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Political factors affecting European Union legislative decision-making speed

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**POLITICAL FACTORS AFFECTING EUROPEAN UNION LEGISLATIVE
DECISION-MAKING SPEED**

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**POLITICAL FACTORS AFFECTING EUROPEAN UNION LEGISLATIVE
DECISION-MAKING SPEED**

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CHAPTER 1

Introduction



1.1 Introduction and background

Policymakers in the European Union (EU) have been seeking ways to accommodate and resolve disagreement and controversy to make decision-making more efficient and potentially increase the decision-making speed of the legislative process. Since the 1970s, the EU's legislative activity has grown significantly in influence and complexity. Adopted legislative acts have increased substantially because of the EU's growth, and decision-making at the supranational level has increased in significance (Hix, 1999). Stakeholder involvement in EU decision-making has, meanwhile, become a critical component for the EU and especially the European Commission to boost democratic legitimacy (Greenwood, 2007; Kohler-Koch, 2007; Rasmussen & Toshkov, 2013; Schmidt, 2013). The EU decision-making process must measure up to democratic standards. It requires EU decision-makers to closely connect citizens with the EU institutions and develop an efficient and flexible political system (European Commission, 2001). However, reconciling divergent stakeholder opinions is a challenge for EU decision-makers, especially during crises, such as the financial crisis, growing populism, and the refugee crisis. Hence, an adjustment to the European policymaking system is vital. Even so, it seems EU governance has two competing tendencies: a demand for more integration and emphasis on decision-making at the EU level and reducing EU involvement while seeking solutions at national and intergovernmental levels. If the first prevails, and the EU is authorized by member states and EU citizens to do more, it is crucial to consider to what extent the EU can make decisions on complex issues that require immediate action regarding democratic standards.

The influence of crises in the EU regards a necessity to focus on the speed of decision-making because the decision-making speed may somewhat reflect legislative efficiency and the crisis management capabilities of the EU. Therefore, it is essential to determine whether any important factors in the decision-making process on EU legislation could affect its speed. It could help decision-makers determine the specific causes of legislative stagnation and how to avoid them, thereby allowing for a democratically legitimate policy to solve the EU crises. EU decision-making speed (or duration of the legislative process) has been studied since the late 1990s (e.g., Golub, 1999, 2007, 2008; Golub & Steunenberg, 2007; König, 2007, 2008; Schulz & König, 2000; Selck & Steunenberg, 2004; Sloot & Verschuren, 1990). It refers to the time EU decision-makers need for consulting, scrutinizing, deliberating, and bargaining on a legislative proposal before it can be formally enacted into law and implemented at the member-state level (Schulz & König, 2000). Many studies explore how characteristics of the legislative process or the actors who play an immediate role in making legislation affect speed. Given that

the factors are closely related to the legislative process, they are called “internal” factors. Next to these factors are factors regarding the broader setting within which legislative decision-making occurs. These factors, such as stakeholder involvement, stem from the social-political environment and may also affect decision-making speed. The study terms them as “external” factors. Notably, they have received less attention in the current literature. Hence, this doctoral dissertation focuses on the external factors, specifically regarding the role of interest group representation and their interaction with internal factors, such as member states preferences.

Decision-making in the EU context is complex. The decision-making procedures seem to change with each revision of the treaty, and legislative proposals also seem to be affected by various stakeholder demands and preferences. The duration of EU decision-making is critical for policy responsiveness, including delivering specific legislation to the public and timely adjustment of proposals to ensure they continue to meet the demands they were intended to address (Rasmussen & Toshkov, 2013). Typically, legislative decision-making studies use the term “speed” interchangeably with “duration” (e.g., Drüner et al., 2018; Golub, 2007). This dissertation follows that practice.¹

There are two possible indicators of decision-making speed or legislative duration. The first is the number of legislative proposals adopted within 22 months as a percentage of the total number of proposals tabled by the European Commission, following Sloot and Verschuren (1990). The other is the lag between the date of the proposal’s presentation by the European Commission and the date of its adoption by the Council of the EU (Schulz & König, 2000). When examining speed or duration, scholars typically use the dates from the Commission’s formal initiative to adoption as the primary investigation indicator (i.e., the time lag between initiation and adoption) (Golub, 2007, 2008; König, 2007, 2008).

Existing theories provide two perspectives that help elucidate how political factors could affect EU decision-making speed or legislative duration. Determinants of EU decision-making speed include (1) participation of the European Parliament (EP) (Golub, 2007, 2008; Golub & Steunenbergh, 2007; König, 2007; Schulz & König, 2000), (2) the use of specific legislative

¹ The study uses the term “decision-making speed” interchangeably with “legislative duration” in each chapter. Conceptually, decision-making speed is the dynamic reflection of responsiveness. Instead, legislative duration seems to be the most appropriate concept to encompass variations in measuring speed. Following Chalmers, “[l]egislative duration refers to the speed with which proposals become laws and is measured as the time it takes in days between two specific events (i.e., when the Commission makes a proposal and the adoption of that proposal into law)” (Chalmers, 2014: p. 597). This way of measuring duration corresponds to the common approach in the literature (see e.g., Klüver & Sagarzazu, 2013; König, 2007; Schulz & König, 2000). Meanwhile, some scholars use the time lag between a Commission proposal and a Council decision as the primary indicator of the EU’s decision-making speed (see Schulz & König, 2000).

rules and institutional reform (Golub, 1999, 2007; Golub & Steunenberg, 2007; König, 2007), (3) the choice of legislative instruments (Golub, 2007; Klüver & Sagarzazu, 2013; Schulz & König, 2000; Sloot & Verschuren, 1990), (4) the situation before and after EU enlargement (Best & Settembris, 2008; Golub, 2007; Hertz & Leuffen, 2011; Klüver & Sagarzazu, 2013; König, 2007; Toshkov, 2017), and (5) actor preferences (Golub & Steunenberg, 2007; Golub, 2008; König, 2008; Tsebelis & Garrett, 1996, 2000). The factors mostly refer to characteristics of the decision-making process and can be labeled as “internal.”

From the neo-corporatist perspective (Gorges, 1996; Streeck & Schmitter, 1991), the speed determinants mainly include interest group influence and public interests (Baumgartner et al., 2009; Klüver, 2013; Mahoney, 2008; Rasmussen & Toshkov, 2013). The studies link EU legislative politics with parties and groups within and outside the realm of EU institutions, which may impact decisions. From that angle, the studies provide explanatory factors that affect speed from an “external” perspective. They mainly regard (1) interest group influence and lobbying success (Callanan, 2011; Chalmers, 2011; Klüver, 2012; Mahoney, 2008; Schneider et al., 2007), (2) interest group access and strategies (Bennett, 1997; Beyers et al., 2014; Boräng & Naurin, 2015; Coen, 1997; Eising, 2007; Eising et al., 2015; König et al., 2007; Klüver et al., 2015), (3) density and diversity of the interest group population (Berkhout et al., 2017; Gray & Lowery, 1995, 1996; Toshkov et al., 2013), and (4) and interest group mobilization (Rasmussen et al., 2014). While scholars speculate about the relationship between interest group involvement and the speed of EU decision-making, the EU legislative politics literature lacks studies on the direct impact of stakeholders on decision-making speed.

This study addresses the gap between EU legislative decision-making and interest group politics by conducting an extensive examination of internal and external factors affecting the speed of EU legislative decision-making. The factors are summarized as “political factors,” which include external factors (i.e., stakeholder involvement, especially stakeholder opinions) and the interaction between internal (member-state preferences) and external (stakeholder opinions) factors. Bridging this gap is crucial because it advances our understanding of EU legislative politics in various dimensions and contexts, thereby addressing important questions underlying the formation of this political system.

The main research question is as follows: *What political factors affect the speed or duration of EU legislative decision-making?* Overall, EU legislative choice is the product of the interaction between many actors. This dissertation explores what political factors affect EU decision-making speed, specifically to what extent speed is affected by interactions between

EU decision-makers and many actors or stakeholders. The EU decision-makers include the European Commission, the Council, EP, and the member states; they are important actors within the Council. The stakeholders include EU interest groups and other non-state groups. The study employs four sub-questions to answer the main research question.

First, *how do the different stakeholders affect the duration of the EU legislative process?* Chapter 2 addresses this sub-question, arguing that a crucial determinant of the legislative decision-making speed is the intensity of preference conflicts between different stakeholders regarding legislative proposals. This first empirical chapter focuses on the formative stage of decision-making and probes the impact on the decision-making speed of various stakeholders, presenting opinions in public consultations. The intensity of preference conflicts between different stakeholders significantly prolongs the legislative process.

From the findings in Chapter 2, Chapter 3 presents additional analyses to examine in-depth the degree of heterogeneity in member-state preferences, using some of the variables in Chapter 2. It addresses the second research sub-question: *What is the impact of the interaction of stakeholder opinions and member-state preferences on EU decision-making speed?* Chapter 3 establishes a link between the opinions of stakeholders and the preferences of member states to explore the impact of their interactive relationship on the duration of EU decision-making. It focuses on the agenda-setting stage of decision-making and investigates how the negative opinions of stakeholders and heterogeneous preferences of member states interact in shaping the legislative process. The interaction of member states and stakeholders induces a longer duration of legislative decision-making based on the multivariate analysis.

Chapter 4 addresses the third sub-question—*Is there a causal mechanism behind the interaction between member states and stakeholders that affects duration?*—which focuses on the causal mechanism behind the interaction between stakeholder involvement and member-state preferences. It builds on the findings from prior sub-questions and further analyzes the causal relationship linking actors' preferences and lengthy legislative duration. This third empirical chapter addresses the negotiation stage of decision-making, whether there is indeed a causal relationship between the heterogeneous preferences of actors (i.e., member states and stakeholders), and the lengthy decision-making duration. The study employs process tracing to uncover the causal mechanism behind the finding that a longer duration is associated with heterogeneous preferences of member states and negative opinions of stakeholders, verifying the findings of Chapters 2 and 3. The combination of the two aspects means that the length of decision-making unavoidably increases.

Chapter 5 addresses the fourth sub-question—*To what extent do EU decision-makers respond to the different opinions of stakeholders when the EU decision-making duration is longer?*—which links decision-making speed to the political responsiveness of EU decision-makers by examining the relationship between the opinions of different stakeholders and the positions of EU decision-makers and member states on specific policy issues. It focuses on the trade-off between more stakeholder involvement, which may decrease the EU democratic deficit, and the slowing decision-making speed, which reduces EU efficiency (in providing an answer to important social problems). Hence, this fourth empirical chapter explores whether EU decision-makers consider actors' opinions and what it means for EU legislation.

This dissertation mainly focuses on member-state preferences for legislative proposals and the influence of stakeholder opinions on the speed of EU decision-making. It formulates hypotheses on the influence on the speed of the EU legislative process that member states and stakeholders appear to exert. Ultimately, answering the sub-questions helps resolve the puzzle of this doctoral research project. This study links the legislative proposals, EU political actors, external stakeholders, and legislative duration to investigate what political factors most affect EU decision-making speed. It contributes to the academic literature on decision-making speed by examining the potential impact of member states and stakeholders on decision-making duration, how the heterogeneous preferences of member states and the negative opinions of stakeholders affect the decision-making speed, and how the EU decision-makers respond to these actors' preferences. Answering questions about the interaction between member states and stakeholders is vital for the literature on EU legislative politics and interest group politics. Importantly, this dissertation makes a theoretical contribution by integrating hypotheses in each chapter via the literature on EU legislative politics to develop coherent arguments about the causes of differences in legislative duration.

1.2 What do we know about legislative duration?

1.2.1 Legislative duration in the literature on EU legislative politics

Prior decades have seen discussions between scholars on the EU decision-making process, particularly on the theory, methodology, and data to clarify the determinants of EU legislative outcomes. On decision-making speed, all relevant studies show that the EP's participation slows the decision-making speed (Golub, 2007, 2008; Golub & Steunenberg, 2007; König, 2007; Schulz & König, 2000). The co-decision procedure was extended to more areas in various rounds of treaty revisions. Accordingly, while the Commission and the Council must

consider the opinion of the EP, the expansion of the Parliament's legislative powers made it more challenging for EU decision-makers to reach a consensus. The EP's role in co-decision procedures is consultative and for decision-making, which frequently results in considerable delays in passing legislation given Council differences (Chalmers, 2014).

Concerning legislative rules used in the decision-making in the European Council, studies indicate that the EU's decision-making speed is faster under qualified majority voting (QMV) than unanimity under the co-decision procedure (Golub, 1999, 2007; Golub & Steunenberg, 2007; König, 2007). Schulz and König (2000) examine the efficiency of EU decision-making and reveal that various factors, including institutional reform and the voting rules used in the Council of Ministers, affect decision-making speed. Using QMV in the Council instead of unanimity decreases the time lag of the decision-making process (König, 2008; Schulz & König, 2000).

The type of legislative instruments the EU may adopt as binding legislation directives, regulations, and decisions affects legislative duration (Golub, 2007; Schulz & König, 2000). Several studies find that regulations and decisions are less contentious and politically salient than directives and, hence, take less time to pass (Klüver & Sagarzazu, 2013; Sloot & Verschuren, 1990) than directives. Another finding relates to the impact of EU enlargement on decision-making speed. Unfortunately, the findings are contradictory. The more optimistic view is that EU enlargement has little influence on decision-making speed (Best & Settembris, 2008; Golub, 2007; Klüver & Sagarzazu, 2013; Toshkov, 2017); the less optimistic perspective argues that EU enlargement negatively impacts EU decision-making, increases transaction costs, and slows the EU decision-making speed (Hertz & Leuffen, 2011; König, 2007).

The heterogeneous preferences of political actors also affect decision-making speed. Heterogeneous preferences within the Council impede the decision-making process (Golub & Steunenberg, 2007; Golub, 2008). As Tsebelis (1994: p. 132) indicated, "[t]he greater the distance between actors' preferences (ideal points), the harder it is to find consensus on an issue and the slower the legislative process" (also Tsebelis 1995). König (2007) also asserts that the divergence of member-state positions significantly determines the duration of the legislative process. The interaction effects between policy areas and member-state preferences reveal that the magnitude of conflicts significantly slows the pace of legislative decision-making but differs per policy area (König, 2008). Finally, Brandsma and Meijer (2020) examine the complex relationship between transparency and efficiency in multi-actor decision-making processes and conclude that transparency does not affect decision-making speed or

efficiency; rather, the duration of a legislative process is solely determined by the political complexity of the issue at hand.

Regarding theories, the spatial model of politics is often used to theorize about decision-making speed (Schulz & König, 2000; Selck & Steunenberg, 2004; Thomson et al., 2012). In this theoretical framework, on making decisions, political actors tend to build “minimum-connected-winning-coalitions” between decision-makers with rather similar preferences on a given policy dimension (Hinich and Munger, 1997; Hix, 2008, p. 49). In a policy space, political actors assumedly have preferences that can be portrayed as ideal positions next to points reflecting policy options. It is assumed that actors favor minimizing the distance between their position (their ideal point) and the adopted policy (Hix, 2008). Further, ideas from club theory, voting power, and transaction costs help explain decision-making speed (Hertz, 2010; Hertz & Leuffen, 2011). These theories furnish a better understanding of EU legislative politics, including what coalitions are possible, why the EP and Council are structured as they are, and who is more dominant under the EU’s legislative procedures.

On the method used, Hertz and Leuffen (2011) propose event history analysis to probe the duration and estimate a Cox regression model that incorporates time-varying covariates (TVCs) on all directives, regulations, and decisions (see Box-Steffensmeier & Jones, 2004; Golub 2008b). Moreover, survival methodology is the method of choice for scholars studying EU decision-making speed in recent decades. Golub (2007) argues that all previous survival studies on EU decision-making speed suffer from methodological problems that render their findings unreliable and suggests that researchers should use a Cox model with TVCs and non-proportional covariate effects on the data. Indeed, scholars differ on the right methodological approach. Golub (2007) suggests that a log-logistic model is inappropriate for EU decision-making speed. The log-logistic model and the proportional log-odds assumption no longer hold when a model includes TVCs (Collett, 2015; Golub, 2007; Therneau & Grambsch, 2000). König (2008) tests factors by applying parametric and non-parametric event history analysis. König (2007) also estimates a log-logistic regression on all binding legislative acts from 1984 to 1999. Finally, Bailer (2014) used a multivariate ordinary least squares (OLS) regression analysis and robust standard errors clustered at the issue level. However, Schulz and König (2000) indicate that OLS is inappropriate for analyzing EU decision-making speed because of many right-censored observations. Nevertheless, this study employs OLS regression models in its quantitative analysis while avoiding the mistakes Schulz and König (2000) highlight.

Regarding data and case samples, Krislov et al. (1986) provide descriptive statistics on a sample of 472 EU decisions between 1958 and 1981 and find no increase in the proposal-decision time lag. Sloot and Verschuren (1990) build on the findings to probe the Commission proposals between 1975 and 1986. They find that directives positively affect decision-making speed, while the number of unadopted legislative proposals negatively affects decision-making speed. Selck and Steunenberg (2004) investigate cases from January 1999 to December 2000 using data on 62 legislative proposals adopted under consultation and co-decision procedures. Previous datasets, such as the analysis of König et al. (2006, 2007) on the legislative process, might help resolve some of the most contentious issues.

1.2.2 Legislative duration in the literature on interest group politics

Few interest group politics studies examine how interest groups affect EU decision-making duration. In the most significant contribution to this topic, Rasmussen and Toshkov (2013) probe the effect of interest group involvement on EU decision-making duration. They find that the involvement of interest groups in legislative preparation before the introduction of a formal proposal increases the duration of the legislative process. Toshkov et al. (2013) investigate the relationship between the timing of legislative actions and the activity of organized interests. They show that organized interests neither lead to more nor less delay in the legislative process. Rasmussen et al. (2014) also examine the role of interest groups in EU policymaking. They find that interest groups may play various roles in the legislative process by acting as policy experts, information brokers, and representatives of particularistic or public interests. In their view, interest groups are vital intermediate actors who may directly influence the EU legislative duration and indirectly affect the democracy and legitimacy of the EU governance system.

Scholars posit that involving different interest organizations can delay the EU decision-making process (Rasmussen & Toshkov, 2013) because consulting interest groups does not help resolve conflicts for decision-makers. Rather, it seems to increase the transaction costs of bargaining by requiring decision-makers to spend more time forming a necessary coalition on some compromise (Rasmussen & Toshkov, 2013). In this process, there is a trade-off between democratic legitimacy and efficiency of decision-making; that is, though consultations with interest groups in policy preparation may increase the democratic legitimacy of decision-making, they also yield efficiency losses in the subsequent legislative process (Rasmussen & Toshkov, 2013). Public consultations generally have a detrimental effect on the duration of legislation, as they can lengthen the process by bringing more unanticipated concerns to the

table and further separating the positions of decision-makers (Chalmers, 2014). However, Toshkov et al. (2013) note that interest group mobilization has no apparent effect on EU legislative activity. Even so, these studies do not address the actual opinions of interest groups on the legislative proposals, which is an important gap in the existing literature.

