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National Actors in International Organizations

The Case of the European Commission

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This article examines the conditions under which the policy positions of an international organization correspond to the positions of relevant national actors. The commission of the European Union (EU) is often portrayed as an autonomous supranational actor, insulated from national interests. Recent analyses question this view, arguing that the commission is an agent in a principal-agent relationship with member states. The author formulates hypotheses on the conditions under which commissioners' nationalities affect the relative level of agreement between the commission and different member states' positions. The hypotheses are tested with more than 2,000 observations relating to 70 controversial proposals for legislation introduced by the commission from 1996 to 2000. In line with one of the hypotheses, under qualified majority voting in the council, there is relatively high agreement between the commission's positions and the positions of the home member states of the commissioners primarily responsible for drafting the legislative proposals.

Keywords: *European Union; European Commission; Council of Ministers; commissioners; legislative decision making*

Under what conditions are international organizations' policy positions closer to the positions of some member states than to those of others? This is a key question for scholars of all international organizations including the institutional actors of the European Union (EU). The congruence between the European Commission and EU member states' policy positions has important implications for decision outcomes in the legislative arena. In most

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policy areas, the commission has an effective monopoly on the introduction of legislative proposals. Although the Council of Ministers and the European Parliament can compel the commission to introduce a proposal, neither can determine the contents of the commission's proposal (Crombez, Groseclose, & Krehbiel, 2006, p. 331). Moreover, the procedural rules are tilted in the commission's favor in the sense that under qualified majority voting (QMV) in the council, it is more difficult for member states to amend the commission's proposal, which requires unanimity, than to accept it, which requires a qualified majority. Policy positions that enjoy broad support among national and supranational actors are more likely to be reflected in decision outcomes.

Despite the importance of agreement between the commission and member states' positions, research on this topic is theoretically and empirically underdeveloped. Many theoretical models simply assume that the commission, as a supranational actor, is insulated from national interests and takes extreme positions relative to member states (Crombez, 1996; Pollack, 1998; Tsebelis, 1994; Tsebelis & Garrett, 2000). I formulate hypotheses on the conditions under which the commission's positions on legislative proposals agree with those of different member states. These conditions relate to the nationality and party affiliation of the commissioner responsible for drafting the commission's legislative proposal and the decision-making rules that govern council decision making. I test these hypotheses with more than 2,000 observations concerning 70 legislative proposals introduced by the commission between 1996 and 2000. In line with one of the hypotheses, under QMV the commission's policy position is generally closer to the position of the home member state of the commissioner primarily responsible for drafting the legislative proposal. Although this is the first study to examine the impact of the allocation of commissioner posts among member states on the commission's positions, the empirical results add to a growing group of studies that highlight the importance of national interests in decision making within the commission (Crombez, 1997; Egeberg, 2006; Hooghe, 1999a, 1999b, 2002, 2005; Hug, 2003; Trondal, 2006; Wonka, 2005).

The next section identifies two views on the role of the commission in legislative decision making. The first view is that the commission is a supranational actor insulated from national interests; the second is that national governments' nomination of commissioners imbues the commission with national interests. The hypotheses are grounded in the second view. The second section describes the research design used to test the hypotheses. The third section contains the analyses. In the fourth section, I conclude by discussing the implications of the results for theorizing the European Commission.

Congruence Between the Commission and Member States' Positions

The European Commission is often portrayed as a supranational actor with interests distinct from those of member states (Crombez, 1996; Pollack, 1998; Tsebelis, 1994; Tsebelis & Garrett, 2000). The commission's interests are said to lie in Europeanizing areas of policy dealt with at the national level. It also seeks to further harmonize national policy in areas within its legislative ambit, thereby expanding its competencies relative to nation states. Tsebelis and Garrett's (2000) model of EU decision making depicts the preferences of the member states and the European Commission in a one-dimensional policy space representing the choice between national independence and European integration. In this model, member states' preferences are arrayed between two extreme alternatives, the status quo and the commission's preference. In other words, member states favor more harmonization than is currently in place but less than that favored by the commission. Although this stylized representation is not intended to reflect the detail of particular policy debates, it purports to capture something of the essence of the differences between the commission and member states' preference profiles throughout the course of European integration.

Egeberg (2006) also notes that commissioners' behavior is at least partly conditioned by their "commission role," which highlights commissioners' independence from the member state governments that nominate them. As specified in the treaty, commissioners should be "completely independent in the performance of their duties. In the performance of these duties they shall neither seek nor take instructions from any government or any other body" (Treaty on European Union: TEU, Article 213.2). This is also reflected in the view that commissioners usually represent the general European interest (Nugent, 2001, p. 112). A second role identified by Egberg, the "portfolio role," refers to commissioners' interactions with the interests affected by the work of the directorates general (DGs) they lead. Consequently, commissioners specialize and develop expertise in the policy areas for which they are responsible. Although this role does not imply that commissioners take extreme positions relative to member state governments, it does suggest that they have no particular loyalty to any given member state. Both the commission role and the portfolio role place commissioners' behavior outside the realm of competing national and party interests. According to these two roles, therefore, decision making within the commission contrasts with decision making within the council, where national interests dominate.

