
<td>-.115</td>
</tr>
<tr>
<td>... it is really the large countries that decide</td>
<td>.729</td>
<td>.064</td>
</tr>
<tr>
<td>... the participants often resort to bluffing</td>
<td>.701</td>
<td>.025</td>
</tr>
<tr>
<td>... national interests dominate our work</td>
<td>.547</td>
<td>-.113</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Indicators of deliberative supranationalism: In the meetings in my comitology committee….</th>
<th>Loading on factor 1 (intergovernmental bargaining)</th>
<th>Loading on factor 2 (deliberative supranationalism)</th>
</tr>
</thead>
<tbody>
<tr>
<td>... it happens that participants are persuaded by good arguments to change their position</td>
<td>.103</td>
<td>.683</td>
</tr>
<tr>
<td>... arguments on common solutions are especially important</td>
<td>.055</td>
<td>.673</td>
</tr>
<tr>
<td>... the participants normally present detailed arguments for their positions</td>
<td>-.149</td>
<td>.645</td>
</tr>
<tr>
<td>... all participants can freely express their opinion</td>
<td>-.147</td>
<td>.547</td>
</tr>
</tbody>
</table>

Eigen value

| Eigen value | 2.02 | 1.60 |

Chronbach’s alpha*

| Chronbach’s alpha* | .63 | .52 |

* For additive index of items in bold.

Note: All items are Likert scale statements to which the respondents could answer “agree”, “partly agree”, “neither agree nor disagree”, “partly disagree”, and “disagree”. Extraction method: Principal component analysis. Rotation method: Varimax with Kaiser normalization.
Figure 1. Intergovernmental bargaining and deliberative supranationalism in comitology committees

Panel A: Intergovernmental bargaining

Panel B: Deliberative supranationalism

Note: The 160 comitology committees are displayed in the same order in the two panels.
Table 2. Factor analysis of the character of the cases in the various comitology committees

<table>
<thead>
<tr>
<th>Indicators of distributive effects:</th>
<th>Loading on factor 1 (distributive effects)</th>
<th>Loading on factor 2 (technical complexity)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The cases in my committee have great importance for certain member states' national rules</td>
<td>.845</td>
<td>.175</td>
</tr>
<tr>
<td>The cases in my committee have great importance for certain member states</td>
<td>.826</td>
<td>.129</td>
</tr>
<tr>
<td>The cases in my committee have great economic importance for certain member states</td>
<td>.825</td>
<td>.183</td>
</tr>
<tr>
<td>The cases in my committee have great importance for national decision making procedures</td>
<td>.774</td>
<td>.183</td>
</tr>
<tr>
<td>Indicators of technical complexity:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>You need considerable technical insight to work with the cases in my committee</td>
<td>.207</td>
<td>.811</td>
</tr>
<tr>
<td>The cases in my committee are often technically complex</td>
<td>.136</td>
<td>.755</td>
</tr>
<tr>
<td>It is difficult for outsiders to understand the cases we work with in my committee</td>
<td>.199</td>
<td>.699</td>
</tr>
<tr>
<td>It is difficult for my own superior to understand the cases we work with in my committee</td>
<td>.060</td>
<td>.510</td>
</tr>
<tr>
<td>Eigen value</td>
<td>3.48</td>
<td>1.39</td>
</tr>
<tr>
<td>Chronbach’s alpha*</td>
<td>.86</td>
<td>.66</td>
</tr>
</tbody>
</table>

* For additive index of items in bold.

Note: All items are Likert scale statements to which the respondents could answer “agree”, “partly agree”, “neither agree nor disagree”, “partly disagree”, and “disagree”. Extraction method: Principal component analysis. Rotation method: Varimax with Kaiser normalization.
Table 3. Factor analysis of the interest taken by actors in the surroundings in the various comitology committees