The role of interest groups in European politics is the subject of a growing number of studies on lobbying in the EU. Many of these studies analyze the lobbying strategies, lobbying instruments, and interactions of interest groups with various EU decision-makers during the earlier stages of EU decision-making. For instance, Chalmers (2014) argues that an important determinant of the legislative process pace is the administrative burden of public consultation input. The effect of public consultations on the duration of legislation is generally adverse, though this effect is highly dependent on the capacity of decision-makers to speedily process the additional input from the public (Chalmers, 2014). Some studies probe the lobbying strategies of these groups. These strategies often comprise advocating a narrative about a social problem or the proposed policy to address this problem, which varies systematically across interest group types and institutional venues (Klüver et al., 2015). Klüver et al. (2015) further emphasize that lobbying in the decision-making process is affected by institutional factors that vary within the EU political system, such as the institutional fragmentation within the European Commission and the EP. Moreover, Flöthe and Rasmussen (2019) focus on opinion representation to determine how closely interest group preferences align with citizen views. Interest groups also impact the later stages of the policy process, such as transposition and implementation (Bunea & Baumgartner, 2014). That is, high-level interest group diversity in member states may negatively affect the quality of transposition (Kaya, 2018).

Overall, these studies probe the relationship between national governments and national interest groups, as it affects the lobbying strategies of interest groups that are relevant to EU decision-making (Callanan, 2011). However, they do not provide sufficient information on how specific stakeholder opinions link to member-state preferences on legislative proposals at the EU level and how these two types of actors interact in shaping the EU legislative process. Hence, this study focuses on stakeholder opinions on EU legislation and links them to member-state preferences. It investigates interactions between political actors and EU decision-maker responsiveness to better understand the trade-off between the EU democratic deficit and EU efficiency in solving societal problems.

1.3 Research aims and approach

This dissertation aims to ascertain what political factors (i.e., internal and external factors) affect the speed or duration of EU legislative decision-making and the underlying mechanism. The research covers all stages of the EU legislative process, including consultative negotiations among stakeholders, proposal formulation by the European Commission, the interplay of EU decision-makers, and the adoption of legislation. Although the literature provides factors that may affect legislative duration, this dissertation argues that external stakeholders, such as EU interest groups and non-state actors more significantly impact legislative duration than is so far reported. Notably, the opinions of stakeholders will be explored together with the preferences of member states to ascertain whether and how they may interact. Hence, this dissertation furnishes insight into how the determinants affect decision-making speed, employing existing theoretical approaches, various research designs, and quantitative and qualitative methodology.

1.3.1 Theoretical approach

This dissertation establishes a relationship between the decision-making of EU political actors and external stakeholders to connect the literature on EU decision-making with that on interest group politics in the EU. The analysis emphasizes stakeholder preferences or demands for specific content in legislative proposals.

This dissertation develops a theoretical combination of several research approaches on EU legislative politics and interest group politics within an integrated framework. It combines approaches that prioritize how interaction effects between stakeholders and member states are linked regarding the duration of the legislative process. Each connection follows a feasible theoretical logic in which various actors play a role in legislative decision-making. The logic fits nicely into the various research traditions. For instance, the theoretical logic of preference heterogeneity and its consequences for decision-making speed is compatible with spatial models of legislative politics (e.g., Crombez, 2000; Enelow & Hinich, 1984; Hinich & Munger, 1997; Steunenberg, 1997; Tsebelis & Garrett, 2000) and democracy theory (Pateman, 1970) (Chapter 2). The theoretical logic of how stakeholders may interact with member states and the fact that this interaction may delay decision-making can be related to some works on rational choice (e.g., Franchino, 2007; Jupille, 2004; Pollack, 2003; Tsebelis & Garrett, 1996, 2001) (Chapter 3). Insight from studies on how stakeholder involvement impacts legislative duration and the responsiveness and political legitimacy literature (Scharpf, 1997, 1999) can be used (Chapter 4). Establishing a link between decision-makers and stakeholders draws on resource

exchange studies (Bouwen, 2002, 2004; Mazey & Richardson, 2006) and resource mobilization theory (Klüver, 2010; McCarthy & Zald, 1977; Rasmussen et al., 2014) (Chapter 5).

There are two important reasons for linking the literature on EU legislative decision-making with interest group politics. First, involving various stakeholders in the legislative process can help increase the input for EU legislative decision-making. Second, both literature streams are somewhat related and share a similar conceptual origin in ideas about forming coalitions to make a dominant or “winning” coalition that shapes public policy. Accordingly, they can be well integrated. Therefore, each chapter discusses the concepts and theoretical underpinnings of the political factors in greater depth.

This study develops its argument as follows. It begins with input legitimacy in Chapter 2, which emphasizes the importance of involving external actors and stakeholders in the EU legislative process. Their input links the opinions of citizens to the discussed policies. Second, Chapter 3 establishes the research framework, focusing on the impact on the EU legislative duration of these actors and their strategic interaction. Third, Chapter 4 applies the concept of throughput legitimacy to unpack the reasons and situations behind the political conflicts and strategic interaction of actors. Finally, Chapter 5 addresses the output legitimacy² regarding reaching an agreement on a proposal, which is observed as the manifestation of EU decision-making speed under the impact of these actors. Accordingly, it investigates the responsiveness of EU decision-makers to the stakeholders.

1.3.2 Methodological design

Prior studies of legislative decision-making speed (Golub & Steunenberg, 2007; Golub, 2008; Hertz & Leuffen, 2011; König, 2007) usually focus on individual countries, specific policy issues, and particular kinds of interest groups. This study focuses on EU decision-makers and stakeholders along specific perspectives, which requires a unique methodological design. The four research designs utilized in this dissertation differ from those prominently featured in the literature (i.e., the effect of a policy-specific, country-specific, or single type of stakeholders on decision-making speed).

² Scharpf's conception of output legitimacy (Scharpf, 2009) does not apply in this context. Output here refers to the decision outcome that is equal to the adopted legislative acts. Scharpf and other scholars (Schmidt, 2013; Schmidt & Radaelli, 2004) discuss the outcomes of policy implementation that will increase legitimacy because EU citizens benefit from public services and goods.

First, each research design focuses on the opinions of actors about legislative proposals³ or policy issues of the EU: the EU political actors and external stakeholders and the effects of their interactions on the legislative process in the EU. From the consultations with stakeholders, the study employed data on positions of the European Commission, the EP, and the Council of the EU; member-state preferences on legislative proposals; and information on external stakeholder opinions. It investigates the interplay between EU decision-makers and external stakeholders involved in EU legislative decision-making using quantitative and qualitative methodologies.

Second, the research design focuses on the European rather than the national level. It compares several variables and outcomes. Various possible contextual factors may impact the preferences and opinions of stakeholders. For instance, empirical results that show that political factors slow the decision-making speed warrant a study of the relation between the opinions of different stakeholders and the positions of EU decision-makers. It helps reveal the primary reasons the EU decision-making process is slower under specific circumstances.

The methodological approach adopted in Chapters 2, 3, and 5 differs from the approach adopted in Chapter 4. The primary methodological challenge is ensuring the quantitative and qualitative research data reliability. For instance, Chapters 2 and 3 focus on concrete EU-level cases of legislation and link each legislative proposal to its corresponding consultations for quantitative analysis of the data collected. Chapter 4 unpacks several cases qualitatively by utilizing documents and expert interviews. Chapter 5 combines quantitative and qualitative methods using an existing dataset other than the ones used in previous chapters. The systematic consideration and investigation of specific stakeholder preferences or opinions are unique contributions to the literature. The contributions contextualize the direct or indirect influence of external stakeholders regarding the role of other political actors, such as EU member states, establishing how to explore this relation using quantitative analysis and qualitative methods.

³ The specific EU legislation includes binding (i.e., directives, regulations, decisions) and non-binding legislations. The study employs the bulk of legislation cases in the quantitative analysis chapter while selecting controversial specific legislative cases in the qualitative analysis chapter. The legislation is selected from the same databases (i.e., the EUR-Lex legislative database and EP's Legislative observatory). Subsequent chapters will provide more information on selecting the proposals.

1.4 Empirical approach

1.4.1 Actor selection

The study focuses on various actors in the legislative process, including actors formally involved in the EU legislative process such as the European Commission, and Council and those indirectly involved in consultation procedures, such as external stakeholders. First, EU political actors comprise individuals or collective bodies with a role in EU decision-making leading to legislation (Wolfsfeld, 2015). For instance, government ministers and powerful decision-makers are considered important political actors in EU democratic politics. In the EU context, the European Commission, EP, and member states in the Council are considered the main political actors because they usually dominate policymaking in most legislative cases (De Bruycker & Beyers, 2015). The EP has evolved into a significant institution, representing a broader range of interests. However, this study does not highlight its role for several reasons. First, it only acts in half of the legislative decision-making cases in this dissertation. While the European Commission actively organizes consultations, which allows for member-state administration and stakeholders to submit their opinions, Members of the EP (MEPs) have limited staff resources and research funding.

Second, external actors or stakeholders comprise EU interest and non-state groups. EU interest groups aim to affect public policy and achieve the goals of their members or the part of the public they represent via informal and formal political engagements outside the electoral arena (Beyers et al., 2008). They differ from political parties in trying to achieve their goals solely through participation in the decision-making process rather than seeking office through elections (Willems et al., 2020). EU interest groups are typically categorized into four types: business, professional, identity, and institutional groups (e.g., Binderkrantz et al., 2015; Flöthe & Rasmussen, 2019; Flöthe, 2020). Non-state groups include civil society organizations (CSOs) and non-governmental organizations (NGOs) (e.g., Albareda, 2018; Börzel, 2010; Macdonald, 2016), often referred to as “pressure participants” (Jordan et al., 2004; Willems et al., 2020). In this study, the distinction between EU interest and non-state groups is that the former can better serve as transmission belts connecting members with decision-makers, as only a few organizations mobilized at the EU-level can structurally serve as transmission belts. However, non-state groups cannot fulfill this transmission belt function, as they typically represent scattered constituencies with different interests and limited political activities (Beyers & De

Bruycker, 2018). Nevertheless, they are crucial to the policy process because they can provide expertise, resources, and public services (Lowery, 2007; Salisbury, 1992; Willems et al., 2020).

EU interest groups are seen as crucial components of political representation in Western democracies (Albareda & Braun, 2019), playing a vital role in communicating their opinions and public interests to EU decision-makers (Coen & Richardson, 2009). Therefore, EU interest groups have a political mission in EU interest politics; the significance of their existence is to strive for interests or advocate the policy opinions of their constituency (Beyers & De Bruycker, 2018). The Commission is the primary channel for EU interest groups to access the EU decision-making process. It does its utmost to launch extensive consultation with the relevant stakeholders during the formulation of legislative proposals. Moreover, EU interest groups can exert extensive influence on their policy preferences by establishing coalitions with other like-minded stakeholders, thus increasing the pressure on decision-makers to meet their demands (Beyers & De Bruycker, 2018). This dissertation uses an inclusive definition of EU interest groups; though they may differ in characteristics, these actors have been mobilized on issues in our sample and have access to the decision-making process. Hence, “stakeholder” refers to interest organizations that responded to open consultation calls, regardless of whether they are EU interest or non-state groups.

1.4.2 Choice of methods

This dissertation employs quantitative and qualitative approaches to test hypotheses developed in the empirical chapters (i.e., Chapters 2, 3, 4, and 5). Regarding these empirical analyses, a distinction can be made between independent and dependent variable-centered methods and confirmatory and exploratory research (Gerring, 2001).

The study design employs the independent and dependent variable-centered approaches. Independent variable-centered research regards the effects of a particular explanatory variable specified by theory (Hedström & Swedberg, 1996). That is, it seeks to address this question: What are the impacts of independent variables? (Gerring, 2001). For instance, Chapters 2 and 3 examine the impact on the EU legislative duration of stakeholders and their interaction with member states. However, a study focused on the dependent variable explores the explanation or causes of the researcher’s chosen empirical scenario. Dependent variable-centered studies address this question: What causes the outcome? For instance, Chapter 4 investigates how the heterogeneous preferences of actors cause a lengthy EU legislative duration.

The research design literature distinguishes between exploratory and confirmatory research, starting with and zooming in on the empirics or theoretical expectations, respectively (Heck, 1998). While there are many theoretical claims about what can explain EU decision-making speed and several tests of the claims, the empirical data available is not fully researched. If research on EU decision-making speed is limited to analyzing internal institutional factor hypotheses, key explanatory factors may be overlooked. Hence, a combination of exploratory and confirmatory methods is suitable. As this study shows, applying such techniques means the subject of research relies on prior theoretical expectations and empirical evidence. The methods chosen generally are independent (Chapters 2 and 3) and dependent (Chapter 4) variable-centered while incorporating elements of confirmatory (Chapters 2, 3, and 5) and exploratory (Chapter 4) research. The objective is to examine the impact of member states and stakeholders on EU decision-making, why the outcomes occur, and, more importantly, how other EU decision-makers respond in the dynamic process during such outcomes.

A quantitative study is also highly beneficial for illuminating the validity of existing theories for legislative decision-making speed. However, its limitation includes its reliance on covariance analysis to uncover correlations and its strictly deductive approach that may overlook some empirical material (Blatter & Blume, 2008; George & Bennett, 2005). Thus, to address the limitations, the study conducts case studies, employing robust findings as a case selection criterion for the qualitative research, given the tentative nature of the quantitative analysis results. Unlike most quantitative analyses, case studies can incorporate deductive and inductive features easily. The qualitative analysis scrutinizes the potential explanatory factors investigated in the quantitative analysis (see Berkhout, 2010 for a similar approach). Case studies are particularly useful for assessing the validity of causal mechanisms and enhancing the clarity of theoretical considerations (George & Bennett, 2005). They also help uncover other explanatory elements not previously identified. Finally, case studies are advantageous for understanding whether and how several explanatory elements interact to produce a particular result. Indeed, combining quantitative and qualitative research yields more reliable conclusions than those focusing on one type of investigation (Bennett, 2004).

1.4.3 Data sources and case selection

This dissertation requires quantitative and qualitative data. It employs three datasets based on newly collected materials combined with previously collected data. The first dataset includes information on public consultations regarding stakeholder opinions on specific legislative

proposals. The study employed the original dataset from Rasmussen, Carroll, and Lowery (2014), based on 4,501 contributions in 142 online consultations conducted from December 2001 to April 2010. It then collected and added new data on consultations conducted between 2010 and 2018 from the EUR-Lex legislative database and EP's Legislative Observatory. Chapter 2 employs this set, which is further extended with information about member-state positions in the Council on 100 specific legislative proposals across the whole EU in Chapter 3. Based on theoretical considerations and empirical results from Chapters 2 and 3, the qualitative dataset used in Chapter 4 includes specific evidence and references of selected cases from EU official documents, authoritative media reports, and semi-structured interviews of experts and EU officials.

The third dataset selects the policy space and policy position score of each EU decision-maker from the Decision-Making in EU (DEU-III) and Economic and Monetary Union (EMU) Positions datasets used in Chapter 5. The study combines this information with data from the first dataset used for Chapters 2 and 3. The combination yielded a new dataset with more information and a different number of cases, as detailed in Chapter 5. Accordingly, the four empirical chapters employ distinct datasets.

1.5 Overview of the dissertation

The main elements of the research question structure this dissertation. Table 1.1 summarizes the sub-questions addressed in each chapter and the concise structure regarding the different stages of the legislative decision-making processes. It establishes a solid theoretical foundation for researching the political factors affecting the speed of EU legislative decision-making by developing theoretical expectations. The key elements in the empirical chapters mainly include (1) identifying the responsibilities of different political actors in EU decision-making and highlighting stakeholder opinions and preferences of member states as critical components of the legislative process; (2) explaining the mechanism of the impact on EU decision-making speed and emphasizing the decision outcomes in the legislative politics of the EU as the product of strategic interaction between actors; and (3) building a theoretical framework to understand EU decision-making speed, interest representation, and political responsiveness, thus laying the groundwork for the four subsequent chapters.

Table 1.1 Summary of the dissertation per different stages of the legislative process

Different Decision-making stage	Formative stage of decision-making	Agenda-setting stage of decision-making	Negotiation stage of decision-making	Decision outcomes stage
Chapters	Chapter 2	Chapter 3	Chapter 4	Chapter 5
Research sub-question	How do the different stakeholders affect the duration of the EU legislative process?	What is the impact of the interaction of stakeholder opinions and member-state preferences on EU decision-making speed?	Is there a causal mechanism behind the interaction between member states and stakeholders that affects duration?	To what extent do EU decision-makers respond to the different stakeholder opinions when the EU decision-making duration is longer?
Focus	External actors: specific opinions of EU interest groups, non-state groups, and preference heterogeneity of stakeholders	Interaction between negative opinions of stakeholders and member states preferences	Causal mechanism (transmission belts of interest groups; transaction costs of member states)	Responsiveness of legislators, specific policy issues, and reverse causality
Channel	Consultation exercise: public consultation, public hearing, and advisory	Stakeholder-specific opinions and member states preferences in the Council meeting agenda	Media coverage, legislation documentary, and semi-structured interview	Legislators' position in the DEU database and document analysis
Dependent variables	Legislative duration	Legislative duration	The lengthy decision-making process	Output score of policy position or preference congruence
Independent variables	Specific opinions of stakeholders on legislative proposals, positive opinions, neutral opinions, and negative opinions	Heterogeneous or homogeneous preferences of member states	Negative opinions of stakeholders and heterogeneous preferences of member states	EU interest and non-state group opposition and salience of policy issue
Theory	Spatial theory and participation and democracy theory	Rational choice theory	Input and throughput legitimacy	Resource exchange and resource mobilization theories
Method	Quantitative: Multivariate analysis (Negative binomial regression)	Quantitative: Multivariate analysis (Negative binomial regression and OLS regression)	Qualitative: Case study and process-tracing approach	Quantitative: Multivariate analysis (OLS regression and Logistic regression)

Chapter 2 examines the impact on the legislative decision-making speed of various stakeholder opinions in public consultations. The study hypothesizes the intensity of preference conflicts between different stakeholders on legislative proposals as a crucial factor affecting decision-making speed. The empirical results show that more intense divisions in stakeholder opinions are associated with a longer legislative process. They also confirm that more divisions within the EU interest groups are linked with a significantly longer-lasting legislative process than the divisions within non-state groups.

Chapter 3 provides an additional analysis of most of the variables as in Chapter 2 to examine in-depth the role of heterogeneity in member-state preferences for decision-making speed. It investigates the interaction effect between stakeholder opinions and member-state preferences. This study establishes a link between the preferences of member states and the opinions of stakeholders on legislative proposals. It also analyses how the interaction of both types of actors influences the duration of EU legislative decision-making. The results show that the interaction effect between heterogeneous member-state preferences and stakeholders with negative opinions prolongs decision-making duration. Interestingly, the interaction of heterogeneous preferences of these actors and longer EU decision-making duration correlate.