The present study is inspired by several theoretical and empirical analyses that question the above portrayals of the commission. Crombez (1997) and Hug (2003) conceive of the commission as the agent in a principal-agent relationship with member states. As such, member states' preferences constrain those of the commission. Wonka (2005) argues that the nomination of commissioners by member states is designed to influence the commission's positions. Hooghe (1999a, 1999b, 2002, 2005) and Trondal (2006) examine the role of national affiliations in explaining the views of commission officials. They find that national socialization is more important than socialization in the commission in explaining their views. In addition, Egeberg (2006) identifies behavioral roles that condition commissioners' behavior in line with their national and party affiliations: a "country role" and a "party role."

Although there is some empirical evidence to support the view that the commission's policy positions substantially differ from those of member states, there is also considerable variation in the extremity of the commission's positions. König (1997) examines six commission proposals for legislative acts in the early 1990s and finds that the commission took more extreme positions than member states, but not far from the member state whose position was furthest from the status quo. Hug (2003) provides evidence on the extremity of the commission's positions on the issues raised in the Amsterdam Intergovernmental Conference. In six of the eight issue areas, the commission's position was outside the range of member states' positions. Similarly, Thomson, Boerefijn, and Stokman's (2004) analysis indicates that the commission is a preference outlier. However, they also find considerable variation in the extremity of the commission's positions and conclude that the integration-independence dimension did not prominently feature in legislative decision making in the 1996 to 2000 period analyzed.

In short, there are theoretical and empirical reasons to question the view that the commission is insulated from the interplay of member states' interests that typify decision making in the council. The rather mixed empirical evidence suggests that there is variation in the level of agreement between the commission and different member states' positions. The following hypotheses are formulated with a view to explaining this variation. The hypotheses are based on a specification of commissioners' motivations for pursuing national interests and the constraints to which they are subject.

Why would commissioners want to pursue the interests of their national governments? Commissioners are national and European politicians. Commissioners' country role (Egeberg, 2006) means that they are particularly sensitive to the interests of their home member states. When nominating

candidates for commission posts, member state governments generally select individuals who have had careers in national politics (Wonka, 2005). Through the careful selection of candidates, national governments may attempt to increase the certainty that the commissioner will defend their national interests if called on to do so. In addition, many commissioners depend on national governments for career development after they leave the commission (Wonka, 2005). This provides an additional incentive for commissioners to be sensitive to the interests of their home member states.

Commissioners are of course constrained in the extent to which they can influence the commission's policy positions in accordance with their country role. Some constraints apply to all commissioners on all issues and therefore cannot explain variation. One such constraint is the formal rule that commissioners must not "take instructions from any government" (TEU, Article 213.2). This principle is embodied in the norms of appropriate conduct for commissioners; they should not act as champions of national interests (Cini, 1996, p. 111), nor should they develop cliental relationships with member states (Donnelly & Ritchie, 1994, p. 35). Another such constraint consists of the influence of commissioners from other member states. The commission takes collective decisions in the College of Commissioners, if necessary by simple majority vote, but often by consensus. All commissioners are collectively responsible for the commission's actions.

The division of commissioners' policy responsibilities into portfolios imposes both an opportunity and a constraint on the extent to which commissioners influence the commission's policy positions. Moreover, this division has implications for explaining variation in the relative agreement between the commission and different member states' positions. Each commissioner leads a number of DGs, which involves a considerable degree of subject area specialization. Each legislative proposal is drafted under the primary responsibility of one commissioner. Commissioners' control over the preparation of policy within their sectors increases their influence on the content of commission policy within their own jurisdictions and reduces it outside their jurisdictions. Commissioners' country roles combined with their responsibilities for particular policy areas leads to the first hypothesis.

Hypothesis 1: The commission's policy positions are more congruent with the policy positions of the home member states of the commissioners primarily responsible than with other policy positions.

The division of commissioners' policy responsibilities is similar to the allocation of ministerial portfolios, which influences government policies at the national level (Laver & Shepsle, 1996).

The council decision rule, QMV or unanimity, may be conceived of as a constraint on the extent to which commissioners can influence the commission's position in line with the interests of their home states. When formulating its policy positions on legislative proposals, the College of Commissioners must take into account the decision rules that will apply. According to procedural models of decision making in the EU, the council voting rule determines where the commission's legislative proposal will be located relative to member states' positions (e.g., Crombez, 1996; Tsebelis, 1994; Tsebelis & Garrett, 2000). Under unanimity voting, if the commission is to formulate a legislative proposal that will be passed in the council, all member states must prefer what the commission proposes to the disagreement outcome, the decision outcome in the event that the proposal is not passed. In other words, the commission must appeal to all member states, including the member state whose policy positions are farthest from its own. Under QMV, for the commission's proposal to be approved in the council, it has to find only a proposal that a qualified majority prefers to the disagreement outcome. This implies that the commission has more flexibility when formulating legislative proposals under QMV than under unanimity. Under unanimity, regardless of the policy position of the responsible commissioner's home member state, the commission must take into account all member states' positions. Under QMV, by contrast, the commission may attempt to build a coalition consisting of a qualified majority of actors or more. Consequently, commissioners' country role, combined with the impact of the allocation of DG responsibilities, leads to the following hypothesis:

Hypothesis 2: The commission's policy positions are more congruent with the policy positions of the home member states of the commissioners primarily responsible if the proposal is subject to QMV in the council.