<table>
<thead>
<tr>
<th></th>
<th>Loading on factor 1 (political interest)</th>
<th>Loading on factor 2 (business interest)</th>
</tr>
</thead>
<tbody>
<tr>
<td>How much are the following actors interested in the work in your comitology committee?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Your minister</td>
<td>.873</td>
<td>.217</td>
</tr>
<tr>
<td>- The government</td>
<td>.939</td>
<td>.134</td>
</tr>
<tr>
<td>- Parliament</td>
<td>.898</td>
<td>.243</td>
</tr>
<tr>
<td>- The press</td>
<td>.678</td>
<td>.454</td>
</tr>
<tr>
<td>- Interest organisations</td>
<td>.273</td>
<td>.875</td>
</tr>
<tr>
<td>- Major companies in the sector</td>
<td>.159</td>
<td>.905</td>
</tr>
<tr>
<td>Eigen value</td>
<td>3.80</td>
<td>1.12</td>
</tr>
<tr>
<td>Chronbach’s alpha*</td>
<td>.93</td>
<td>.82</td>
</tr>
</tbody>
</table>

* For additive index of items in bold.

Note: All items are Likert scale statements to which the respondents could answer “very much”, “much”, “somewhat”, “a little”, and “not at all”. Extraction method: Principal component analysis. Rotation method: Varimax with Kaiser normalization.
Figure 2. Causal model and path analysis of intergovernmental bargaining

Distributive effects → .26*** → Intergovernmental bargaining

.34*** → .06

Political interest
R²(adj.)=.11

Business interest
R²(adj.)=.07

.28** → .16*

*p<0.1; ** p<0.05; *** p<0.01.

Note: Numbers are standardized OLS-regression coefficients.
Table 4. Regression analysis of intergovernmental bargaining

<table>
<thead>
<tr>
<th></th>
<th>Model 1</th>
<th>Model 2</th>
<th>Model 3</th>
<th>Model 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distributive effects</td>
<td>.19***</td>
<td>.17***</td>
<td>.15***</td>
<td>.10*</td>
</tr>
<tr>
<td>Political interest</td>
<td>-</td>
<td>-.05</td>
<td>-.05</td>
<td>-</td>
</tr>
<tr>
<td>Business interest</td>
<td>-</td>
<td>.10*</td>
<td>.09*</td>
<td>.08*</td>
</tr>
<tr>
<td>Interaction term (distributive effects x case homogeneity)</td>
<td>-</td>
<td>-</td>
<td>.05</td>
<td>-</td>
</tr>
<tr>
<td>Technical complexity</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>.22***</td>
</tr>
<tr>
<td>Constant</td>
<td>2.0***</td>
<td>1.9***</td>
<td>1.9***</td>
<td>1.3***</td>
</tr>
<tr>
<td>( R^2 )</td>
<td>.08</td>
<td>.08</td>
<td>.09</td>
<td>.13</td>
</tr>
<tr>
<td>N</td>
<td>160</td>
<td>156</td>
<td>156</td>
<td>158</td>
</tr>
</tbody>
</table>

*p<0.1; ** p<0.05; *** p<0.01.
Dependent variable: Intergovernmental bargaining
Entries are unstandardised OLS-regression coefficient
Figure 3. Causal model and path analysis of deliberative supranationalism

*\( p<0.1; ** p<0.05; *** p<0.01.\)

Note: Numbers are standardized OLS-regression coefficients.
Table 5. Regression analysis of deliberative supranationalism

<table>
<thead>
<tr>
<th></th>
<th>Model 1</th>
<th>Model 2</th>
<th>Model 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technical complexity</td>
<td>.12**</td>
<td>.13**</td>
<td>.15**</td>
</tr>
<tr>
<td>Meeting frequency</td>
<td>-</td>
<td>.00</td>
<td>.00</td>
</tr>
<tr>
<td>Interaction term (technical complexity x case homogeneity)</td>
<td>-</td>
<td>-</td>
<td>-.03</td>
</tr>
<tr>
<td>Constant</td>
<td>3.7***</td>
<td>3.6***</td>
<td>3.6***</td>
</tr>
<tr>
<td>R²</td>
<td>.02</td>
<td>.02</td>
<td>.02</td>
</tr>
<tr>
<td>N</td>
<td>160</td>
<td>140</td>
<td>140</td>
</tr>
</tbody>
</table>

*p<0.1; ** p<0.05; *** p<0.01.
Dependent variable: Deliberative supranationalism
Entries are unstandardised OLS-regression coefficient