Building on Chapters 2 and 3, **Chapter 4** further explores additional evidence for a causal link between the heterogeneous position-taking of the actors and lengthy EU decision-making. This consideration seeks to reveal the causal mechanism behind the finding of lower EU decision-making speed. Hence, Chapter 4 uses in-depth process tracing of heterogeneous member-state preferences and specific stakeholder opinions. The qualitative evidence shows that the more different the opinions of political actors, particularly negative opinions, the longer the duration. The data confirm a causal relationship between the heterogeneous preferences of stakeholders and member states and the lengthy legislative decision-making.

Chapter 5 takes the empirical findings of the preceding chapters as a precondition and examines how EU decision-makers resolve conflicts and respond to the different demands and preferences of stakeholders. It addresses the extent to which decision-makers (the European Commission, EP, and Council) respond to different stakeholder opinions. That is, it studies policy responsiveness by focusing on the relationship between the opinions of stakeholders and the positions of EU decision-makers and analyses whether they could yield more political responsiveness in the EU. The findings show that EU decision-makers mirror EU interest group preferences, which support the responsiveness in the legislative process.

In summary, Chapters 2, 3, and 4 are process-oriented, whereas Chapter 5 is outcome-oriented. The dependent variable of Chapters 2 and 3 is the EU legislative duration, and the independent variables are stakeholder heterogeneous preferences, member-state preferences, and stakeholder opinions. The dependent variables of Chapter 5 include the output scores of decision-making (e.g., legislation); the explanatory variables include EU interest or non-state group opposition and salience of policy issues. Chapters 2 and 3 study how external factors affect the results during the legislative process. Chapter 4 confirms the cause-effect causal relationship (i.e., preference of political actors and longer decision-making duration). Chapter

5 checks whether major EU decision-makers consider the wishes of specific stakeholders in the legislative process.

Chapter 6 summarizes and furnishes some theoretical reflections on the results of each chapter, together with a thorough discussion of the societal implications of the findings. After reflecting on the challenges of this dissertation and outlining avenues for future research, the dissertation concludes with its main contribution to the scholarly literature.

CHAPTER 2

Influence of different stakeholders on the duration of legislative decision-making in the European Union

Abstract

How do the different opinions of stakeholders affect the legislative duration in the initial stage of the decision-making process? The European Union has long highlighted the significance of interacting with and involving representative stakeholders in legislative decision-making. It is assumed that a crucial determinant of the duration of legislative decision-making is the intensity of preference conflicts between different stakeholders on legislative initiatives. Therefore, this study examines the specific diverging preferences of stakeholders on legislative initiatives that may affect the duration of decision-making. The arguments are tested using a dataset of 5,561 contributions from different stakeholders through public consultations over 100 legislative proposals in the period 2000–2017. The results indicate that the more intense divisions in opinions among external stakeholders could lead to a longer legislative decision-making process. More importantly, divisions within interest groups within the EU context last significantly longer than those within non-state groups during the legislative process.

2.1 Introduction

The current EU legislative system encourages the active participation of external actors and tries to include various types of interests in legislative decision-making. Approximately 1% of the EU budget is dedicated to promoting civil society group participation in EU decision-making. Furthermore, several channels include interests in the early stages of decision-making processes (European Commission, 2002). EU decision-makers frequently perceive interest groups as critical intermediary actors because they provide political expertise and technical information that contribute to the democratic legitimacy of decision-making processes (Crombez, 2003; Dür, 2008; Hall & Deardorff, 2006). Before proposing legislative acts, the European Commission conducts a round of consultation with a broad range of stakeholders (European Commission, 2007). Consultations not only enable the European Commission to gain information to prepare legislative proposals but also enable stakeholders to express their opinions and have their preferences reflected in the outcomes of decision-making (Chalmers, 2014). Consultations ensure two essential benefits in terms of democratic legitimacy. On the one hand, the European Commission gathers information from consultations to draft legislative proposals and adjust amendments, thereby supporting the possible output legitimacy of its proposal. It is associated with the quality of policy, which requires expertise to help reduce uncertainty about policy outcomes (see Coen & Katsaitis, 2013; Majone, 2002, 2014; Scharpf, 2009). However, public consultations support participation during the legislative process to provide insight into stakeholder views. It may help improve decision-making accountability and strengthen input legitimacy (Arras & Braun, 2018; Majone, 2002, 2014; Scharpf, 2009).

Scholars differ on the implications of consultations at the EU level. Research indicates that external stakeholder involvement increases the transaction costs of legislative bargaining by prolonging the legislative process and consequently yields efficiency losses (Rasmussen & Toshkov, 2013). Others argue that public consultations likely increase the legislative duration by introducing more unanticipated problems and further polarizing the opinions of decision-makers (Chalmers, 2011, 2014; Wallner, 2008). However, Drüner et al. (2018) and Golub (2007) posit that public consultations may help quicken the legislative process by integrating decision-maker preferences and reconciling conflicts during legislative negotiations. Despite the substantial and expanding empirical literature on factors influencing legislative duration in the EU, the impact of stakeholder opinions on decision-making speed remains unclear. Hence, this chapter focuses on the preferences of stakeholders involved in the legislative process by asking this research question: *How do the different stakeholders affect the duration of the EU*

legislative process? It argues that a key determinant of the legislative decision-making speed is the intensity of preference conflicts between different stakeholders and relevant EU-level decision-makers.

This chapter clarifies the role of different stakeholders and analyses the situation where lobbying activities may promote democratic legitimacy and affect decision-making efficiency. The importance of investigating EU decision-making speed stems from the fact that it relates to delivering certain legislative outputs to the public and makes timely adjustments at a stage where legislative proposals are still being discussed. As public preferences may change over time, the initial legislative proposal may no longer fit the initial problem. Further, decision-makers are reluctant to spend an indefinite amount of time on any single piece of policy, as they risk increasing sunk costs and efficiency losses given their inability to choose. Hence, it is vital to discover whether stakeholder opinions affect duration and outcome (e.g., adopting legislation). Regarding the latter, the issue is how stakeholder opinions allow for reaching an agreement and may contribute to another type of output legitimacy, as previously defined (see Chapter 1). Finally, studying duration may help decision-makers ascertain what factors result in legislative paralysis and how to effectively avert them, thus enlightening legislative reform regarding the future of the EU to anticipate the potential dilemmas from the involvement of many in the EU legislative process, including a large and diverse membership.

In this regard, this chapter makes two significant and innovative contributions to the existing literature. First, it conceptualizes and theoretically presents a causal link that would explain how certain aspects of open consultations, such as stakeholder diversity, the plurality of opinions or preferences expressed, and levels of policy conflict, shape legislative duration during the formative stage of EU decision-making. Second, this study develops a theoretical framework to integrate interest group literature into an argument about how stakeholder involvement, particularly stakeholders with diverging opinions, is significant for the duration of the legislative process. Specifically, by integrating the spatial model of politics with ideas from participation and democracy theory, this study intends to gain a deeper understanding of the complexities and dynamics of EU legislative politics, as well as explore the possibilities of coalitions, examine the structural composition of the European Parliament and Council, and identify the dominant actors within the EU decision-making process. The impact on duration depends largely on the specific demands of different stakeholders or the intensity of conflicts regarding some policy issues. The study will explain its approach to stakeholders to present its argument.

EU decision-makers aim to involve external actors in the decision-making process, partly because a wide range of actors want to be involved. This chapter defines all actors who participate in EU consultations as “external actors” or “stakeholders,” a term this study uses interchangeably. These stakeholders are categorized into EU interest and non-state groups to highlight the function that EU interest groups can better serve as “transmission belts,” linking members with decision-makers; non-state groups cannot fulfill this transmission belt function, as they typically represent scattered constituencies with different interests and have limited political activities.

This chapter focuses on specific stakeholder opinions toward a legislative proposal and their effect on legislative duration. In the analysis, “positive or negative opinions” refer to the expressions of stakeholder preferences on the policy issues of a legislative proposal at a certain moment in the legislative process. Empirically, the study employed a dataset of 100 legislative proposals with information on the participation and opinions of 5,561 stakeholders submitting documents about legislative initiatives during the 2000–2017 period. It examines the effect of stakeholder opinions on legislative duration using a multilevel negative binomial analysis and controlling for alternative explanations.

2.2 Legislative decision-making speed and opinions of stakeholders

2.2.1 Explaining variation in determinants of EU legislative speed

Substantial and growing literature explores the factors that influence EU legislative decision-making. Prior research on this decision-making process mainly investigates internal factors, such as EP involvement (Golub, 2007, 2008; Golub & Steunenberg, 2007; König, 2007; Schulz & König, 2000), legislative rules and institutional reform (Golub, 1999, 2007; Golub & Steunenberg, 2007; König, 2007), the type of legislative instruments (Golub, 2007; Klüver & Sagarzazu, 2013; Schulz & König, 2000; Sloot & Verschuren, 1990), and EU enlargement (Best & Settembris, 2008; Golub, 2007; Hertz & Leuffen, 2011; König, 2007; Klüver & Sagarzazu, 2013; Toshkov, 2017). These political factors provide a strong basis for exploring other factors in subsequent studies. As a second wave, many studies focus on interest group influence and lobbying success (Callanan, 2011; Chalmers, 2011; Klüver, 2010, 2013; Mahoney, 2008; Schneider et al., 2007), interest group access and the capability of interest representatives (Bennett, 1997; Beyers et al., 2014; Coen, 2007; Coen & Richardson, 2009; Eising, 2007; Eising et al., 2015; Greenwood, 2017; König et al., 2007; Klüver et al., 2015), the density and diversity of the interest group population (Berkhout et al., 2017; Gray &

Lowery, 2000; Toshkov et al., 2013), and interest group mobilization (Rasmussen et al., 2014). Other scholars underline the importance of interest group resources, political institutions, policy issue characteristics, and interest group strategies as factors that determine decision-making (see, e.g., Beyers et al., 2008; Crombez, 2003; Dür, 2008; Hall & Deardorff, 2006). However, these studies rarely focus on whether the opinions of stakeholders affect legislative decision-making (Bennett, 1997; Coen, 2007; Eising, 2007; König, 2007).

The literature on interest group politics includes relevant studies on how stakeholder involvement influences legislative speed. As per Rasmussen and Toshkov (2013), stakeholder consultations slow the legislative speed because they increase the transaction costs of negotiation and require more time for EU decision-makers to establish a coalition to reach an agreement. Chalmers (2014) contends that though public consultations tend to slow legislative speed, the extent is offset when decision-makers have had sufficient administrative capacity to process submissions. Decision-makers with limited administrative capacity conduct public consultations to address policy issues and obtain key policy-relevant feedback but cannot manage the different opinions and conflicts submitted through the consultations (Chalmers, 2014). Furthermore, stakeholder consultations seem to be significant in the inter-institutional balance of power when there is a political dispute between the administration and decision-makers (Bunea & Thomson, 2015). However, information that reveals preference differences among stakeholders is somewhat undervalued. Prior studies do not include stakeholder opinions as a factor that may affect legislative speed. Similarly, few studies probe possible causal mechanisms linking stakeholder opinions to legislative duration.

2.2.2 The channels affecting EU decision-making speed

As the private sector increasingly partakes in the regulatory process, stakeholder involvement has become a critical component of EU democratic governance (Grabosky, 2013). A central argument in the interest group literature is that citizens' preferences can be aggregated and communicated to decision-makers through an intermediary (Rasmussen et al., 2014). Interest groups can act as an intermediary between government leaders and the private sector by responding to civil society preferences and influencing the behavior by which a government resolves public concerns (Bevan & Rasmussen, 2020; Klüver et al., 2015; Klüver & Pickup, 2019; Rasmussen et al., 2014). This intermediary role is crucial, given the limited capacity of regulatory bodies to engage with all relevant stakeholders individually. Political parties and interest organizations fulfill such mediating functions by acting as "transmission belts" to ensure responsiveness between public "demand" and policy "supply" (Easton, 1951; Truman,

1971). Consequently, interest groups are frequently characterized as channels for citizens to communicate their views to decision-makers.

The “transmission belts” can gather and disseminate public opinions (Albareda, 2018; Bevan & Rasmussen, 2020; Dür & De Bièvre, 2007; Eising & Spohr, 2017; Kohler-Koch, 2010; Klüver & Pickup, 2019; Rasmussen & Reher, 2019). It can happen in different ways. Some interest groups represent a large constituency and give information on their overall preferences (Albareda, 2018; Albareda & Braun, 2019). Interest groups may also focus on a specialized constituency and, thus, communicate information about their more specific views (Flöthe, 2020). In both instances, interest groups voice what their constituency wants, which may affect how EU decision-makers formulate their position toward a legislative proposal in the decision-making process. That is, EU decision-makers may accelerate decision-making when opinions converge or slow decision-making when they must reconcile divergent opinions.

Interest groups show organizational diversity and vary in how they interact and involve their constituencies. It affects how they can perform their role as transmission belts linking civil society to decision-makers (Grömping & Halpin, 2019). As per some scholars, the ability of interest groups to function as transmission belts between civil society and policy elites is contingent upon their democratic capabilities (Albareda, 2018; Steffek & Nanz, 2008). Interest organizations with existing structures to involve members in internal affairs are better equipped to perform this function (Halpin, 2013; Jordan & Maloney, 2007, Skocpol et al., 2000).

Interest representation is the capacity of interest groups to speak for a broader public (Greenwood, 2017). Interest groups are “purpose-driven collectives,” with often a mission to advance broader societal goals (Meier & Capers, 2012). Interest groups developed at the EU level, encompassing interests with significant recognition at the member-state level, are critical political allies in the EU’s pursuit of further European integration. The Commission’s power to initiate legislation and oversee the subsequent implementation makes it an attractive partner for continuous interactions with CSOs as part of “daily decision-making.” This role evolved from the 2001 White Paper on Governance, where the Commission searched for measures to attain democratic legitimacy. It has led to incorporating and moving further with interactions with interest groups (Greenwood, 2017; Schout & Jordan, 2005).

CSOs are significant in many EU policy debates. As indicated, the Commission is an important actor that may channel the views of these groups (Coen, 2007; Klüver et al., 2015). It establishes possibilities for CSOs to participate in the EU decision-making process (Richardson & Razzaque, 2006). For instance, the European Environmental Bureau has

frequently been involved in Environmental Council meetings and has even been included in the Commission's delegation at Earth Summits. A similar procedure is underway with social NGOs, and much has been made of a "civil dialogue" between the Commission and stakeholders (see Gatev, 2010; Garcia, 2010; Smismans, 2003). Moreover, there are possible negative effects of the Commission's initiatives (Rommetvedt, 2005). For instance, the information the Commission receives from interest groups might lack credibility, as interest organizations can supply information to the Commission to enable them to continue participating in the decision-making process (see, e.g., Greenwood, 1997; Holman & Luneburg, 2012; Macey, 1993). Nevertheless, the Commission has tried to include different national interests in developing and adopting policies (Finnemore, 1996; Giest & Howlett, 2013).

Nowadays, each legislative proposal is accompanied by a consultation plan outlining the consultation objectives and timeline. The consultation plan is an essential part of legislative preparation that precedes legislative proposals, providing the basis for collecting evidence to develop a proposal that can count on more democratic legitimacy. The consultations are the channels to express the views of a diverse range of interest organizations, ensuring that this process is pluralistic (see Greenwood, 2017; Parker & Alemanno, 2014). Practically, the Commission initiates the consultation and publishes an announcement on the open online portal "Your Voice in Europe" requesting responses from individuals and stakeholders who choose to participate (see Greenwood, 2017; Marxsen, 2015; Stefancic, 2012). Consultations can be performed through various forms, including online consultations, forums, conferences, and seminars; consult with interest representatives; and consult with EU agencies and institutions, taking steps to ensure that all interested parties can express their views.

This chapter focuses on public consultations. The Commission publishes an initial legislative document at the start of each consultation round. Interested parties are then given time to respond in writing. Typically, the Commission concludes the process by stating the number of replies received and describing how it incorporated the submitted opinions into its final proposal. This method allows the public to communicate their opinions to decision-makers. Meanwhile, it also attracts much stakeholder involvement. EU citizens can directly partake in the activities, and their requests are conveyed to decision-makers via intermediaries such as interest groups, committees, and advocacy coalitions. The consultation process enables the demands of EU citizens to be aggregated and communicated to the political system directly or communicated through non-elected representatives (Rasmussen & Toshkov, 2013).

EU decision-makers broadly utilize consultations with stakeholders at the national and supranational levels to formulate and prepare legislative proposals (Richardson & Coen, 2009). The consultations are based on established ways of approaching EU officials, minimizing the limitations to stakeholders for participation in supranational policymaking (Bunea, 2017). Public consultation helps ensure the democratic legitimacy and quality of legislative proposals. With the participation of more stakeholders, the possibility of more heterogeneous preferences increases, complicating the decision-making. Therefore, stakeholder involvement is a crucial variable in legislative debates, as involving more stakeholders may induce intense divisions in opinions and preferences, which may prolong, delay, or obstruct the legislative process. Per these arguments, the first hypothesis is as follows:

H1: The more intense the divisions in stakeholder opinions are, the longer it takes for a legislative proposal to be adopted.

2.2.3 Opinions of stakeholders and the legislative decision-making speed

Democracy theory emphasizes that a representative democratic system without participatory channels is incomplete, though expanding opportunities for participation can increase deficits in democratic representation (Pateman, 1970; Greenwood, 2017). The absence of participatory channels and increasing participation opportunities may, nonetheless, exacerbate democratic representation deficits and reveals inadequacies of representative democracy (Stie, 2010). In effect, interest groups serve as a supportive mechanism for representative democracy when stakeholders support accountability. Accountability is important; it links the position of a group to its constituency (who are represented by or support this group) preferences (Greenwood, 2017). It is even more critical in participatory approaches given the challenges associated with mediating between conflicting claims and seeking consensus. Hence, the demands of many citizens and other groups are reflected in the opinions of interest groups participating in the consultation processes regarding EU legislative decision-making (Judge & Thomson, 2019).

The idea that stakeholders affect duration can be further developed via two possibilities. First, consultation may shorten the legislative duration if stakeholders have positive opinions on legislative proposals. If stakeholders express positive opinions throughout the consultation, they agree with the current proposal and support its adoption. Hence, stakeholder support for approval of legislative measures may be advantageous in resolving a series of conflicts before reaching a consensus; and proposals are less contentious when they are better prepared and meet the expectations of most stakeholders. In this case, positive stakeholder opinions show

support for the status quo of legislative proposals and significantly reduce the transaction cost of bargaining, thereby speeding up the legislative process (Rasmussen & Toshkov, 2013). This scenario can be expressed by the following hypothesis:

H2: The more positive opinions on the legislative proposal by stakeholders, the more support for the status quo, and the shorter it takes for a legislative proposal to be adopted.