The party affiliation of commissioners may be another constraint on the extent to which national governments are able to influence the positions taken by their commissioners. Through commissioners' influence on decisions taken by the College of Commissioners in areas within their jurisdictions, commissioners' party affiliations may also influence the commission's collective positions. When nominating candidates for commission posts, state governments tend to select individuals who are affiliated with one of the parties in office at the national level. Wonka (2005) reports that of the 185 commissioners who served between 1958 and 1998, two thirds were members of one of the national-level governing parties at the time of their appointment, one fifth were members of an opposition party, and the remainder had no

party affiliation. Selecting commissioners who are affiliated with one of the parties in the governing coalition may strengthen the congruence between the commissioners' policy positions and the positions of the member state governments that appointed them. Because such individuals share the party affiliations of at least some members of the governments in their home member states, they are also likely to share policy preferences. In addition, national governments' inclination and ability to reward loyal commissioners with attractive political appointments after they leave the commission may be greater when the commissioners are members of one of the governing parties. Given the institutional constraints of the division of DG portfolios on commissioners' ability to influence the policy position of the commission, the third hypothesis is formulated as follows.

Hypothesis 3: The commission's policy positions are more congruent with the policy positions of the home member states of the commissioners primarily responsible if the responsible commissioners are members of a governing party in their home member states.

The core of the empirical analyses refers to variables relating to the above hypotheses. In addition, control variables are included, as described in the following section. One of these variables, member state size, is of some theoretical interest. It is included as an exploratory question rather than an explicit hypothesis. Member state size is important because degressive proportionality defines the numbers of commissioners nominated by large and small member states. This means that small member states are overrepresented in relation to their population sizes. In the EU-15 period examined here, the 5 large member states nominated two commissioners, whereas the remaining 10 states each nominated one. Many practitioners hold the view that the interests of member states are more equally weighted in decision making in the commission than in the intergovernmental arena of the council. This has led some researchers to raise the question, "Is the commission small member states best friend?" (Bunse, Nicolaidis, & Magnette, 2005). The following analyses therefore explore whether the commission's positions are closer to those of small member states than to large member states.

Research Design

The information used to test the hypotheses refers to 174 controversial issues from 70 legislative proposals introduced by the European Commission

between the first half of 1996 and the second half of 2000. The legislative proposals were selected according to the following three criteria. Each was on the council's agenda in the years 1999 and/or 2000, each was mentioned in *Agence Europe*, a news service covering European affairs, and each gave rise to at least one controversial issue.¹ The proposals cover a wide range of policy areas, thereby falling under the jurisdictions of a range of commissioners (Table 1). The policy areas of internal market, agriculture, and fisheries feature relatively prominently. The selection of proposals therefore includes proposals introduced during the Santer Commission and the Prodi Commission.

Each of the controversial issues was represented spatially, in the form of a policy scale ranging from 0 to 100. The decision outcomes favored most by the European Commission, each of the 15 member states, and the European Parliament were estimated using interviews with key informants from the commission and member states' representations to the EU and with council documentation. These positions referred to the decision outcomes favored most by each of the actors at the time of the introduction of the commission's proposal. For each issue, the most extreme decision outcomes are located at the ends of the policy scale, at Positions 0 and 100. Actors with other positions were placed between these extremes by the key informants to represent their views of the political distances between their positions and each of the extremes.

An example of this way of representing controversies is given in Figure 1. The example is taken from a controversial issue raised by a commission proposal from 1999 on the common organization of the market in fisheries. The issue concerns the reduction in an important part of the EU's financial support for the fishing industry. The leftmost positions on the scale represent the positions of member states that advocated modestly increasing or maintaining the overall level of support for the fishing industry (Positions 0 and 10 on the scale). The rightmost position on the scale represents the position of Germany, which favored abandoning any form of financial support (Position 100). The commission's proposal was to reduce the overall level of financial support but to provide some compensation for this decrease (Position 60). Other member states, Denmark, the Netherlands, Sweden, and the United Kingdom, favored a greater overall reduction than that proposed by the commission, with no compensation (Position 70). The final outcome on this issue was judged to be in line with the commission's position.

Validity and reliability tests were conducted on the informants' judgments with satisfactory results. These tests consisted of comparing informants' judgments with information from council documentation and comparing

Table 1
Distances Between Commission and Member States' Positions by Commissioner

	Country Home	Policy Area	National Party	National Party in Government?	Distance to Non-Home Member States			Distance to Home Member States			Distance to All Member States						
					D	SD	n	D	SD	n	D	SD	n				
Both Prodi and Santer Commissions																	
Fischler	Austria	Agriculture	Y	Y	43.80	38.67	458	36.23	37.29	31	43.32	38.59	489				
Kinnock	United Kingdom	Transport (Santer), administrative reform (Prodi)	Y	Y	26.43	22.48	14	55.00	0	1	28.33	22.89	15				
Likanan	Finland	Budget (Santer), enterprise (Prodi)	Y	Y	63.33	37.87	84	55.00	37.28	6	62.78	37.68	90				
Monti	Italy	Internal market (Santer), competition (Prodi)	N	-	39.93	41.92	378	45.69	45.84	29	40.34	42.18	407				
Prodi commission																	
Prodi	Italy	General	Y	Y	34.46	36.33	56	37.50	47.87	4	34.67	36.71	60				
Bolkenstein	Netherlands	Internal market	Y	Y	3.57	18.90	28	0.00	0.00	2	3.33	18.26	30				
Byrne	Ireland	Health and consumer	N	-	24.19	35.22	80	35.00	41.83	6	24.94	35.55	86				
Diamantopoulou	Greece	Employment	Y	Y	13.25	14.89	20	0.00	0.00	1	12.62	14.80	21				
de Palacio	Spain	Transport	Y	Y	37.69	39.87	85	34.71	34.53	7	37.47	39.33	92				

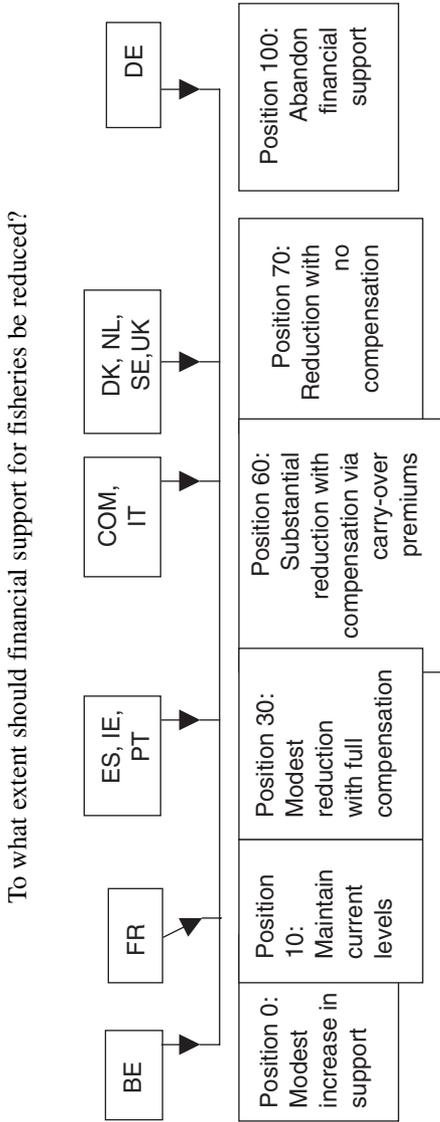
(continued)

Table 1 (continued)

Country Home	Policy Area	National Party	National Party in Government?	Distance to Non-Home Member States			Distance to Home Member States			Distance to All Member States		
				D	SD	n	D	SD	n	D	SD	n
Patten	External relations	Y	N	23.60	35.66	63	36.40	37.31	5	24.54	35.65	68
Reding	Education	Y	Y	25.46	27.13	84	33.33	34.45	6	25.99	27.52	90
Vitorino	Justice	Y	Y	60.67	48.26	165	66.67	49.24	12	61.07	48.21	177
Santer												
commission												
Bangemann	Industry	Y	Partly	56.10	38.23	125	44.78	47.36	9	55.34	38.80	134
Bonino	Fisheries	Y	N	48.18	38.99	233	38.88	41.26	16	47.59	39.12	249
Bjerrgaard	Environment	Y	Y	12.86	25.22	28	15.00	21.21	2	13.00	24.66	30
Cresson	Research	Y	Y	45.24	48.40	42	40.00	52.92	3	44.89	48.08	45
Flynn	Employment	Y	Y	18.76	8.37	25	20.00	18.38	2	18.85	8.82	27
Gradin	Immigration	Y	Y	38.30	33.72	50	37.50	43.30	4	38.24	34.02	54
Marin	External relations	Y	N	7.14	26.73	14	0.00	0	1	6.67	25.82	15
Oreja	Culture	Y	Y	31.43	31.10	14	0.00	0	1	29.33	31.05	15
Papoutsis	Energy	Y	Y	19.71	30.59	41	32.33	33.56	3	20.57	30.55	44
Van Miert	Competition	Y	Y	19.52	25.37	42	16.67	28.87	3	19.33	25.26	45
Van den Broek	External relations	Y	N	11.43	32.05	70	0.00	0.00	5	10.67	31.08	75
Totals				39.91	40.44	2,199	38.85	40.55	159	39.82	40.44	2,358

Note: D = distance.

Figure 1
An Issue Raised by the Commission's Proposal on the Common Organization
of the Markets in Fishery Products (COM(1999)055)



Note: BE = Belgium; FR = France; ES = Spain; IE = Ireland; PT = Portugal; COM = commission; IT = Italy; DK = Denmark; NL = the Netherlands; SE = Sweden; UK = the United Kingdom; DE = Germany.

judgments from different informants (Thomson, 2006). These tests show that of all the points of discussion raised in the council, key informants generally focus on issues that are more controversial and that are more difficult to resolve. These are exactly the kinds of issues most relevant to exploring variation in the level of agreement between the commission and different member states because they are cases in which member states disagree with each other. Informants' estimates of actors' policy preferences sometimes differ from information reported in council documentation. On examination, these differences are because of the fact that council documents refer not to policy preferences but to the decision outcomes actors were prepared to accept during the course of the negotiations. In addition, König, Lindberg, Lechner, and Pohlmeier (2007, p. 295) compared 31 point estimates provided by these key informants with estimates from informants in the European Parliament and found that 30 perfectly or almost perfectly matched.