However, a second scenario shows that the opposite effect will occur when stakeholders submit negative comments to protest about the legislative proposal before the legislative procedure begins. It may draw decision-makers' attention to many contentious issues and lengthen the time required to address and reconcile divergent viewpoints. Hence, stakeholder negative opinions may prolong the duration of legislative decision-making. Alternatively, they could yield non-decision-making or an initiative being unsubmitted if the negative opinions are widely shared. In concrete terms, negative content expressed in the consultation indicates that stakeholders disagree with the proposal and seek changes. Neo-pluralist scholars argue that more opposing opinions should increase the challenge of enacting legislation (Heinz et al., 1993; Salisbury, 1992; Walker, 1983). Hence, when several stakeholders mobilize against a proposal, with higher heterogeneity of preferences, the legislative duration will be longer (Lowery et al., 2005). Therefore, the next hypothesis is formulated as follows:

H3: The more negative the opinions on the legislative proposal by stakeholders, the more opposition to the status quo, and the longer it takes for a legislative proposal to be adopted.

2.2.4 Different types of stakeholders and the legislative decision-making speed

From the perspective of representative democracy, interest groups within the EU can act on behalf of their members and citizens to transmit their preferences to decision-makers (Dür & De Bièvre, 2007; Gilens & Page, 2014; Urbinati & Warren, 2008). These groups show a significant capacity to connect with their members (Binderkrantz et al., 2017) and acquire and maintain access to the decision-making process (Kohler-Koch et al., 2013). Nevertheless, interactions between decision-makers and stakeholders are conceived as an exchange relation (Bouwen, 2002; Braun, 2012; Coen & Katsaitis, 2013). Involving different stakeholders to obtain their expertise is considered in the interest group literature as part of a resource exchange perspective. Table 2.1 presents the different types of stakeholders and classifies them into EU interest and non-states groups based on their features and functions in the legislative process. Other scholars refer to four (two) types of EU interest (non-state) groups.

Table 2.1. Types of stakeholders in the decision-making process of the European Union

EU interest groups	Business groups <i>(Profit business organizations and firms in the EU and national labor market)</i>
	Professional groups <i>(Many different professions represented in the labor market in the member states)</i>
	Identity groups <i>(Groups representing demographic or minority groups within the member states)</i>
	Institutional groups <i>(Schools, universities, museums, and other institutions are organized into associations in local authorities of member states)</i>
Non-state groups	Civil society organizations <i>(Individuals and organizations in a society independent of the government and manifest interests of citizens, such as social movement organizations)</i>
	Non-governmental organizations <i>(Including think tanks, political institutes, and international organizations such as the UN)</i>

The EU interest and non-state groups have political preferences and try to achieve goals per those interests through democratic participation during the decision-making process. The EU interest groups are divided into business, professional, identity, and institutional groups (see, e.g., Binderkrantz et al., 2015; Flöthe & Rasmussen, 2019; Flöthe, 2020). Non-state groups include civil society and NGOs (e.g., Albareda, 2018; Börzel, 2010; Macdonald, 2016). As already noted, EU interest groups can better serve as transmission belts connecting members with decision-makers, as only a few organizations mobilized at the EU level can structurally serve as transmission belts. However, non-state groups cannot fulfill this transmission belt function, as they typically have limited political activities and represent scattered constituencies with different interests (Beyers & De Bruycker, 2018). Therefore, EU interest groups are crucial in EU legislative politics because they have a more robust interest aggregation and articulation capability than political parties (Berkhout & Hanegraaff, 2017). Unlike established political parties with well-defined policy orientations, EU interest groups may have a strong incentive to ensure the demands of members are met by policy outputs, as they more likely provide expertise and precise policy-relevant information on specific legislative proposals (Daugbjerg et al., 2018). Business and professional groups supply information perceived as technical expertise (Coen & Richardson, 2009; Eising, 2007). They are credible sources of expert information because they are connected to the market and have practical experience and technical expertise (Bouwen, 2002; Dür & Mateo, 2013, 2014; Eising, 2007; Michalowitz, 2004). Studies of EU interest group access show that higher levels of government engagement and broader capabilities are positively associated with interest group

mobilization and, hence, more frequent interactions with a broader collection of groups (Leech et al., 2005). EU interest groups are expected to operate on behalf of their constituents and are considered avenues for producing legitimate policy (Dür & De Bièvre, 2007; Gilens & Page, 2014; Kohler-Koch, 2009, 2010; Truman, 1971; Urbinati & Warren, 2008). While they are often presumed to represent a varied and balanced range of interests, most individual groups are focused on a single constituency (Flöthe, 2020).

Furthermore, 78% of EU decision-makers actively involve non-state actors, including NGOs and CSOs through formal mechanisms such as advisory committees or public consultations (Arras & Braun, 2018). Usually, NGOs or CSOs provide political expertise on the information on what citizen groups may want (Mahoney, 2004; Warleigh, 2001). EU decision-makers require technical expertise to enhance the output legitimacy in reaching a consensus and political expertise to increase input legitimacy (Bouwen, 2002; Wright, 1996). The new tools for engaging CSOs at the EU level can likely increase the active interests represented (Greenwood, 2017; Kohler-Koch, 2010). The groups of citizens are expected to express various interests and, hence, contribute to input legitimacy of the decision-making process (Kohler-Koch, 2010). Further, they may reflect constituent demands (Kohler-Koch, 2009) and member preferences (Schlozman & Tierney, 1986), which establishes them as a reliable source of information that may help to legitimize a legislative act (Michalowitz, 2004).

The EU decision-making process is highly technical, making it challenging for citizens and non-state groups to express their political opinions (Hix, 2008). The gap between elites and citizens varies significantly across member states because elites in member states are more supportive of political parties than citizens (Dalton, 1985). Individual decisions by diverse interest groups can affect the size of the legislative agenda, the likelihood of proposals being adopted, and the length of time required to pass a legal act (Imig, 2002; Imig & Tarrow, 2001; Marks & McAdam, 1996). EU decision-makers may further value interest groups, as they can better express their demands during the consultation phase at the EU level. Non-state groups are less well-organized and sometimes less coherent in their opinions. Further, interest groups often have a more permanent EU representation, allowing them to keep emphasizing their concerns while negotiating a legislative proposal. When EU interest groups are divided, it may impact the positions of the various negotiating decision-makers, inducing a slowing of the process. Hence, EU interest groups should exert more influence on the legislative speed than non-state groups if they have more divisions in preference for the legislative proposals.

H4: More divisions within the EU interest groups in their opinions on legislative proposals are likely to result in longer legislative duration than more divisions within non-state groups in their opinions on legislative proposals.

2.3 Research design

The study tests the hypotheses using data from 100 legislative acts enacted between 2000 and 2017. It employs only binding legislation comprising directives, regulations, and decisions to construct the dataset. Other non-binding instruments (e.g., opinions, green papers, white papers, and recommendations) are available for public consultation but have a different decision-making process and do not have a crucial legislative procedure. The next section will explain the data collection and coding processes, the variables used, and their operationalization.

2.3.1 Data collection

The dataset is constructed using an automated script that builds on the work of Rasmussen et al. (2014) and Toshkov (2011). It employs the same method to collect new datasets and gather information on three important types of legislation (directives, regulations, and decisions) from the EUR-Lex database.⁴ Each piece of legislation is classified per the 16 policy areas as the “door pass” registry of the EP. The legislative proposals are selected using three criteria: the legislative procedure, period, and policy issue salience and controversy.

First, the legislative procedure includes the ordinary legislative and special procedures, such as the consultation procedure, consent procedure, non-legislative enactments, and budget procedure. The ordinary legislative procedure is the primary method for adopting regulations, decisions, and directives; it involves the participation of all three of the EU’s main legislative institutions. Special procedures are utilized when politically sensitive issues require EP involvement in a limited capacity. Second, the study employs data covering pre- and post-Lisbon eras. The legislative proposals for the study of EU-15 were introduced or pending between January 1999 and December 2000. For the post-Lisbon study, the study chose proposals first debated in the Council and EP after the accession of 10 member states in 2004. The post-Lisbon study comprises proposals submitted between July 2004 and July 2008. Third, concerning salience and controversy of policy issues, each legislative proposal was discussed in Agence Europe in five-line or longer reports during the EU-15 period. Each policy issue in

⁴ The quantitative datasets that support the findings of Chapter 2 are accessible in Harvard Dataverse: <https://doi.org/10.7910/DVN/VGAQIO>

the consultation questionnaires is linked to one of the 16 specific directorate-general policy affairs (see Table A1 in the Appendix to Chapter 2). The average number of stakeholders that contributed to consultations in the same directorate-general is counted within the dataset in all the years before the year of the relevant consultation. The collected data and legislative proposals are relevant to the policy area and specific policy issues. Hence, the selected legislative cases and dataset are appropriate for the current context.

The dataset of the consultations regarding the proposals is set-up as follows.⁵ First, the researcher searches through the legislative proposal texts for expressions such as “consultations of interested organizations,” “stakeholder consultation,” and “Commission consultation,” taking these texts from the title of the paragraph. Second, the researcher collects all available consultations from the European Commission portal and browse terms that included the word “consult” or similar, which may signal a consultation. Finally, the researcher compares this list with identified legislative proposals to determine whether consultation has indeed occurred.

The study focuses on 100 policy proposals (for manageable data collection) from 2002 to 2018 for which consultations were held.⁶ The dataset contains a precise codebook about the stakeholders in 100 EU online consultations. The study applies consultation-by-consultation methodology to double-check that a stakeholder does not appear in multiple rows through its participation in several consultations on the same proposal. Overall, 5,561 opinions from the contributions of stakeholders were coded across 100 online consultations derived from 100 legislative acts covering all EU member states. Table 2.2 presents a detailed description.

Table 2.2. Description of the legislative proposals

Type of legislations	Directives	Regulations	Decisions
Number of cases	46	49	5
Policy areas	12	12	4
Policy issues	358	553	289
Number of stakeholders	4610	5198	459

2.3.2 Identifying and coding stakeholder opinions

The study employed content analysis and hand coding of the European Commission’s official documents and written submissions for public consultation to identify stakeholder opinions on legislative proposals (following Bunea & Ibenskas, 2015). Opinions were recorded in two

⁵ The original dataset was collected by Rasmussen et al. (2014). Based on their descriptions of how they collected the data, the study used the same method to select the other available dataset that could be used in this research.

⁶ The study employed the consultations that cover the 2002–2018 period, which contains dataset of Rasmussen et al. (2014) and the dataset between the pre- and post-Lisbon studies.

independent datasets. Given that stakeholders do not voice their opinions on all evaluative issues or propose policy alternatives on all policy issues, the response rates and involvement behavior of stakeholders on issues vary widely. Consultation allows for feedback on proposed policy issue changes. The study uses four categories for code preferences:

1. Approval: Support for the current proposal
2. Opposition: Oppose the current proposal
3. Neutral: Abstain or no comments
4. Approval but: support but need for further amendments or changes⁷

In the coding process, the coder first looked for a participant's response to a legislative proposal to identify an opinion likely to be expressed through "support, requests, criticisms, and opposition" to the particular issue or provision. It helps to consider the causal narration that underpins the statement to identify and code an opinion, (i.e., participants claim a position and express an attitude about it; e.g., "we support or oppose this, because of that").

Second, after identifying the participant's stance, it is important to distinguish various kinds of opinions used. The coder read the portions immediately preceding and following the statements. For instance, "the proposal will yield a loss of 300,000 jobs" and "the proposed policy will yield a 20% increase in our greenhouse gas emissions" are two distinct opinions, both of which fall under the category of "evaluating issues with a negative sentiment but not entirely opposing the proposal" (see Table A2 in the Appendix to Chapter 2).

Third, some respondents do not express their interests and demands directly but instead suggest implicit perspectives on the legislative proposals. The coder, therefore, looked through all consultation results to code such opinions. If the expression on provisions or articles appears blunt, direct, and without finesse, the stakeholders hold negative attitudes toward legislative proposals; if the expression signifies charm, flattery, and tact, the stakeholders hold supportive attitudes and agree with the current proposals. If the stakeholders do not comment or express an apparent attitude toward legislative proposals, they hold neutral attitudes.

The European Commission usually conducts public consultations before a legislative proposal is published. The consultations are used to receive input to further develop a proposal. Potential participants may comment on several aspects of the same proposal. One stakeholder could have a positive opinion on one aspect and be negative about another. Thus, the researcher

⁷ This coding is similar to that of Beyers et al. (2016).

counts the number of positive and negative opinions by using a “relative value” (see a similar approach of Dür & Mateo, 2013). This index is defined as follows:

$$\text{Relative positive value} = \frac{(\text{number of positive opinions} - \text{number of negative opinions})}{(\text{number of positive opinions} + \text{number of negative opinions})}$$

Moreover, the study used an inter-coder reliability check⁸ to ensure opinions on each legislative proposal were valid. Participants also used signal phrases, such as “additionally” and “furthermore” to convey an additional viewpoint, often expressed in a new paragraph. If an identical viewpoint was expressed in another location, the opinions were excluded from the coding. During coding, it was necessary to track how frequently a participant made statements. If the coder believed additional categories of opinions were being used, they must also be coded. Likewise, opinions must be traced back to specific phrases, sub-sentences, or clauses within the submission. For all consultations with stakeholders in the dataset, 3,645 statements had positive opinions; 5,645, negative opinions; and 444, neutral opinions.

2.3.3 Variables and operationalization

The dependent variable “legislative duration” refers to the speed with which proposals become legislation. Legislative duration is measured as the time in days between when the European Commission submits its proposal and when the legislative proposal is adopted. Thus, duration is defined in a way that is similar to operationalizations in the literature (Klüver & Sagarzazu, 2013; König, 2007; Schulz & König, 2000).

The first explanatory variable is preference heterogeneity among stakeholders, which indicates stakeholders with divergent opinions on the legislative proposal. The study employs Cochran’s Q (Cochran, 1954)⁹ to measure the resulting value of preference heterogeneity among stakeholders. It comprises the squared differences between the opinions of a single stakeholder and that of all stakeholders. Second, stakeholder support (opposition) is measured

⁸ At the beginning of the data collection during 2018 and 2019, the study used the inter-reliability test to repeat the data coding in two different periods (Time 1 in 2018 and Time 2 in 2020) for inter-coder reliability. However, the results in Times 1 and 2 were slightly different. The overlap between the two coders were 78%. It could not be inter-coder reliability; hence, the results may not be reliable and subject to bias with one coder. Therefore, for quantitative analysis reliability, another coder helped conduct inter-coder reliability for the opinion coding and documents transcription. This coder has studied EU policymaking and was appointed as MEP intern in 2020. She has knowledge in EU politics, but she has no prior knowledge of this study’s aims and code objectives. The overlap with the third coder was under 10%, a nice fit for the inter-reliability check. Hence, we discussed the disagreement in the coding and decided on one definite set of coded materials.

⁹ Cochran’s Q test is a non-parametric way to find differences in matched sets of three or more participants. In this context, it can be used when a group of participants are involved in consultation activities and contribute their opinions, wherein the opinion is a “positive” or “negative.” Similar to the binomial distribution, “positive” or “negative” could mean yes or no, and any one of several support or oppose options.

via the number of all stakeholders (not) in favor of the provisions of the legislative proposal, as expressed in the public consultation. Further, to investigate the effect of stakeholder opinions, the study employs different operationalizations. That is, stakeholder support (opposition) is calculated as the percentage of respondents with a (non-)favorable opinion. These alternative operationalizations serve as a robustness check. The third explanatory variable distinguishes between the EU interest and non-state groups as types of stakeholders. It allows for comparing which group has a larger effect on legislative duration. The method of calculating preference heterogeneity among the EU interest and non-state groups is the same as for the first variables. Data on different stakeholder opinions stem from consultation documents, as described in 2.3.2.

It is vital to consider other possible confounding variables that can affect explanatory variables to isolate their effects. Consider six controls from the literature (see Table A3 in Appendix to Chapter 2). First, to measure the density of stakeholders, the study uses the number of EU interest and non-state groups that participated in the public consultation. Few studies on interest politics introduce the density of lobbying activity in the EU (e.g., Berkhout et al., 2015; Berkhout & Lowery, 2010; Binderkrantz et al., 2017; Broscheid & Coen, 2003; Coen & Katsaitis, 2013; Gray & Lowery, 1995, 1996; Messer et al., 2019; Rasmussen et al., 2014; Toshkov et al., 2013; Wonka et al., 2010). It refers to the number of interest organizations mobilizing at the national level to lobby policymakers, thus influencing the decision-making process. Data on the number of stakeholders, organization types, and their policy domains of interest were obtained from the European Commission's Register of Interest Representatives database, which includes more than 4,000 registered interest groups (Commission of the European Communities, 2011).

The second control variable is stakeholder diversity. A wider diversity of interests represented in the public consultation may result in legislative delays, as it is more challenging to pass legislation when there are disagreements between different stakeholders (see Heinz et al., 1993; Rasmussen & Toshkov, 2013; Salisbury, 1992). From this perspective, the more diverse the stakeholders, the greater the likelihood of conflicts between them (Gray & Purdy, 2018). Therefore, the number of group types is used to measure the diversity of participation.

The third control variable is the type of legislative proposal, which is a categorical variable. Previous studies show that directives are more controversial and politically sensitive than regulations and decisions and, therefore, require a more extended period of deliberation to achieve legislative consensus (Golub, 2007; Schulz & König, 2000; Sloot & Verschuren, 1990).

Of the 100 legislative proposals considered, 46 are directives, 49 are regulations, and five are decisions.

Fourth, the novelty of a legislative proposal controls for whether the legislative act is a new proposal or simply an amendment to existing EU legislation. New proposals are more likely to generate controversy and take longer to pass than amendments to existing proposals (Chalmers, 2014; Rasmussen & Toshkov, 2013). The novelty of the proposal is measured by the number of EP amendments tabled at the first reading.

Fifth, the transparency of the legislative process controls for whether the legislative act is agreed upon in informal trilogues in the first reading. If a legislative proposal is negotiated in informal trilogues, the legislative process may be less transparent (De Ruiter & Vliegenthart, 2018). Transparency is the ability to obtain information on how legislations are formed in a political system (Cross, 2013). This variable is measured by extracting summaries of decisions on legislative proposals that contain the following keywords: agreement, compromise, and informal trilogues. When there was a reference in the summaries to a compromise between the EP and the Council, the documents were thoroughly read and hand-coded, irrespective of whether it is a first-reading agreement through informal trilogues (see the similar coding used by De Ruiter & Vliegenthart, 2018; Toshkov & Rasmussen, 2013). The documents for this coding were obtained from the EP's Legislative Observatory.