The dependent variable in the following analyses is the absolute distance between the commission and each member state's position on each of the issues. The unit of analysis is therefore the commission–member state dyad on each issue. In the example in Figure 1, the commission's position is 60 on the policy scale. Because the Italian government's position is also 60, the case for the commission–Italy dyad on this issue has a value of 0 on the dependent variable. Because the Belgian government's position is 0, the case for the commission–Belgium dyad has a value of 60 on the dependent variable.

The first hypothesis refers to the distinction between cases (commission–member state dyads) for which the member state in question was the home member state of the commissioner primarily responsible for drafting the proposal and cases for which the member state was not the commissioner's home state. As a preliminary test of the hypothesis, I divide the cases into groups based on this distinction using simple tables. However, a more refined test requires a different approach. If the hypothesis is true, states other than the responsible commissioner's home state will have similar positions to the commission to the extent that they agree with the position of the commissioner's home state. I therefore calculate the member state distance to home member state variable. This variable measures the distance between the position of the member state referred to in the case and the position of the home member state of the commissioner primarily responsible. In the example referred to in Figure 1, at the time of the commission's proposal, Italian Commissioner Bonino was in charge of the DG fisheries. Because the commission and Italy hold the same position, there is a perfect linear correlation

between the distances from states' positions to the Italian position (member state distance to home member state) and the distances from states' positions to the commission's position (the dependent variable). The case referring to the state that was the commissioner's home member state has a value of 0 on the member state distance to home member state variable, as do cases for other states that share the home member state's position.

Hypotheses 2 and 3 imply the presence of significant interaction effects. The second hypothesis implies that the effect of member state distance to home member state is stronger when the decision is resolved by QMV in the council compared to unanimity. The third hypothesis implies that this effect should be stronger when there is also a match between the party affiliation of the responsible commissioner and one of the national-level governing parties in his or her home member state.

Two additional variables are included in the analyses presented below. The large member state dichotomous variable makes a distinction between the five large member states in EU-15, France, Germany, Italy, Spain, and the United Kingdom, and the other member states. In analyses not reported here, I also applied a more refined measure, based on voting weights in the council, and obtained the same results, namely, that the commission's positions are marginally closer to those of small member states.

Finally, the average distance between commission and other states' positions control variable is included in the analysis. For each case, this variable contains the average absolute distance between the commission and the member states not referred to in the case that took positions on the issue. This variable controls for the fact that the distance between the commission and any given state's position is highly correlated with the general extremity of the commission's position. The variable does not introduce endogeneity into the model because it excludes information on the distance between the commission's position and the position of the member state referred to in the case. Inclusion of this variable as a control variable facilitates the comparison of issues on which there are very different alignments of actors. Figure 1, for instance, refers to an issue on which the commission took an intermediate position, whereas the positions of the member states were distributed across the entire policy scale. On some other issues, the commission took a more extreme position (e.g., at Position 100), whereas the member states' positions were distributed across a narrower range of positions at the other end of the scale. Obviously, the commission's position will be more distant from the positions of all member states in such cases. Although the inclusion of this variable improves the overall fit of the model, its exclusion does not alter the substantive conclusions.²

This unit of analysis raises the issue of dependencies between the cases. In the above example, the distance between the commission and Italy's position is not independent of the distance between the commission and Belgium's position. I therefore apply ordinary least squares regression with robust standard errors clustered at the level of each of the issues in the data set. Another coding decision concerns indifferent actors. Although most member states took positions on most of these controversies, some were indifferent. For instance, Austria and Luxembourg seldom take positions on fisheries policy. Such commission–member state dyads were simply dropped from the analyses.

Analysis

Table 1 provides a basic summary of the data. The information refers to 70 controversial commission proposals introduced during the Santer and Prodi Commissions. Prime responsibility for each of these proposals was held by 1 of 23 commissioners. Commissioners from all 15 member states in the period considered are included. Table 2 contains the results of the multivariate analyses, with and without the interaction terms, as discussed in the previous section. Table 3 is a bivariate analysis relating to the second hypothesis on the effect of the council decision rule.

Consider the first hypothesis, which suggests that there is agreement between the commission and a member state's positions when the commissioner primarily responsible comes from that state. The results do not suggest that the nationality of responsible commissioners has such an overall effect. The totals in Table 1 provide a first rudimentary test of this hypothesis by dividing the observations (commission–member state dyads) into two groups. Of the 159 observations for cases referring to the home member states of the commissioners primarily responsible, the average distance between the commission and those states is 38.85 ($SD = 40.55$). This is only marginally smaller than the average distance between the commission and states other than the home of the commissioners primarily responsible in the remaining 2,199 cases: a distance of 39.91 ($SD = 40.44$).

Table 2 provides a more refined multivariate test of the first hypothesis. This controls for the effects of other variables. Furthermore, as explained in the previous section, the member state distance to home member state variable also takes into account the fact that states other than the responsible commissioner's home state may share the same position as the commissioner's home state. Model I includes all of the variables referred to above

Table 2
Regression Analyses of Distances Between Commission
and Member States' Positions

	Model I		Model II	
	Coeff.	SE	Coeff.	SE
Member state–commissioner variables				
Member state distance to home member state	0.18***	0.07	–0.11	0.14
Qualified majority voting (= 1, unanimity = 0)	0.31	0.82	–8.40**	3.72
Member State Distance to Home Member State × Qualified Majority Voting	—		0.33**	0.14
Commissioner with national governing party affiliation (yes = 1, no = 0)	0.46	0.66	–2.99	3.79
Member State Distance to Dome Member State × Commissioner With National Governing Party Affiliation	—		0.11	0.14
Control variables				
Large member state	3.12**	1.58	2.55*	1.43
Average distance between commission and other states' positions	0.90***	0.02	0.92***	0.02
Constant	–1.94	2.00	5.45	3.91
<i>N</i>	2,358		2,358	
<i>R</i> ²	.38		.41	
<i>F</i>	336.26		291.83	
<i>p</i>	.00		.00	

Note: Ordinary least squares regression estimates. Robust standard errors clustered at the level of the issues within the data set.

* $p \leq .10$. ** $p \leq .05$. *** $p \leq .01$.

but excludes the interaction terms, whereas Model II includes the interaction terms implied by the second and third hypotheses. A comparison of Model I and Model II regarding the effect of the member state distance to home member state variable is instructive. The coefficient associated with this variable in Model I refers to its average effect across all observations in the data set. For every one-unit increase in the distance between a state's

position and the position of the home member state of the responsible commissioner, the distance between the commission and that state's position increases by 0.18 units. Model II, which includes the interaction terms, allows us to investigate whether there is evidence of this effect under different conditions, most importantly in cases where the unanimity and QMV rule applies in the council. Coefficients associated with lower order effects are the estimated effects of the variables when the value of the higher order interactions is zero (Braumoeller, 2004). So the coefficient associated with the distance to home member state variable in Model II refers to issues subject to unanimity; it is negative but does not significantly differ from zero. Therefore, under the unanimity rule, a state's policy distance to the home member state does not affect its distance to the commission's position.

The findings do, however, support the second hypothesis, which posits that the effect of commissioners' nationalities is contingent on the decision rule used in the council. Table 3 provides a first bivariate test of this hypothesis. The table compares the distances between the commission and member states' positions on issues subject to QMV and unanimity in the council. On QMV issues, the distance between the commission's positions and the positions of the responsible commissioners' home member states is smaller than the distances for other member states. The difference is sizable, 5.25 scale points, but falls short of statistical significance ($p = .17$; Mann-Whitney test). Surprisingly, a difference of approximately the same magnitude in the opposite direction is found for unanimity issues; this difference is also not significant ($p = .41$). For member states that did not nominate the responsible commissioner, the average distance between their positions and the commission's positions is significantly larger under QMV (41.17) than under unanimity (37.31, $p = .01$). By contrast, for member states that did nominate the responsible commissioner, the distance between their positions and the commission's positions is smaller under QMV (35.92) than under unanimity (43.81, $p = .38$).

The results presented in Table 2 support the second hypothesis. Again, this is the preferred test given that it controls for other variables and the distance between states' positions and the positions of the home member states of the responsible commissioners. To test the impact of commissioners' nationalities under different voting rules, an interaction term between the distance to home member state and QMV variables is included in the model. As mentioned above, the coefficient associated with the distance to home member state variable refers to issues subject to unanimity (i.e., when QMV = 0). Controlling for other variables, under the unanimity rule, a state's policy distance to the home member state does not affect its distance to the

Table 3
Distances Between Commission and Member States'
Positions by Voting Rule in the Council

	No Prime Commissioner			Prime Commissioner			All Issues		
	D	<i>SD</i>	<i>n</i>	D	<i>SD</i>	<i>n</i>	D	<i>SD</i>	<i>n</i>
Qualified majority voting	41.17	39.91	1,480	35.92	38.71	106	40.82	39.84	1,586
Unanimity	37.31	41.42	719	43.81	43.91	53	37.76	41.60	772
Total	39.91	40.44	2,199	38.55	40.55	159	39.82	40.44	2,358

Note: D = distance.

commission's position. However, under the QMV rule, a state's policy distance to the home member state has a significant positive effect on the distance to the commission's position. For every one-unit increase in the distance to the home member state's position, the distance to the commission's position increases on average by 0.22 ($-0.11 + 0.33$) policy scale points. Given that the distances to the home member states vary between 0 and 100 on the policy scales, this is a substantively important finding. The coefficient associated with the QMV variable estimates the impact of the QMV rule for cases where member states' positions are congruent with the positions of the home member state of the responsible commissioner. In such cases, the commission's positions are closer to member states' positions by 8.54 scale points when issues are subject to QMV in the council rather than unanimity. However, as member states' positions deviate from those of the responsible commissioner's home member state, this effect of QMV is reversed. For member states whose positions are very different from those of the responsible commissioner's home member state, QMV issues are associated with larger distances to the commission than are unanimity issues.