Finally, the legislative proposal complexity is gauged by the number of EP committees involved in debating the proposal and policy area. They reflect the technical complexity of a given proposal (Rasmussen & Toshkov, 2013; Reh et al., 2013). This variable is relevant for decision-making speed because the number of EP committees involved in giving an opinion on a legislative proposal can be a crucial indicator of the possibility of dispute within the EP (De Ruiter & Vliegenthart, 2018). That is, the greater the number of EP committees interested in expressing their opinion on a legislative proposal, the greater the possibility that the EP committees hold divergent views on the proposal, the greater the potential for conflicts within the EP, and the slower the decision-making speed (De Ruiter & Vliegenthart, 2018).

2.4 Empirical analysis

The study employed a multilevel negative binomial regression to analyze data, as the dependent variable (legislative duration) is an overdispersed count variable. As several stakeholders do not express their opinions, a zero-inflated model could also be used. However, multilevel negative binomial models are chosen because of the challenge of running zero-inflated models

with random effects. Additionally, negative binomial regression assumes the variance of the dependent variable is higher than the mean of the dependent variable, which accords with the prediction presented in descriptive statistics (see Table A4 and Figure A1 in the Appendix to Chapter 2). Table A5 in the Appendix presents the correlation coefficients for all variables. It shows that the independent variables are weakly correlated with each other.

Table 2.3 presents the results from four negative binomial models. The study makes a distinction between these models to obtain more accurate analysis results. Hence, Model 1 features only the main explanatory variables. It tests all hypotheses, excluding control variables. Model 2 adds controls for the consultation-related variables (i.e., the density of consultation and diversity of stakeholders). Model 3 adds controls for the legislation-related variables (types, novelty, transparency, and complexity of legislative proposals) but excludes consultation-related variables. Model 4 includes all variables.

Table 2.3. Multilevel negative binomial regression with random intercepts for legislative duration

	Model 1	Model 2	Model 3	Model 4
Main variables	Coeff. (st. error)	Coeff. (st. error)	Coeff. (st. error)	Coeff. (st. error)
Preference heterogeneity among stakeholders	0.980** (0.343)	0.936** (0.322)	0.707* (0.300)	0.726* (0.288)
Stakeholders support	-0.002 (0.002)	-0.006 (0.003)	-0.002 (0.002)	-0.006 (0.003)
Stakeholders opposition	0.005 (0.003)	-0.001 (0.004)	0.005 (0.003)	-0.001 (0.003)
Preference heterogeneity among EU interest groups	0.367* (0.181)	0.472 ** (0.167)	0.186 (0.158)	0.291* (0.149)
Preference heterogeneity among non-state groups	0.083 (0.105)	-0.034 (0.103)	-0.023 (0.094)	-0.117 (0.093)
Control variables				
The density of consultation		0.005* (0.002)		0.004* (0.002)
The diversity of stakeholders		0.144 *** (0.040)		0.108** (0.037)
Type of legislative proposal				
<i>Directive</i>			0.016 (0.192)	0.112 (0.184)
<i>Regulation</i>			-0.189 (0.190)	-0.079 (0.183)
<i>Decision</i>			Included	Included
Novelty of legislative proposal			0.007** (0.006)	0.002** (0.006)
Transparency of legislative process			-0.101 (0.088)	-0.082 (0.082)
Complexity of legislative proposal			0.161*** (0.032)	0.142*** (0.030)
Constant	2.908*** (0.096)	2.319*** (0.174)	2.681*** (0.199)	2.180*** (0.245)
Alpha	0.218 (0.513)	0.206 (0.028)	0.165 (0.023)	0.215 (0.346)
Observations	100	100	100	100
AIC	745.34	732.12	724.62	715.18

Note: Dependent variable is legislative duration. Significance levels: ***p < 0.001; **p < 0.01; *p < 0.05.

From H1, the significantly positive coefficients in Models 1 to 4 indicate that more intense divisions in stakeholder opinions can induce a longer legislative process. Further, the results from Models 1 to 4 show that more divisions among EU interest groups induce a significantly

longer duration than more divisions among non-state groups. Hence, H1 and H4 are confirmed. The coefficients for stakeholder support and opposition are in the expected direction but statistically insignificant. Thus, there is no confirmation that more stakeholder support or opposition during consultation decreases or increases legislative process speed.

Further, to illustrate the magnitude of the effect, Figure 2.1 depicts the predicted curves for stakeholder opinions over legislative duration for various levels of preference heterogeneity with a 95% confidence interval based on Model 4. Figures 2.2 and 2.3 depict the predicted curves of legislative duration for preference heterogeneity among EU interest and non-state groups. From Figure 2.1, the higher the heterogeneous stakeholder degree in the consultation, the longer the legislative process (H1). Adopting a legislative proposal takes approximately 25 (30) months when the preference heterogeneity degree among stakeholders is 40% (70%).

Figure 2.1. Predicted counts of legislative duration for preference heterogeneity among stakeholders (Estimates based on Model 4 for Hypothesis 1)

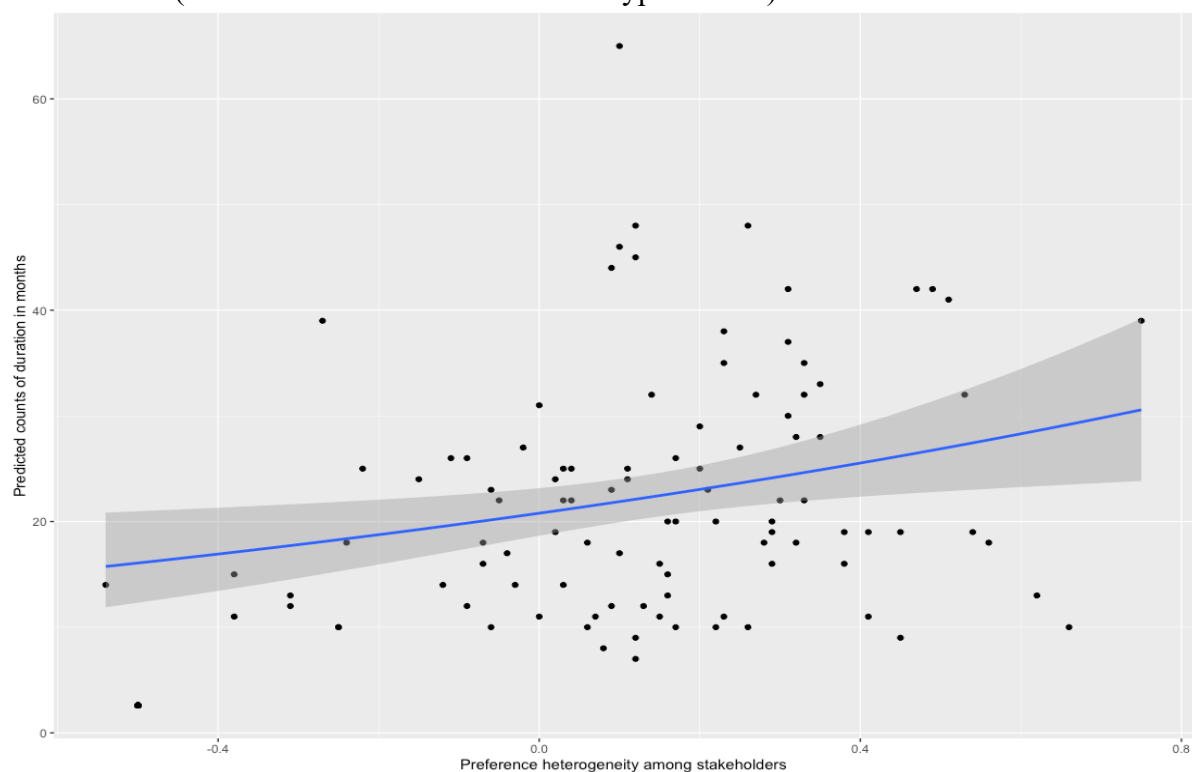


Figure 2.2. Predicted counts of legislative duration for preference heterogeneity among EU interest groups (Estimates based on Model 4 for Hypothesis 4)

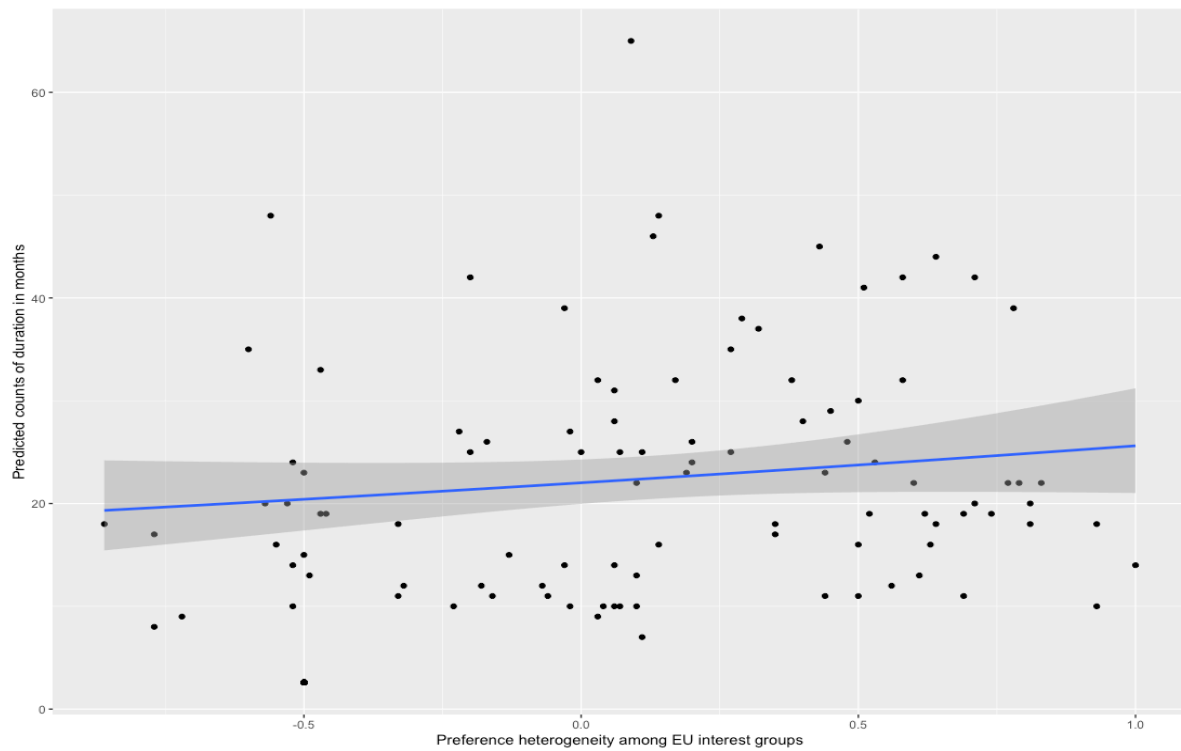
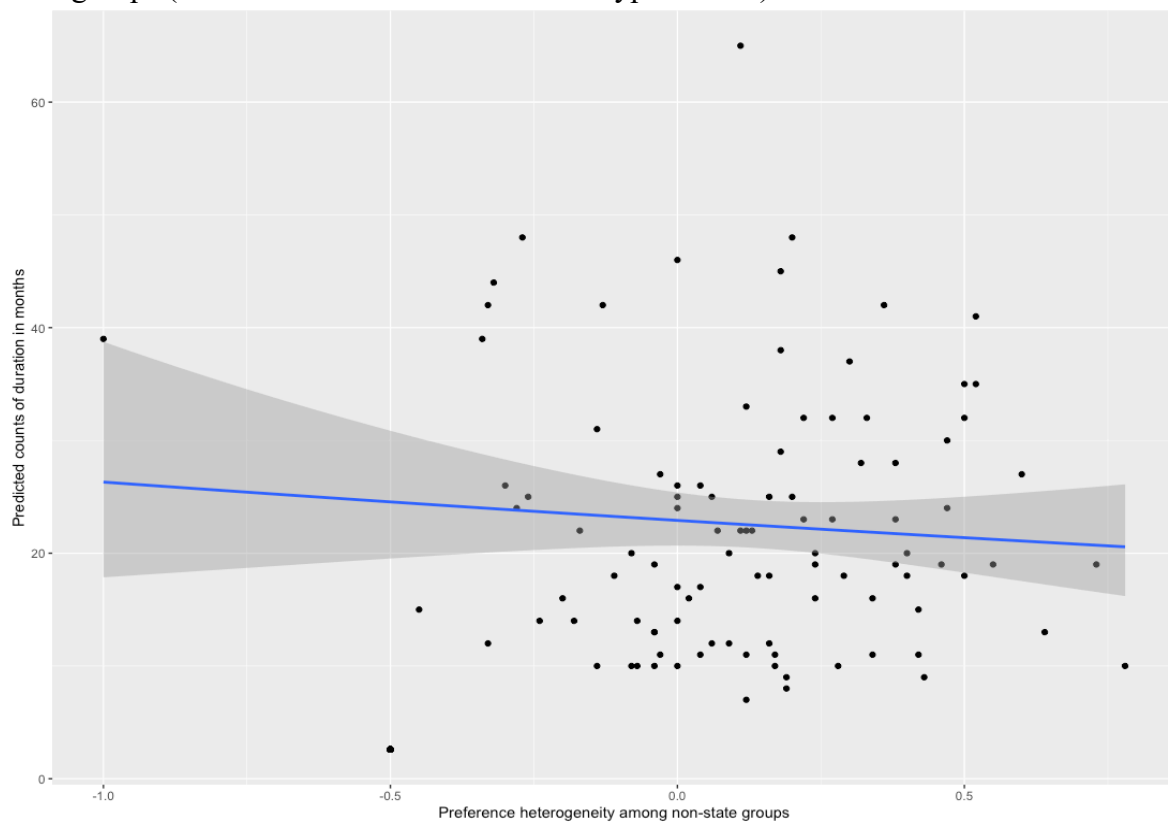


Figure 2.3. Predicted counts of legislative duration for preference heterogeneity among non-state groups (Estimates based on Model 4 for Hypothesis 4)



Meanwhile, Figure 2.2 indicates that the higher the degree of heterogeneity among EU interest groups during consultation, the longer the legislative process. However, Figure 2.3 shows that the higher the degree of heterogeneity among non-state groups in the consultation, the slightly shorter the legislative decision-making process. Comparing the magnitude of the effects of the preference heterogeneity among EU interest and non-state groups, more divisions within the EU interest groups are likely to yield longer legislative duration than more divisions within non-state groups (H4). It takes approximately 25 and 22 months, respectively, to adopt a legislative proposal when the degree of preference heterogeneity among EU interest groups and the degree of preference heterogeneity among non-state groups is 50%. Moreover, Figures A2 and A3 in the Appendix to Chapter 2 visualize H2 and H3 based on Model 4. Overall, all predicted curves accord with the findings in Table 2.3.

Notably, the figures present outliers, as per a scatter plot and histogram. Among the methods to address outliers is transforming observation values. Some common transformations include winsorizing, trimming, and replacing outliers with a statistical estimate (e.g., median or mean). This method is used in some cases but is uncommon. The study uses winsorized estimators and replaced extreme values with percentiles (i.e., the trimmed minimum and maximum). Ultimately, mild outlier values are retained, as the outliers exert a negligible impact on the results; the same results apply when moving to different values. Though transforming the values of outliers can impact the analysis results, which may be biased or misleading, it is acceptable to consider the potential impact on the results and only use this method in relevant circumstances. The robustness tests indicate some effects, though reducing correlations and eliminating the influence of extreme values. Thus, it does not yield differing conclusions.

Regarding the control variables, consultation density and stakeholder diversity increase slow the legislative process. However, concerning the type of legislative act, the effects of the directive, regulation, and decision in Models 3 and 4 are non-significant. The coefficient on transparency of the legislative process is non-significant, indicating no relationship between the use of trilogues and the legislative decision-making duration. However, the number of EP amendments increases the length of time between proposal and adoption, and the involvement of more EP committees increases the legislative duration. Multiple EP committee involvement may help better prepare a proposal given different views from stakeholders; thus, the legislative proposal needs more time to be discussed.

Following this initial analysis, the study conducted a series of robustness checks to confirm the results in Table 2.3. Table A6 in the Appendix uses alternative operationalization

of the explanatory factors to rule out the possibility that outliers are responsible for the major findings. Legislative duration is measured vis the number of days from when the European Commission presents a proposal until it is adopted into law; stakeholder support or opposition to each legislative issue is measured using a percentage value instead of an absolute number. Table A6 duplicates the models described in Table 2.3. The coefficients and p-values are relatively the same as those presented in the main text, indicating that the findings are robust.

Table A7 presents the bivariate link between legislative duration and major explanatory variables to validate the findings when all control variables are excluded. From the results, legislative duration varies per preference heterogeneity among EU interest groups and non-state groups (see Models E and F in Table A7). The extent of divisions within non-state groups is vital because some groups may serve as think tanks interacting with EU decision-makers (Braun, 2012; Schmitter and Streeck, 1999). Divisions within EU interest groups are also vital, as they affect the “transmission belts” between the public and politics and, hence, the legislative process (Kohler-Koch et al., 2017). Including the two factors does not affect the main findings.

All findings are robust given the various control variables included. Indeed, divergent stakeholder preferences on legislative proposals slow the legislative process, as controversy incentivizes lobbyists to participate in consultations and express their opinions. Additionally, stakeholder diversity exerts a highly significant effect ($p < 0.001$); that is, the greater the number of group types, the longer the legislative process.

2.5 Conclusion

Even though the EU has developed various mechanisms for consulting external actors, little research has been conducted on the actual preference heterogeneity of stakeholders on specific legislative proposals and how it affects the EU legislative process. This chapter focuses on how stakeholder opinions on legislative proposals, as presented in public consultations, affect the legislative duration. Drawing on prior studies, it argues that the intensity of actual preference conflicts between different stakeholders on legislative proposals is a key determinant of the legislative decision-making speed.

The finding shows that more intense divisions in stakeholder opinions could induce a longer legislative process. Interestingly, more divisions within the EU interest groups result in the legislative decision-making process lasting significantly longer than when there are more divisions within non-state groups. Perhaps, EU decision-makers focus more on EU interest groups, which can better offer their demands during the consultation phase at the EU level.

Non-state groups are less well-organized and sometimes less coherent. Furthermore, EU interest groups often have a more permanent representation in the EU, providing them with the possibility to keep stressing their concerns during the process of negotiating a legislative policy. When these groups are divided, it may impact the positions of the various negotiating decision-makers, inducing a slowing of the process.

The findings have important implications for assessing stakeholders. From the results, the degree of actual preference conflicts among various stakeholders on legislative proposals affects the speed of legislative decision-making. It accords with expectations on the extent to which actual preference conflicts among participants affect the prospects for a joint decision, as per spatial theory and prior interest group studies (e.g., Chalmers, 2011, 2014; Rasmussen & Toshkov, 2013). Interestingly, the determinant of legislative speed is not contingent on stakeholder support or opposition to legislative proposals. That is, the crucial element is the heterogeneity or homogeneity of stakeholder preferences, which significantly influences decision-making. The more heterogeneous stakeholder preferences are, the longer the decision-making process.