Contrary to the third hypothesis, there is no evidence that the party affiliation of the responsible commissioners affects the congruence between the commission's positions and the positions of their home member states. Table 1 identifies whether the commissioners reported being affiliated with a political party in their home member state. If so, Table 1 also identifies whether that party was a member of the government at the time of the introduction of the commission's proposal that gave rise to the issues in question. Of the 23 commissioners, 16 were affiliated with parties that were in national government at the time of the introduction of the commission's

proposals for which they were primarily responsible. This is consistent with the finding that member states tend to nominate candidates affiliated with parties in government at the national level. However, this does not translate into greater congruence between the commission and their home member states' positions on proposals for which they are primarily responsible. The average distance between the commission and member states' positions is 39.91 ($SD = 40.44$, $n = 2,199$) for member states other than the home member state of the primarily responsible commissioner. This does not significantly differ from the average distance of 37.51 ($SD = 39.28$, $n = 93$) for the primarily responsible commissioners' home member states where the commissioner is affiliated with a party in government at the national level.³ The multivariate analysis reported in Model II of Table 2 also includes the commissioner with national governing party affiliation variable and the interaction between this variable and member state distance to home member state. These variables allow us to examine whether the effect of nominating the primarily responsible commissioner is greater if that commissioner is affiliated with a party in the national government. The coefficients associated with this variable and the interaction term are not significant.

The above discussion also raised the exploratory question of whether the commission's positions are closer to those of large or small and medium member states. The evidence suggests that although the commission has no obvious favorites among member states, the commission's positions are on average slightly closer to those of small and medium member states than to large member states. The average distance between the commission and all small and medium member states' positions (38.82, $SD = 40.09$, $n = 1,538$) is smaller than the distance between the commission and large member states' positions (41.69, $SD = 41.05$, $n = 820$). Although not a large difference, it is marginally statistically significant ($p = .09$, Mann-Whitney test). The standard deviations are large compared to the differences between the average distances. This implies that there is a large amount of variation in the distances between the commission and each member state's positions. In other words, on some issues, there is agreement between the commission and a given member state; on others they disagree. In Table 2, the coefficient associated with the large member state variable also supports this finding of a modest difference. In Model II, it indicates that the distance between the commission and large member states' positions is on average 2.55 policy scale points greater than the distance between the commission and small states' positions.

Finally, the average distance between commission and other states' positions control variable has a strong positive effect on the distance between

the commission and any given state's position. For each case, this variable captures the effect of the general extremity of the commission's position on the issue concerned while ignoring information on the position of the member state referred to in the case. Model II in Table 2 indicates that for every one-unit increase in the distance between the commission and other member states' positions, the distance between the commission and any given state's position increases by 0.92 units on the policy scale. This reflects the fact that when the commission takes more extreme positions, this usually distances it from all member states, including the home member state of the responsible commissioner. Despite the considerable variation in actor alignments, the commission's positions are on average more extreme than those of the member states. To illustrate, on 18% of the 170 issues on which the commission took positions, those positions were outside the range of member states' positions. By contrast, on only 3% of the cases were member states' positions outside the range of positions held by other member states and the commission. The extremity of the commission's positions and the substantial variation in this extremity make it essential to control for this variable in the multivariate analysis.⁴

Conclusions

The commission has been variously theorized as a supranational actor with decision-making processes that are insulated from the interplay of national interests and as an agent of national interests. The analyses presented here consider the impact of national actors in the commission by examining evidence on variation in the extent to which the commission's positions agree with the positions of different member states. The hypotheses concern the conditions under which the nationalities of the primarily responsible commissioners affect the level of agreement between the commission and states' positions.

The most important finding concerns the impact of commissioners' portfolios and nationalities, combined with decision rules in the council, on the congruence between the commission and member states' positions. On issues subject to QMV in the council, as member states' positions deviate from the positions of the home member state of the primarily responsible commissioner, they also significantly diverge from the commission's positions.

This has three implications for understanding the formulation of the commission's positions. First, the division of policy responsibilities among commissioners has a significant impact on the level of agreement between the

commission and member states' positions. Treating the commission as a unitary actor is a useful simplifying assumption for some analyses. When, however, the focus is on the formulation of the commission's positions, analytical leverage can be gained by relaxing this assumption. At a more general level, the findings point to the relevance of adapting concepts from the study of comparative politics, in this case the portfolio allocation model (Laver & Shepsle, 1996), to EU politics.

Second, this finding implies that commissioners' country affiliations are an important guide to their behavior. This contrasts with the view of commissioners as being insulated from national pressures. However, it is consistent with research that finds that commissioners' country role informs their actions more so than their party or ideological affiliations (Egeberg, 2006). Hooghe (1999a, 1999b, 2002, 2005) also finds national variation among commission officials' orientations toward European integration.

Third, decision rules in the council condition the commission's policy positions. When the unanimity rule applies in the council, the commission must appeal to all member states because all states must prefer or be indifferent between the commission's proposal and the disagreement outcome. When QMV applies, the commission may formulate a proposal that appeals only to a qualified majority of member states, including the home member state of the primarily responsible commissioner. Such a sharp distinction between decision making under QMV and unanimity is inconsistent with accounts of council decision making that emphasize the norm of consensus seeking, even when the formalities of the voting rules would allow a decision to be taken with qualified majority support (e.g., Achen, 2006; Mattila & Lane, 2001). Nonetheless, other analyses of legislative decision making have pointed to the importance of the shadow of the vote (Golub, 1999, 2002).

Another noteworthy finding from the above analysis is the fact that, averaged over a broad range of issues, there is no great difference among member states in terms of the proximity of their positions to those of the commission. This reflects the lack of strong and enduring coalitions of member states in the EU (e.g., Hayes-Renshaw & Wallace, 1997, p. 227; Nugent, 1999, p. 474; Thomson et al., 2004; Wright, 1996, p. 152). Member states that share the same position on one controversial issue often take different positions on another issue, even within a group of issues raised by the same legislative proposal. The variety of member state coalitions makes it unlikely that the commission's positions will consistently correspond to the positions of any single state or group of states. Such impartiality contributes to the commission's legitimacy and authority. The legitimacy of an institution partly depends on the perceived fairness of the outcomes it produces

(Scharpf, 1999). The outcome at stake here is the commission's policy positions in relation to those of member states. When judging the fairness of this outcome, a state's representatives may look to the level of agreement between the commission and their own state's positions. They may also compare this with the level of agreement between the commission and other states' positions. Although states often disagree with the commission's positions on particular issues, the commission's positions are not systematically biased against any state's interests. Practitioners also report that the commission's preparatory work in balancing competing interests bolsters its authority in legislative decision making (Thomson & Hosli, 2006). To a considerable extent, the commission's positions are "European positions" in the sense that they are usually formulated after consulting with affected interests across the EU.

The commission's positions tend to favor small and medium member states slightly more than large member states. The modest advantage enjoyed by small and medium member states is an example of the degressive proportionality that defines not only the commission but also the council and European Parliament. Small member states are overrepresented in relation to their population sizes. In the EU-15 period examined here, the 5 large member states nominated two commissioners, whereas the remaining 10 member states each nominated one.

Future research should further examine the causal relationships behind the relative agreement between the commission and states' policy positions. The above analyses established that variation in the relative agreement can in part be explained by the nationality of the responsible commissioner. However, the analyses do not disentangle alternative explanations of why commissioners might defend national interests. Member state governments may influence commissioners' behavior by nominating individuals who share their policy preferences or by the fact that many commissioners depend on national politicians for jobs when they leave the commission. Moreover, the commission also influences member states' policy positions. It is plausible that commissioners use existing contacts with their home member states when exerting such influence. This would also explain agreement between the commission's positions and the positions of the responsible commissioners' home member states. Examining such relationships requires research that links the stage of decision making prior to the release of commission proposals with the stage of decision making after the proposals are sent to the council and European Parliament. Such research would need to identify the relevant actors within the commission and the influence relations in which they are embedded. This area of research is

increasingly pertinent because national considerations may become more important in commission decision making in the enlarged EU compared to the EU-15 examined here. Each of the member states now nominates only one commissioner, and we will move to a system of fewer commissioners than member states in the future. As commissioners become scarcer resources, and as member states face more competition in the council, governments may make even more effort to ensure that the commissioners they nominate are sensitive to their country's interests.

Notes

1. More details on the case-selection decisions and data-collection procedures are provided by Stokman and Thomson (2004), Thomson, Boerefijn, and Stokman (2004), and Thomson, Stokman, Achen, and König (2006). Stokman and Thomson (2004) and Thomson et al. (2006) refer to 66 proposals, whereas I include 70 proposals in the present analysis. I include an additional 4 proposals on which no data on decision outcomes were available. The present analysis does not require information on decision outcomes.

2. In analyses not reported below, I also considered the impact of other control variables: (a) the nationality of commissioners who "assisted" in the preparation of the commission proposals, (b) the distinction between codecision and consultation proposals, (c) the polarization of policy positions on each policy scale, (d) the distinction among policy areas, and (e) the types of questions referred to by the issues (in particular, whether they involved choices between regulation and market alternatives or integration and harmonization). None of these additional controls were significant, nor did they alter the results presented below.

3. Nor does it significantly differ from the average distance of 40.03 ($SD = 42.54$, $n = 66$) between the commission and the responsible commissioners' home member states where the commissioner is not affiliated with one of the parties in the national government.

4. Excluding this variable does not change the direction of the significant effects reported in Table 2, although some of the levels of significance are affected. In Model I, the coefficient for member state distance to home member state becomes 0.16 ($SE = 0.08$, $p = .04$), and large member state becomes 3.13 ($SE = 1.48$, $p = .04$). In Model II, the coefficient for QMV becomes -3.78 ($SE = 8.04$, $p = .64$), Member State Distance to Home Member State \times QMV becomes 0.26 ($SE = 0.17$, $p = .13$), and large member state becomes 2.92 ($SE = 1.35$, $p = .03$).

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