Furthermore, the empirical approach in this chapter has implications for interpreting and generalizing the findings. The contextualized analysis of diverse stakeholder involvement limits the number of observations in the models, as the European Commission identifies only a small number of stakeholders as non-state groups. Second, the analysis focuses on policy issues at the EU level. This analysis result may be slightly different from the national-level policy issue results. Certain elements, such as political competence and democratic legitimacy, may be less straightforward for national governments.

This empirical research is important for further studies and political practice. However, the limitation is that this chapter does not examine how the stakeholders align with member-state preferences, influencing EU decision-making speed. Hence, stakeholder heterogeneity may be a manifestation of broader opposition among member states. The next empirical chapter explores the role of the preference heterogeneity degree among member states and examines how stakeholder opinions may interact with the preferences of member states.

Therefore, Chapter 3 further studies how stakeholder opinions interact with member-state preferences, especially when stakeholders and member states have different views. From the analysis results, there is only a correlation between intense divisions in stakeholder opinions and longer legislative duration rather than a causal link. Meanwhile, the large sample size and extensive quantitative data offer no direct evidence of the actual preference heterogeneity

among stakeholders. Thus, further research in Chapter 4 evaluates the specific preference heterogeneity of various stakeholders by employing a process-tracing methodology to conduct a case study and probe the demands and opinions received via various consultation submissions.

CHAPTER 3

Impact of the interaction between stakeholders and member states on the duration of legislative decision-making in the European Union

Abstract

This chapter investigates how relations between stakeholders and member states affect the legislative duration of the European Union. It draws from work in the perspectives of rational choice theory to explain the expectations and mechanisms. The main explanatory factor is the relative stakeholder opinions conditioned by variation in member-state preferences. It is hypothesized that the stakeholder opinions and the member-state preferences interact in shaping the EU legislative decision-making process. The assumptions are tested with a dataset of selected consultations relating to 100 legislative proposals among 16 policy areas in the European context with an observation objective consisting of 5,561 stakeholders. The finding shows that an interaction effect exists concerning legislative duration between heterogeneous preferences of member states at the EU level and negative opinions of stakeholders. When both factors increase, the duration of this process will be longer.

3.1 Introduction

Research on the impact of stakeholders and lobbying on EU legislative decision-making has attracted much attention over the years (Chalmers, 2014; Klüver, 2010, 2013; Schneider et al., 2007; Toshkov et al., 2013). Lobbying may promote democracy and legislation legitimacy; however, the involvement of many stakeholders may induce a low efficiency of the legislative process. Extensive consultation may contribute to the democratic legitimacy of legislative proposals, but stakeholders are likely to represent different views and bring many issues to the attention of decision-makers, which could increase the legislation process duration. Legislative processes may, thus, be delayed or even blocked by influential lobbying coalitions (Beyers & De Bruycker, 2018). While diverse actor involvement in the EU legislative process may increase the democratic legitimacy and quality of decisions (Greenwood, 2017), preference heterogeneity may endanger the decision-making efficiency if stakeholder opinions oppose each other (Dür & Mateo, 2012; Michalowitz, 2004; Rasmussen & Toshkov, 2013). The different views of the public, mobilized by stakeholders, feed into the legislative process as they affect member-state preferences. Hence, to better understand factors affecting legislative duration, this chapter focuses on the relationship between stakeholders and member states and how it affects their preferences. It addresses this question: *What is the impact of the interaction of stakeholder opinions and member-state preferences on EU decision-making speed?*

Regarding studies on EU interest groups, some focus on the complex relation between interest groups, public opinion, and policy change by systematically researching specific policy issues (Flöthe & Rasmussen, 2019; Flöthe, 2020; Rasmussen et al., 2014; Toshkov, 2011). There remain gaps in the literature on EU legislative politics. While some presented ideas about the effect of stakeholder involvement on legislative duration (Rasmussen & Toshkov, 2013; Toshkov et al., 2013), the interaction effect of stakeholders and member states has been largely ignored. Prior studies barely attempt to establish a link between stakeholder opinions and member-state preferences and how it affects duration.

Thus, this chapter probes the impact of various actors on EU decision-making duration. Chapter 2 emphasized that a crucial determinant of the legislative decision-making speed is the intensity of preference conflicts between different stakeholders on legislative proposals. Based on the findings, the central thesis of this chapter is that the opinions (negative or positive) of stakeholders may affect the variation in member-state preferences, which determines the speed of the legislative process (De Bruycker & Beyers, 2015).

Theoretically, the study develops hypotheses based on rational choice theory (e.g., Franchino, 2007; Jupille, 2004; Oppenheimer, 2008; Pollack, 2003; Tsebelis & Garrett, 1996, 2001). Rational choice theory regards choosing per one's values or preferences (Oppenheimer, 2008). The interaction of choice considered as repeating and over which evolution developed in most of the analysis was a game of two sides dilemma (Oppenheimer, 2008). Therefore, the study explores the direct influence of stakeholders on legislative duration through their diverse opinions on the legislative proposals. Importantly, it establishes a link between stakeholder opinions on legislative proposals and member-state preferences to probe how their interaction impacts legislative duration. The study used data on legislative duration, stakeholder opinions, member-state preferences, and the salience of policy issues to test the hypotheses.

The dataset includes information on the European Commission's online consultations about new legislative proposals. It covers 16 policy areas with 100 specific policy issues in the European context during the legislation period, including the pre- and post-Lisbon eras. Data on member-state preferences are based on the classification of Commission proposals as "A items" or "B items" on the Council agenda, which indicates whether a legislative proposal caused controversy among member states.

3.2 Theoretical framework

Until the early 1990s, the EU was fundamentally a system of governance based on consensus (Taylor, 1991), which yielded the so-called "permissive consensus" (Hix, 2008), where voters agreed to shift responsibility for resolving European political problems to interest organizations. However, this permissive consensus was shattered in the early 1990s and supplanted by a "constraining dissensus," along with an increase in Euroscepticism (Hooghe & Marks, 2009), resulting in considerably more contentious sentiments toward the democratic legitimacy of EU decision-making among citizens. European policies no longer enjoy widespread support, and individuals' attitudes to EU policies are shaped by a complex set of factors, including economic interests, social values, policy preferences, and national contexts (e.g., Doh & Guay, 2006; Schmidt & Radaelli, 2004).

The EU's political leadership and, especially, member states face a conundrum in the post-consensus era. They could continue to conduct consensus politics, although this would risk increasing public resistance to the EU and widening the divide between public and elite perspectives (De Wilde et al., 2016; Hooghe & Marks, 2009). They could also reject consensus politics and attempt to politicize the European question in national and European politics (e.g.,

De Wilde, 2007; De Wilde & Zürn, 2012; Hooghe & Marks, 2009). Continuing this path, member states may promote stakeholder participation in legislation while permitting domestic politicians and political parties to have opposing viewpoints on EU issues. This development exacerbates conflicts and makes it more challenging to obtain consensus in EU legislative politics. However, it may help to bridge a gap between the increasingly divergent opinions of citizens across Europe and the currently divided elites at the national and European levels.

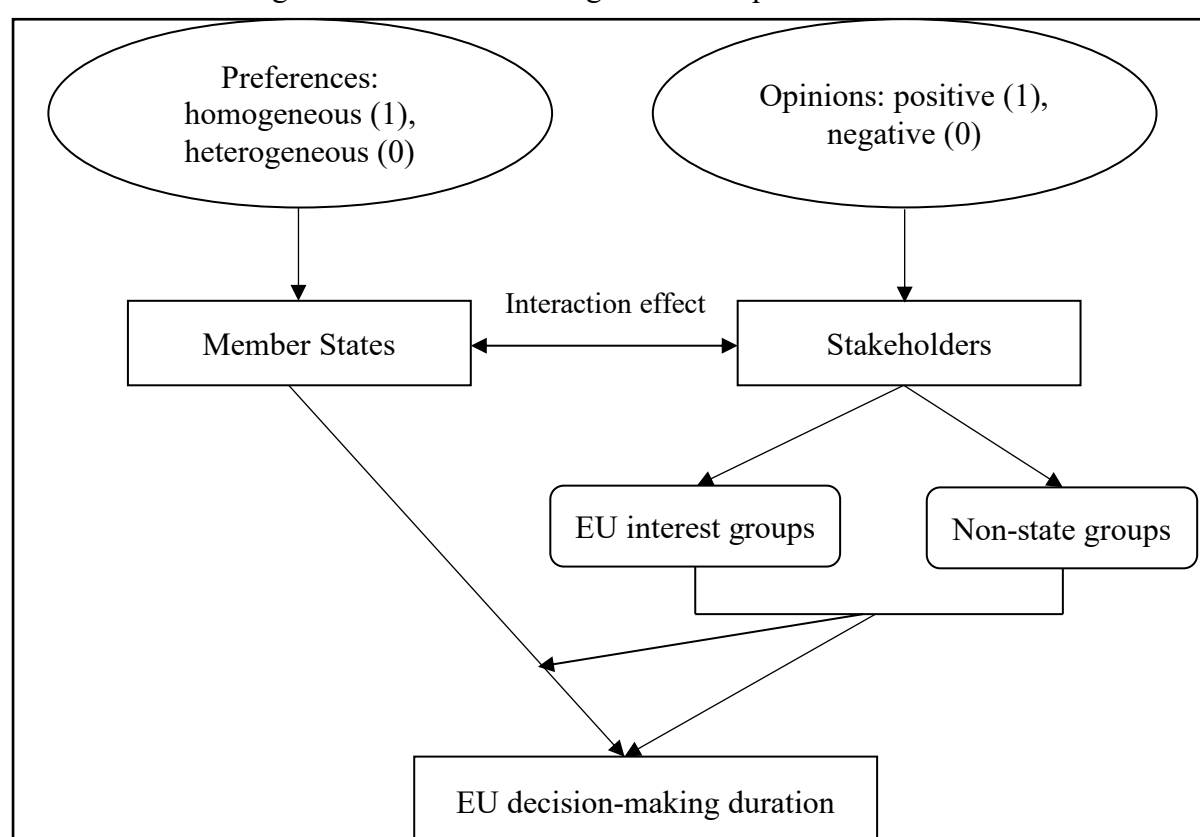
EU policy is the product of legislative institutions and stakeholders. The system of interest representation at the European level developed as an exchange relationship between interest groups and EU officials. In this exchange, interest groups seek favorable legislative outcomes, while member states prefer more information about policy and the views of citizens and others. The strategies of stakeholders have developed in response to new opportunities in the EU to provide input at the EU level (cf., Eising, 2007; Princen & Kerremans, 2008). Member-state governments have different reasons to influence the European Commission's political agenda and subsequent negotiations. Legislative proposals are prepared and initiated by the European Commission and have become more prominent in affecting domestic politics. Consequently, for most member states, there is more at stake with new legislative proposals.

Concerning policy preferences, one can build on spatial models of politics (Hinich & Munger, 1997), which distinguishes actor preferences from salience. Further, these models are based on some structure describing how decision-making flows to understand how decision-making may work. Applied to the EU, the preferences of all decision-makers involved should play a role next to how they assess the salience or importance of specific issues (see, e.g., Franchino, 2007; Jupille, 2004; Pollack, 2003; Tsebelis & Garrett, 2000). Regarding how decision-making is approached, several formal models can be used, which can be classified into two basic categories: procedural and bargaining models (Schneider et al., 2006, 2010). As procedural models consider structural features of the decision-making, bargaining models focus on "power" and allow for only an indirect effect of the structural features. Member states' voting weights are often used to operationalize their Council "power" (Häge, 2008).

In making decisions, legislative actors follow their preferences in affecting legislation, where they must consider their constituency interests. An opportunity emerges for stakeholders to provide information on their various policy options and assessment by the groups. Thus, the member-state and stakeholder interplay are a determinant of the EU decision-making outcome.

As illustrated in the preceding chapter, stakeholders can shape the EU decision-making outcome by directly lobbying via public consultations, public hearings, and political advocacy (Fraussen et al., 2020; Mazey & Richardson, 2006). The consultation regime has created conditions for EU interest groups to provide information and start a dialogue with EU officials (Bunea, 2017). This possibility is the basis of a mechanism outlined in Figure 3.1. The study will explain the difference between preferences and positions and then proceed to duration and the impact of stakeholders.

Figure 3.1. Conceptual framework to the interaction between member states and stakeholders on the duration of legislative decision-making in the European Union.



3.2.1 Policy preferences and positions of member states in the Council

Policy positions are sometimes different from policy preferences. They are the stances shown by member-state representatives at the commencement of negotiations; they are observable behavior. Policy preferences can be concealed and may correlate with behavioral displays. Frieden (1999) considers policy preferences to be “the order in which an actor ranks the potential consequences of an interaction.” Wasserfallen et al. (2019) contend that policy preferences are the empirical ordering of a given choice set, whereas the ranking of policy choices represents an actor’s actual preferences or ideal points not directly observable (Frieden,

1999). Policy preferences may accord with government ideology. Such ideological preferences of member states are frequently portrayed on a “degree of integration” or a left-right dimension (Hörl et al., 2005). They generally play a weak role in defining the positions by member states in the Council. Sometimes, member states reveal a north-south divide (Mattila & Lane, 2001; Thomson et al., 2004), which could stem from a dispute between wealthy and impoverished countries or regulatory competition. This preference configuration seems to be relatively stable across policy fields (Thomson et al., 2004). This study defines preferences as the ranking of policy issues by political actors and external stakeholders, whereas positions are a declared view at some point in the decision-making process, which may change over time.

3.2.2 Preferences of member states and decision-making duration

Following the idea that each member state follows its domestic interests, position-taking in the Council may vary per member-state policy preferences and the salience of proposals (Judge & Thomson, 2019). From the literature, the divergence of member-state positions significantly determines the duration of the legislative process, especially in the key EU integration domains (König, 2008). The greater the distance between member-state positions or the more the heterogeneity of preferences, the longer the EU decision-making process (Hörl et al., 2005). In this framework, heterogeneity of preferences and decision-making speed are inversely related: the more heterogeneous the member-state preferences, the longer it takes to resolve differences on policy and strike a mutually acceptable bargain (Schulz & König, 2000). Further, as König (2007) shows, the magnitude of conflicts significantly increases duration, as it will further slow the decision-making process.

3.2.3 Interaction of the member states and stakeholders

The literature on EU legislative politics focuses on conflicts among member states and in the Council as a factor that may block EU legislative decision-making. Two features help further understand a typical decision-making situation. First, the European Commission and the EP frequently take stances to change existing policy, which suggests that member states are not willing to act (Dür et al., 2015). Thus, the EP and the Commission become more assertive actors than member states regarding policy change. Second, member states may have rather different preferences, which could be related to domestic politics and the opinions of various nationally important stakeholders. These stakeholder opinions are important, as they may help

bridge the gap between EU policy and the public and may improve the democratic legitimacy of EU policymaking.

The conflicts between member states may be caused by differences in stakeholder positions. When stakeholders are more divided, it may affect, among others, the preferences of member states and, thus, translate into a higher degree of intra-institutional conflicts during the negotiations, especially between member states in the Council (De Ruiter & Vliegenthart, 2018). Hence, heterogeneous opinions of the stakeholders, which yield more conflicts in the Council, should induce a longer duration of legislative decision-making. Accordingly, the following baseline hypothesis is formulated:

H1: The degree of conflicts within the Council is affected by heterogeneous opinions among stakeholders, inducing a longer duration of legislative decision-making.

The degree to which member-state preferences vary is classified as heterogeneous or homogeneous preferences. Information about how a proposal is handled in the Council can help determine such a degree. A well-known distinction is between “A” or “B” items on the Council’s agenda. An “A item” stands for a proposal for EU legislation as a “trivial” issue on the Council agenda, given that a decision was already reached by one of the Council’s working groups or the Committee of Permanent Representatives (COREPER). It is adopted without further discussion. When a proposal is classified as an “A item,” member states have relatively homogeneous preferences on this proposal. “B items” require extensive discussion, given disputes among member-state representatives in COREPER or the working groups (Best & Settembri, 2008; Häge, 2011). A “B” item is discussed by ministers in a Council meeting and requires their explicit consent. Thus, member states have heterogeneous preferences.

In Chapter 2, the preference heterogeneity of stakeholders yields a longer legislative process. This chapter mainly focuses on member-state preferences. H1, therefore, examines the direct effect of conflicts among member states and stakeholders on legislative duration. The next step is to incorporate the interaction between member-state preferences and stakeholder opinions in the framework and how these factors together impact duration.

Stakeholders may access the EU legislative process through public consultations, which convey public opinions, demands of stakeholders, and other information and opinions to public officials (Dür & Mateo, 2012). Hence, stakeholders help ensure that their members’ views are aggregated and conveyed to decision-makers (Dahl, 2005; Truman, 1971). By providing this information, stakeholder opinions may affect the positions adopted by national governments.

Furthermore, stakeholders may launch lobbying activities aimed at making decision-makers adjust their preferences about legislation. For instance, national interest groups often have roots in their national cultural context and are inevitably prone to protecting their national interests. It may induce overall preference homogeneity when discussing EU legislation. If stakeholders have a positive opinion on a legislative proposal, member-state representatives may hold a homogenous position on the proposals, increasing the likelihood of the negotiations reaching a consensus. If it so occurs, the interaction between stakeholders and member states positively affects duration. This interaction effect induces a shorter legislative process, as expressed in the second hypothesis:

H2: Positive opinions of stakeholders and homogeneous preferences of member states on EU legislative proposals shorten the legislative duration.

Research shows that stakeholders may often have considerable conflicts about policy (Toshkov et al., 2013). Negotiations may last longer if the scope of conflicts increases (Klüver & Sagarzazu, 2013; König, 2007; Schulz & König, 2000). A noted view is that involving EU interest groups in the preparation of legislation may be conducive to reconciling a series of conflicts until a consensus is reached (Toshkov et al., 2013). However, negative opinions of stakeholders may be used to protest unsatisfactory issues before the start of the legislative procedure and attract the attention of member states to many contentious issues. Furthermore, member-state preferences may contradict stakeholder opinions. When the latter opposes the former, the member state may shift its position to improve its responsiveness to some domestic concerns. Together, it may induce a situation where member-state positions in the Council will become different. Given these heterogeneous positions, the Council needs more time to address and reconcile divergent opinions (increasing transaction costs), thereby prolonging the duration of the legislative process. When stakeholders have more negative opinions, and member states, more differences in preferences, the process should have a longer duration. The stakeholder and member-state interaction then exerts a negative effect. The third hypothesis, thus, follows:

H3: Negative opinions of stakeholders and heterogeneous preferences of member states on EU legislative proposals prolong legislative duration.

3.3 Research design

3.3.1 Data collection and coding process

The study employs the same data as in the preceding chapter to test the hypotheses.¹⁰ This chapter incorporates the stakeholder consultations dataset between 2010 and 2018. The dataset is constructed by selecting legislative proposals for which all data-related information is accessible on the European Commission's official website.¹¹ Hence, the study added 5,561 stakeholder contributions in 100 different consultations about policy, as explained in Chapter 2. The manually assisted coding categorization of the stakeholders is from the EUR-Lex database, the Legislative Observatory database, and the legislative procedure in the European Commission. The coded consultations mainly regard binding legislation (i.e., directives, regulations, and decisions). However, a few non-binding legislative acts, such as highly salient recommendations, are also included for a comprehensive perspective on EU decision-making. The approach and process for coding stakeholder opinions are the same as in Chapter 2.

Concerning member-state preferences, the study used two distinct operationalization. One is based on whether there was agreement in Council meetings at the ministerial level. Member-state governments within the Council of Ministers are the primary decision-making institution in the EU. The submission of a Commission proposal as either an "A item" or "B item" on the Council agenda provides a clear indicator of whether a proposal raised political controversy among member states. The agenda of a Council meeting is divided into "A items" and "B items." If COREPER or a lower-level working party finalizes discussions on a proposal, it becomes an "A item" on the Council agenda, showing that agreement has been reached and the proposal can be adopted without political debate. The "A item" is approved collectively without prejudice to the provisions on the public nature of proceedings (European Commission, 2005). However, discussion on these items can be re-opened if one or more member states request a debate on politically sensitive issues. A "B item" warrants a political debate, as no agreement has been reached up to the level of COREPER. It indicates politically important decisions subject to continued discussion, even if general agreement among the member states is reached in advance (Häge, 2011; König, 2008).

¹⁰ This chapter also employed existing original dataset from Rasmussen et al. (2014), which is based on an analysis of 4,501 contributions in 142 online consultations conducted from December 2001 to April 2010.

¹¹ The quantitative datasets that support the findings of Chapter 3 are accessible in Harvard Dataverse: <https://doi.org/10.7910/DVN/XICSKR>

Second, another operationalization is used to conduct a robustness check by coding the member states' preferences expressed via consultation or questionnaires. Representatives of member states are expected to renounce their positions and adjust their opinions in favor of a more persuasive argument. Numerous member-state representatives submit comments via the consultation process or through questionnaires from consultation documents. In most situations, the demands they state at this stage reflect the positions they took throughout the decision-making stage (Judge & Thomson, 2019). Member states vote independently on each issue, using their control resources, such as voting weights, following the exchange. In this regard, member states use the working group system to explain the emphasis on distinct, independent problem dimensions in the final voting stage. The study measures the member states' specific preferences by checking their consultation response. The concrete way of coding the specific opinions of member-state representatives is the same as coding the opinions of stakeholders.

3.3.2 Variables and operationalization

The dependent variable is the "*legislative duration*," measured by counting the number of months between the initial legislative proposal and the signing of the final legislative act. Given that days may be a more specific indicator than months, the latter is used as the measure of legislative duration in this chapter. A robustness check was conducted to ensure the analysis results are valid and reliable. It involved counting the number of weeks from the EP's opinion on the first reading until the end of the legislative procedure.

The independent variables mainly focus on member-state preferences that interact with the heterogeneity of stakeholder opinions on the legislative proposals. The first independent variable is intra-institutional conflicts on EU legislative proposals (i.e., conflicts within the Council), which is a binary variable measured by whether the proposal is only an "A item" on the Council agenda. Second, the homogeneous and heterogeneous preferences of member states are count variables: the number of "A items" ("B items") mentioned in the Council meeting agenda measures the degree of preference homogeneity (heterogeneity) of member states on each legislative proposal. The bivariate correlation between preference homogeneity and heterogeneity of member states is 0.305 (see Table A2 in the Appendix to Chapter 3), indicating that multicollinearity is not introduced. The distinction between "A items" and "B items" is a proxy for contentious proposals in the corpus of EU legislation, reflecting conflicts between member states in the Council debate. The analysis measures the preference of member states by searching the Legislative Observatory for every legislative act, looking through the

key events, and counting the number of “A” and “B” items mentioned in the Council meeting agenda for all Council discussions on a specific proposal.

Third, the analysis uses the same variables as in Chapter 2 (i.e., stakeholder-related independent variables),¹² although the operationalization is slightly different to further verify the robustness of the empirical results of Chapter 2. That is, the percentage and absolute number of positive or negative opinions are used to measure stakeholder support or opposition. Hence, the percentage of stakeholder positive (negative) opinions on legislative proposals provided by public consultation determines the degree of stakeholder support (opposition) of (to) legislative proposals. The bivariate correlation between preference heterogeneity among stakeholders and stakeholder support and opposition is moderate (0.455 and -0.523, respectively). Therefore, to avoid multicollinearity, an alternative operationalization of stakeholder support and opposition is used (i.e., the number of stakeholders’ positive or negative opinions on legislative proposals). Finally, preference heterogeneity among stakeholders means that stakeholders hold divergent preferences, calculated with the squared differences between the opinions of one stakeholder and the opinions of all stakeholders. Notably, the operationalization of variables regarding stakeholders is the same as that in Chapter 2 (see Chapter 2 for an explanation).

At the proposal level, the study controls for inter-institutional conflicts (i.e., conflicts between the EP and the Council).¹³ It is measured via whether an EU legislative proposal is negotiated using the entire ordinary legislative procedure, resulting in a meeting of the conciliation committee in the third reading. The study also controls for conflicts within the EP. It is measured via whether the vote in the relevant standing committee was unanimous. MEPs in the committee may vote “yes,” “no,” or “abstain” on the rapporteur’s report on directives. When all committee members vote “yes,” the vote in the relevant standing committee is unanimous (i.e., no conflicts). The study also considers the salience of legislative proposals, measured by the number of times the proposal is mentioned in plenary, committee debates, or written reports in the lower house of all national parliaments. Finally, the study controls for the consultation duration, measured by the number of days from when the consultation opened

¹² Chapter 2 mainly focuses on the specific opinions of EU interest and non-state groups toward the legislative proposals. Chapter 3 focuses on the preferences of member states and their interaction with all stakeholders. This chapter does not use preferences of member states related indicators in Chapter 2 given the need to use more theorization on the degree of heterogeneity in member state preferences to test the unconfirmed hypotheses of Chapter 2. Hence, an additional analysis with the same variables is required to examine in-depth the degree of heterogeneity in member states preferences in Chapter 3.

¹³ This analysis controls for the inter-institutional conflicts in this chapter rather than Chapter 2 because this chapter focuses on member states preferences and interaction effects; Chapter 2 focuses on stakeholder opinions. Chapter 2 excludes the member states preferences related variables and focus on stakeholder related variables.

until the submission deadline. As controversial policy issues may need more time to be discussed by stakeholders, the consultation duration may be longer.

3.4 Empirical analyses

3.4.1 Descriptive analysis

This subsection presents a descriptive analysis, where Figure A1 (see the Appendix to Chapter 3) shows the frequency distribution by the number of months between the initial proposals and the signing of the final act (dependent variable). The frequency distribution of the decision-making duration is positively skewed and, thus, overdispersed. Thus, to test the hypotheses, negative binomial regression models were estimated. In a negative binomial regression model, the dependent variable is a count variable and can handle an overdispersed distribution (the variance is larger than the mean) (see the descriptive statistics in Table 3.1). The correlations between the independent variables, included in Table A2 (see the Appendix to Chapter 3), shows a low correlation. The variance inflation factor values are significantly less than the ten-fold threshold. This result indicates that there is no statistical evidence of overlap between the variables; each variable captures a different component of the legislative negotiation process at the EU level. The following variables were used in the multivariate regression analysis.

Table 3.1. Descriptive statistics of used variables

Variables	Mean	Variance	Std. Dev.	Max	Min
Legislative duration (in months)	22.53	127.87	11.31	65	7
Intra-institutional conflicts	0.22	0.17	0.42	1	0
Preference homogeneity of member states	0.84	1.09	1.04	5	0
Preference heterogeneity of member states	0.89	0.64	0.80	3	0
Preference heterogeneity among stakeholders	0.14	0.06	0.24	0.75	-0.54
Stakeholders support	0.54	0.02	0.15	0.85	0.1
Stakeholders opposition	0.40	0.02	0.13	0.76	0.1
Inter-institutional conflicts	0.12	0.11	0.33	1	0
Conflicts within the EP	0.34	0.23	0.48	1	0
Saliency of EU legislative proposals	155.8	8751.71	93.55	414	24
Consultation duration	82.8	1401.52	37.44	261	28

3.4.2 Multivariate analysis

The study conducted several multivariate regressions to test the three hypotheses. The models are multilevel models with random intercepts for the legislative duration to account for the heterogeneity of different actors. They were constructed in stages, but the tables below provide the complete models with all controls. The results presented in Table 3.2 were confirmed with

several robustness checks, such as alternative model specifications, multilevel OLS regression models, and multilevel negative binomial regression models with alternative operationalization of the variables (see robustness tests in the Appendix to Chapter 3).

Table 3.2. Multilevel negative binomial regression models-interaction effects

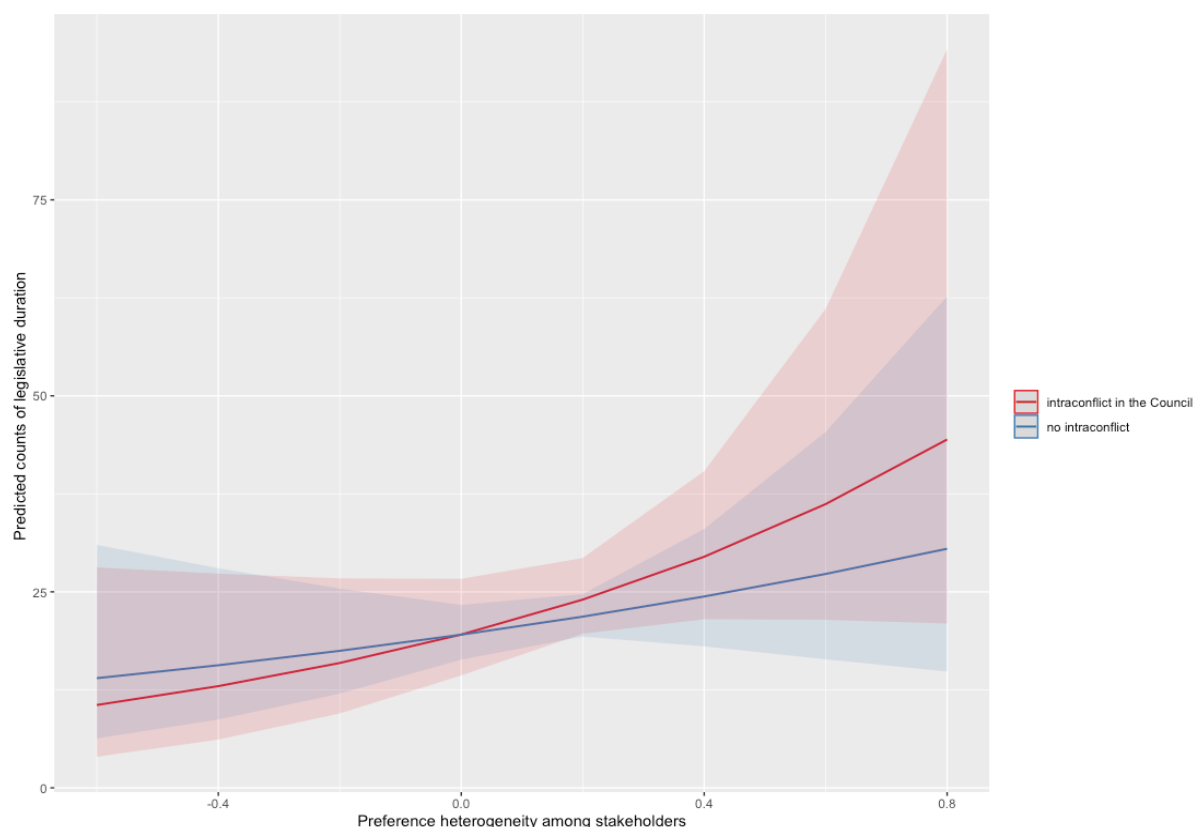
Variables	Model 1	Model 2	Model 3	Model 4
Intra-institutional conflicts	0.001 (0.150)	0.091 (0.124)	0.074 (0.121)	-0.058 (0.153)
Preference homogeneity of member states	0.158** (0.052)	0.181 (0.198)	0.148** (0.051)	-0.172 (0.252)
Preference heterogeneity of member states	0.184** (0.060)	0.176** (0.060)	-0.161 (0.187)	-0.231 (0.202)
Preference heterogeneity among stakeholders	0.557 (0.547)	0.717 (0.565)	0.729 (0.526)	0.238 (0.603)
Stakeholders support	-0.706 (0.563)	-0.753 (0.578)	-0.752 (0.551)	-0.838 (0.560)
Stakeholders opposition	0.042 (0.658)	0.047 (0.680)	-0.757 (0.767)	-1.167 (0.841)
Interaction effects				
H1: Intra-institutional conflicts*Preference heterogeneity among stakeholders	0.469 (0.424)			0.742 (0.488)
H2: Preference homogeneity of member states* Stakeholders support		-0.041 (0.353)		0.576 (0.439)
H3: Preference heterogeneity of member states * Stakeholders opposition			0.817* (0.426)	1.019*(0.466)
Controls				
Inter-institutional conflicts	0.156 (0.130)	0.163(0.130)	0.201 (0.129)	0.184 (0.130)
Conflicts within the EP	-0.195 (0.104)	-0.204 (0.104)	-0.196 (0.101)	-0.176 (0.102)
Saliency of EU legislative proposals	-0.001 (0.001)	-0.002(0.001)	-0.001(0.001)	-0.0002 (0.001)
Consultation duration	0.002 (0.001)	0.001 (0.001)	0.001 (0.001)	0.001 (0.001)
Constant	2.992*** (0.334)	3.019*** (0.367)	3.369*** (0.366)	3.633*** (0.443)
lnalpha	1.581 (0.138)	1.805 (0.139)	1.433 (0.145)	1.548 (0.137)
Alpha	0.206 (0.028)	0.165 (0.023)	0.256 (0.032)	0.208 (0.045)
Pseudo R-square	0.026	0.024	0.007	0.034
N	100	100	100	100

Notes: Significance level: *p < 0.05. **p < 0.01. ***p < 0.001. Dependent variable: legislative duration. Constant estimates baseline incidence rate.

To test H1, Model 1 features the interaction effect between intra-institutional conflicts and preference heterogeneity among stakeholders. However, the degree of intra-institutional conflicts in the Council on EU legislative proposals did not affect the duration when there were intense divisions among stakeholders. Thus, H1 was rejected. The non-significant coefficient could be linked to the higher transaction costs of involving member-state representatives. This finding contradicts the Commission's ambition to involve more stakeholders; it affects duration

or the idea that the Council finds it more challenging to communicate its position given the stakeholder demands (e.g., rhetorical responsiveness), thus requiring more time. Figure 3.2 shows that the interaction effect between preference heterogeneity among stakeholders and intra-institutional conflicts is considerably large but does not attain statistical significance.

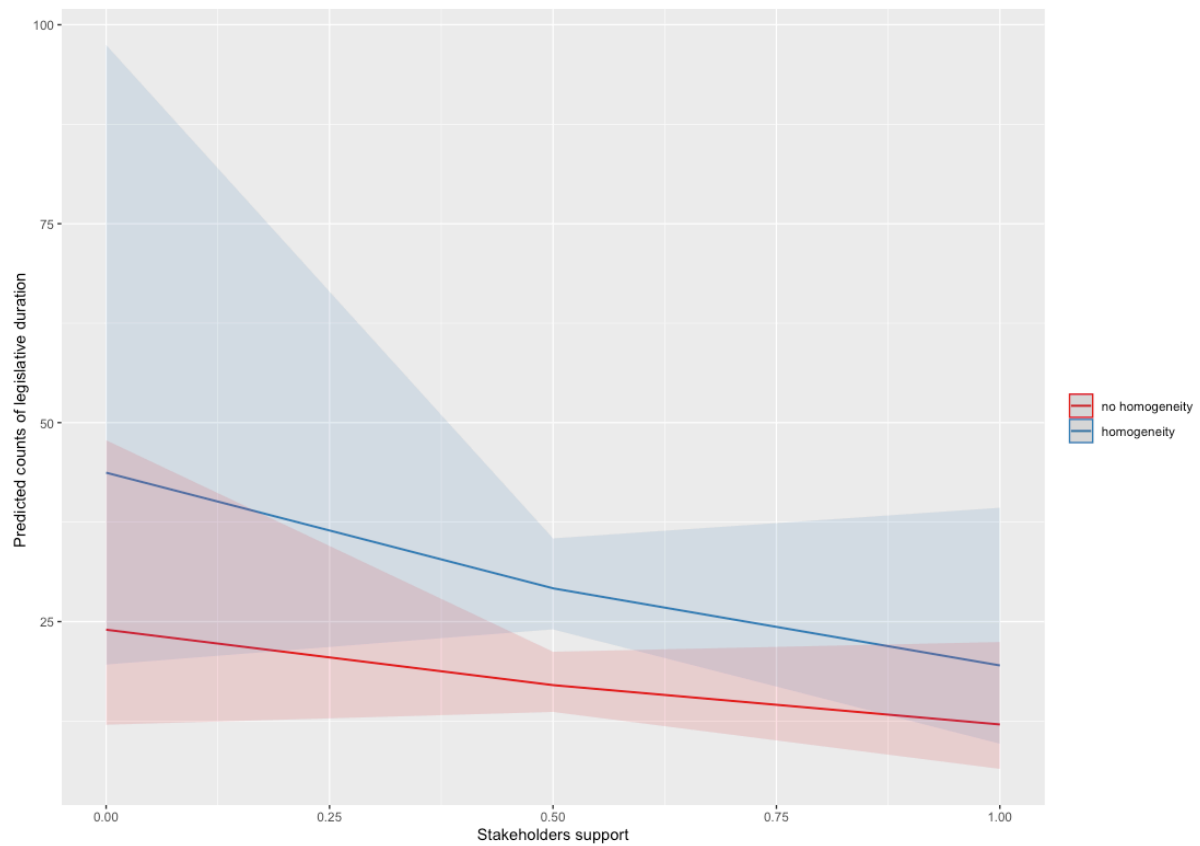
Figure 3.2. Predicted counts of legislative duration by preference heterogeneity among stakeholders and intra-conflicts in the Council



Note: Preference heterogeneity among stakeholders regards stakeholders holding divergent preferences: differences between individual actors and the aggregated stakeholders. Intra-conflicts in the Council refer to the proposal as only an “A item” on the Council agenda.

Further, to test H2, Model 2 presents the effect on the legislative duration of the interaction between the homogeneous preferences of member states and the positive opinions of stakeholders. This interaction effect is positive but non-significant, which means that the different slopes for the legislative duration and stakeholder support do not improve the model fit, indicating that the effect of the variables does not differ significantly from the homogeneous preferences of member states. Hence, the interaction between stakeholders’ positive opinions and member states homogeneous opinions on EU legislative proposals does not significantly affect the legislative duration. Hence, there is no evidence of an interaction with homogeneous positive preferences; thus, H2 is rejected (Model 2; for the plot, see Figure 3.3).

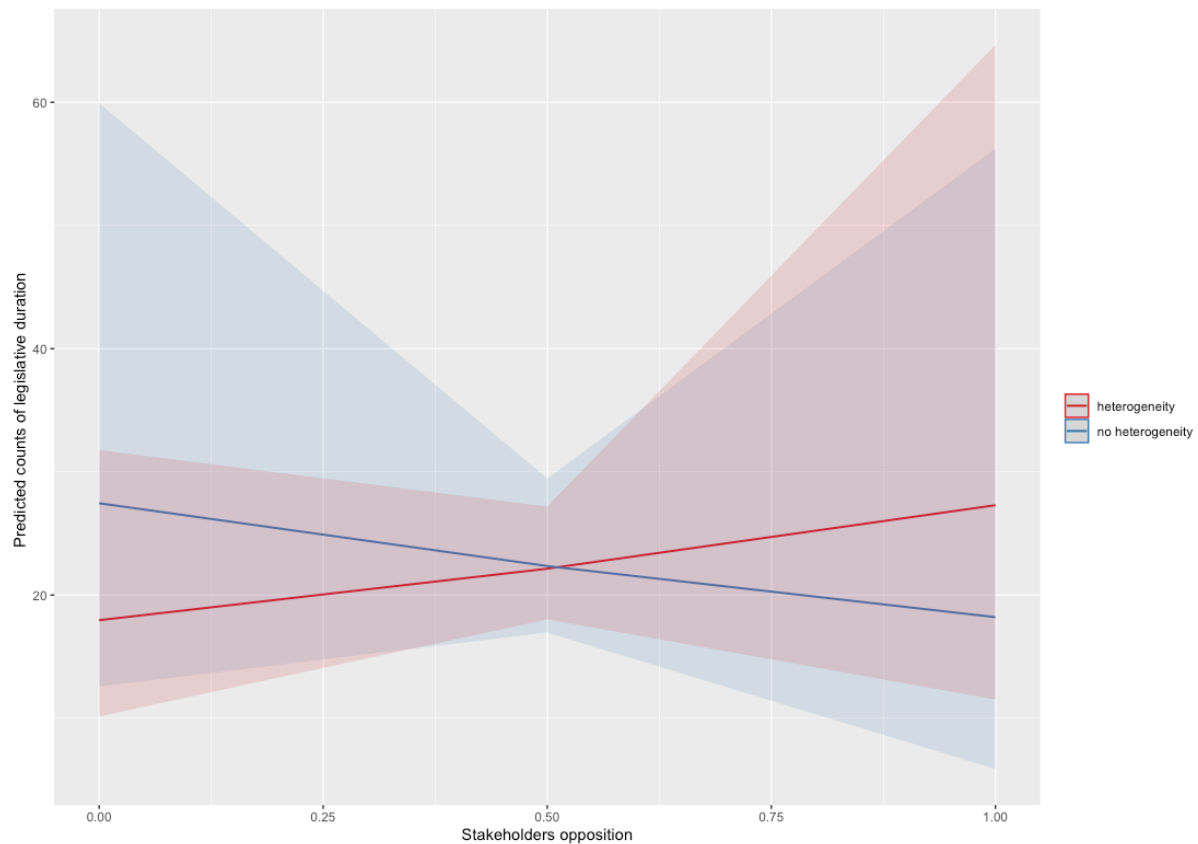
Figure 3.3. Predicted counts of legislative duration by stakeholder support and heterogeneous preferences of member states



Note: Stakeholder support regards the positive opinions of stakeholders. Homogeneity and no homogeneity regard having “A items” and no “A items” in the agenda of the Council meeting.

Regarding H3, Model 3 shows the effect on the legislative duration of the interaction between member states’ heterogeneous preferences and stakeholders’ negative opinions. The coefficient for the interaction effect between stakeholder opposition and the preference heterogeneity of member states is estimated as positive and significant, confirming H3. Figure 3.4 shows the magnitude of the interaction effect, which is small and moderate relative to the interaction effects in Figure 3.3. This finding indicates that when there are contradictory voices among member states and negative opinions among stakeholders, EU decision-makers take longer to form a coalition and reach a consensus. Figure 3.4 also confirms that the interaction effect is quite significant, and the inference is consistent with H3.

Figure 3.4. Predicted counts of legislative duration by stakeholder opposition and member-state heterogeneity



Note: Stakeholder opposition regards the negative opinions of stakeholders. Heterogeneity and no heterogeneity regard having “B items” and no “B items” in the agenda of the Council meeting.

Moreover, to further validate the hypotheses, Model 4 includes all variables. It confirms H3. As predicted in H3, the coefficient for the interaction effect between stakeholder negative opinions and preference heterogeneity of member states is estimated as positive and significant. However, the coefficients regarding H1 and H2 are insignificant, rejecting those hypotheses. These results accord with Models 1 and 2 analyses. Specifically, the intra-institutional conflicts do not influence the legislative duration when there were intense divisions among stakeholders (H1). Likewise, the interaction between stakeholders’ positive opinions and member states homogeneous opinions on EU legislative proposals affects the legislative duration (H2). This null finding could be explained by the lengthy internal consensus formation required by stakeholders at the EU level and member states in the Council (see De Bruycker et al., 2019).

Regarding the control variables, there are no significant and robust effects in Models 1 to 4. Conflicts between the EP and the Council and conflicts within the EP are not associated with a longer duration. The factors regarding the legislative proposal, such as salience and consultation duration, do not have a significant and direct influence on duration. Following

prior studies, this study employed alternative operationalization of the explanatory variables and ran the additional models. It did not produce statistically significant results and did not modify the findings presented here. Table A3 (see the Appendix to Chapter 3) tests the hypotheses using the alternative model specifications. Model A includes the main independent variables without interactions. Models B to D test the interaction effects while controlling for the main explanatory factors.

Furthermore, Table A4 (see the Appendix to Chapter 3) presents the results for models using an alternative operationalization of the dependent variable and two main explanatory factors. Items that load less clearly into the factors as reported in Table A4 have been included. In this regard, the legislative duration is measured by counting the number of weeks from the EP's opinion on the first reading until the end of the legislative procedure. Stakeholder support (opposition) is operationalized with the relative number of stakeholder positive (negative) opinions on the legislation. As predicted in Table A4, the coefficients and their p-values are very similar to those reported in the main text.

The study also ran a series of OLS models and obtained essentially the same results. Table A5 (see the Appendix to Chapter 3) presents the results from the OLS models. OLS is not the most appropriate approach, given the overdispersion of the dependent variable (i.e., legislative duration). However, the results presented in Table A5 confirmed those addressed in the main model. Thus, to avoid inflating standard errors given the multicollinearity from using the same factors in the selection and regression equations, the explanatory factors in the OLS models are not identical to those in the negative binomial regression models.

The predicted probability plots are used to interpret the interaction effect between heterogeneous preferences of member states and stakeholder opposition, which is significant in the expected directions. The negative binomial regression is fitted by the two independent variables and their interactions as predictors of the probability of shortened or prolonged legislative duration. Negative coefficients indicate a lower chance of finalization at any time and a more protracted duration. The heterogeneous preferences of member states combined with stakeholder negative opinions may induce longer legislative duration, and vice versa. The significant coefficient for the interaction indicates that the varying slopes of heterogeneous preferences of member states and stakeholder negative opinions on legislative duration fit the regression model; thus, the effect of legislative duration may differ considerably from the preference heterogeneity of member states and stakeholder negative opinions. This outcome was tested further by adding a term to the model in which the two predictable variables were

multiplied. The command of the negative binomial and OLS models automatically transforms the coefficients to odds ratios, which makes them easier to interpret.

However, even this easier-to-interpret metric is not straightforward when it comes to the interaction of the covariates. Figure 3.3 shows the relationship between the heterogeneous preferences of member states with negative opinions of stakeholders and the probability of prolonged legislative duration. The interaction term in the model causes the curvature, showing that the interaction of heterogeneous preferences of member states with negative opinions of stakeholders has a significantly negative effect on the legislative duration, confirming H3.

3.5 Conclusion

This chapter explores the impact the interaction of stakeholder opinions and member-state preferences have on EU decision-making speed. It incorporates a theoretical framework based on stakeholder opinions and member-state preferences regarding legislative proposals. The study developed three hypotheses on how stakeholder opinion heterogeneity (i.e., their support, positive or opposition, negative) interacts with member-state preferences on Council proposals, which may affect the duration of the legislative process. The framework forms the basis for an empirical analysis of the demands and opinions expressed by stakeholders while accounting for the moderating effect of member-state preferences. The expectations were tested using data on the opinions stakeholders submitted on legislative proposals during public consultations and member-state preferences on legislative proposals.

The empirical findings confirm the hypothesis of an interaction effect between the heterogeneous preferences of member states and stakeholder negative opinions on legislative proposals, which induces a longer legislative process. That is, when there are different views among member states and negative opinions among stakeholders, the legislative process takes longer as decision-makers must take time to reach a consensus and form a coalition. However, the effect on the legislative process of the preference homogeneity of member states is not markedly different from that of the preference heterogeneity of member states and stakeholder positive opinions. This result is not surprising, as the direct link between stakeholders and legislative duration is often considered a more efficient way for increasing democratic participation (Rasmussen & Toshkov, 2013; Chalmers, 2014).

Certainly, a lengthy legislative process is not necessarily a negative outcome, as it indicates that member states, given stakeholder opinions, need more time to discuss their positions and form a legislative coalition to support a legislative deal. If the process is quick, controversial

issues may not be sufficiently discussed and resolved, which may affect the extent to which stakeholder opinions are incorporated in the compromise. Further, stakeholder views and the problems they want to address may change. Both developments may induce legislative action that is less efficient and loses democratic legitimacy.

The next step is to substantiate whether legislative duration will be prolonged directly and indirectly given the interaction between stakeholders and member states only under heterogeneous preferences. Though the results of the quantitative analysis show a statistically significant effect based on the hypotheses, the study further employs case studies to ascertain whether there indeed is a causal relationship between the heterogeneous preferences of actors and a protracted decision-making duration.

Chapter 4 employs process tracing for the case studies to identify a causal mechanism for the legislative process. The study should include the qualitative measurement of difference and consider several control variables, such as the distributional consequences of policies, the format of consultations, and the agendas of specific consultative activities. These case studies address whether the empirical findings are consistent with expectations. They also counter some limitations of the current study, making it essential to explore the heterogeneous preferences of every stakeholder and evaluate the causal effects on legislative duration.

CHAPTER 4

**Causal relationship between
heterogeneous preferences and
the lengthy decision-making
process of the European Union**

Abstract

This chapter analyses the causality between the heterogeneous position-taking of political actors and the longer decision-making duration of the European Union. The argument starts from interactions between negative opinions of stakeholders and heterogeneous preferences of member states, which may trigger several rounds of negotiations and conciliation by the EU legislators, and thus lead to a longer decision-making duration. The general expectations can be explained by theoretical concepts of “democratic input and throughput legitimacy”. These claims are substantiated through a process-tracing analysis over two proposal cases, i.e., the Transatlantic Trade and Investment Partnership Recommendations and the EU Emissions Trading System Directive. It thereby seeks to reveal the causal mechanism that results in a longer decision-making duration of the EU and the observable manifestations in conclusion.

4.1 Introduction

EU stakeholders and member states are crucial political actors in the EU governance systems. Preference heterogeneity of stakeholders in the EU legislative preparation can affect the speed and efficacy of decision-making. Prior studies attribute policy deadlock in the legislative process to the limited influence of the EP. Furthermore, the member-state vetoes in the Council would delay the legislative negotiation (Héritier, 1999; Moravcsik, 1993, 2013). A basic premise underlying the relationships between stakeholders and member states is that they aim to represent the opinions of various groups in society (e.g., Albareda & Braun, 2019; Chapman & Lowndes, 2014). The quantitative analysis in Chapter 2 shows that more intense divisions in stakeholder opinions induce a longer legislative decision-making process. Importantly, the empirical results indicate that the interactions between stakeholder negative opinions and the heterogeneous preferences of member states yield a longer decision-making duration (Chapter 3). Hence, when stakeholders present negative opinions about a legislative proposal, member states may become more aware of the fact that citizens in their domestic arena have different views on a proposal, which may induce opposing positions in the Council. Decision-making may, thus, last longer given the bargaining between member states with different views.

The quantitative study presents correlations between the policy preferences of different actors and decision-making delays. However, other potential alternative explanations for this correlation are considered in the quantitative analysis. It is essential to evaluate alternative explanations, which may have the same effect, to conclude that a causal relationship indeed exists. Therefore, this chapter further analyses the interplay of EU legislation by proposing the following research question: *Is there a causal mechanism behind the interaction between member states and stakeholders that affects duration?*

The study formulates the hypothesis of a causal relationship from the perspective of the contentious opinions of stakeholders and the heterogeneous preferences of member states. This hypothesis is based on the idea that interest organizations struggle to formulate and deliver the opinions of members. It may impair their potential to serve as a “transmission belt” (Kohler-Koch, 2010; Kohler-Koch & Buth, 2013) because, with different opinions, the transmission belt does not yield the same view on some issues. Some groups may be too divided to formulate a coherent view. Meanwhile, when interest groups can formulate a position, they may discover that others may have rather different positions on the same issue. It is important to identify how stakeholders with heterogeneous opinions can affect the positions of member states. As a next

step, the different opinions may induce divergent views among member states, especially on politically salient issues. As in previous chapters, differences among stakeholders on certain issues will affect member-state positions, triggering more Council debates, which increases transaction costs, as it is less clear how to compromise. Consequently, the decision-making process may take longer, which is a result of this interaction between stakeholders with rather different positions and member states.

The study employs process tracing to test whether the processes indeed contribute to a longer duration. Studying causal mechanisms helps make stronger claims regarding causality as the study moves beyond correlational and counterfactual designs by explicitly opening the “black box” of causal relationships (Beach & Pedersen, 2013), unpacking the mechanism between heterogeneous preferences and lengthy decision-making processes, and empirically examining them. This chapter analyses whether there is a causal relationship between the heterogeneous preferences of member states and stakeholders and a lengthy EU decision-making process. The next section introduces the theoretical foundation for heterogeneous position-taking by stakeholders and member states in the EU legislative decision-making process. Section 4.3 then proposes the two factors that shape the political actors’ position-taking process and interplay within the negotiations. Section 4.4 follows by elaborating on the methodological approach and strategies for case selection. Selected cases are the Transatlantic Trade and Investment Partnership (TTIP) and EU Emissions Trading System (EU ETS). Section 4.5 presents the empirical results in conjunction with the two selected case studies. The conclusion validates the empirical findings and discusses the implications, limitations, and future research possibilities.

4.2 Theoretical framework

There are trade-offs between input and throughput legitimacy, where one’s loss is the other’s gain. Based on these processes, the concepts of “input” and “throughput” legitimacy (Schmidt, 2009, 2013) are used, which stems from system theory. Input legitimacy focuses on preferences and whether these are considered in making legislation. This results in legislative proposals that link to demands from citizens and stakeholders (Scharpf, 1999). Throughput legitimacy focuses on the performance regarding the procedure in the “black box” in the EU legislative process, where decision-making is directly influenced by interest groups (Schmidt, 2009). Stakeholders are responsible for the input legitimacy, as they put forward demands or opinions that must be converted into legislative proposals by member states.

“Input” legitimacy is predominantly the part that can be well served by interest groups as they voice the concerns of specific groups of citizens. Notably, as in Chapter 2, the EU has increased citizen participation and promoted stakeholder consultation in its preparatory process to strengthen this component of its legitimacy. “Throughput” is a process-oriented metric that focuses on the quality of interaction among the actors involved in the EU decision-making process. It is the mechanism through which demands are transformed into outputs (Schmidt, 2013). Given the competitive nature of policy preferences, it is typical for some needs to be met more than others in deciding that there will be a compromise in which the most preferred positions of actors are watered down. This conception is designed to incorporate internal EU governance and interest mediation with the public (Schmidt, 2006). Throughput legitimacy, as per institutional theorists (Tsebelis, 2002), encompasses the clarity of procedure such that stakeholders know what will happen during the decision-making process.

The relationship between input and throughput is that more input will gradually reduce the throughput efficacy of governance (Schmidt, 2013). Nevertheless, stakeholder input to member states, which debates legislative proposals in the Council, determines whether specific arguments and positions can align to reach a compromise. Poor quality discussion (throughput) undermines the legitimacy of EU decision-making no matter how extensive the stakeholders’ participation is (Schmidt, 2013).

Stakeholders and member states have an interest in legislation. Stakeholders support the input to the EU legislative process by proposing their views about legislation through public consultations and other ways of lobbying. Member states may use this input to further develop their views, which are expressed in Council debates and the negotiations with the EP. If stakeholders and member states agree on a legislative proposal, it may raise legitimacy. If stakeholders express different opinions but member states still agree, some interests may not be fully reflected in a decision depending on the discussion. If these discussions do not consider some interests, the quality of the resulting decision will be lower, reducing its legitimacy. If discussions include all mentioned interests and arguments but still induce a specific decision, quality is higher even though the decision may not reflect all interests. It may require more effort, as indicated before, and induce an increase in transaction costs to member states. As expected, it may increase the duration as EU decision-makers must invest more time in debate and negotiations.

Scholars discuss the various benefits of considering throughput legitimacy. First, normative theorists believe throughput legitimacy with high quality may avoid policy failure or minimize

irrational opinions (Bellamy & Castiglione, 2003). Influence can be exerted on the quality of throughput legitimacy, such as deliberation between the Council of Ministers and EU decision-makers in legislation. It focuses on decision-making processes by improving its democratic and procedural qualities, which are expected to bring more desired outcomes of governance (De Jongh & Theuns, 2017). Second, constructivist scholars focus on the opinions of civil society and how they may contribute to constructing the sense of a collective political consensus or identity, which may support policymaking (Lucarelli et al., 2011; Risse, 2015; Steffek, 2003; Zürn, 2000). Discussing the various aspects of legitimacy lays the foundation for formulating hypotheses in the next section to help identify causal mechanisms, elements in the figure, causal sequences, and observable manifestations in the empirical analysis of cases.

4.3 Causal mechanism for the length of the decision-making process

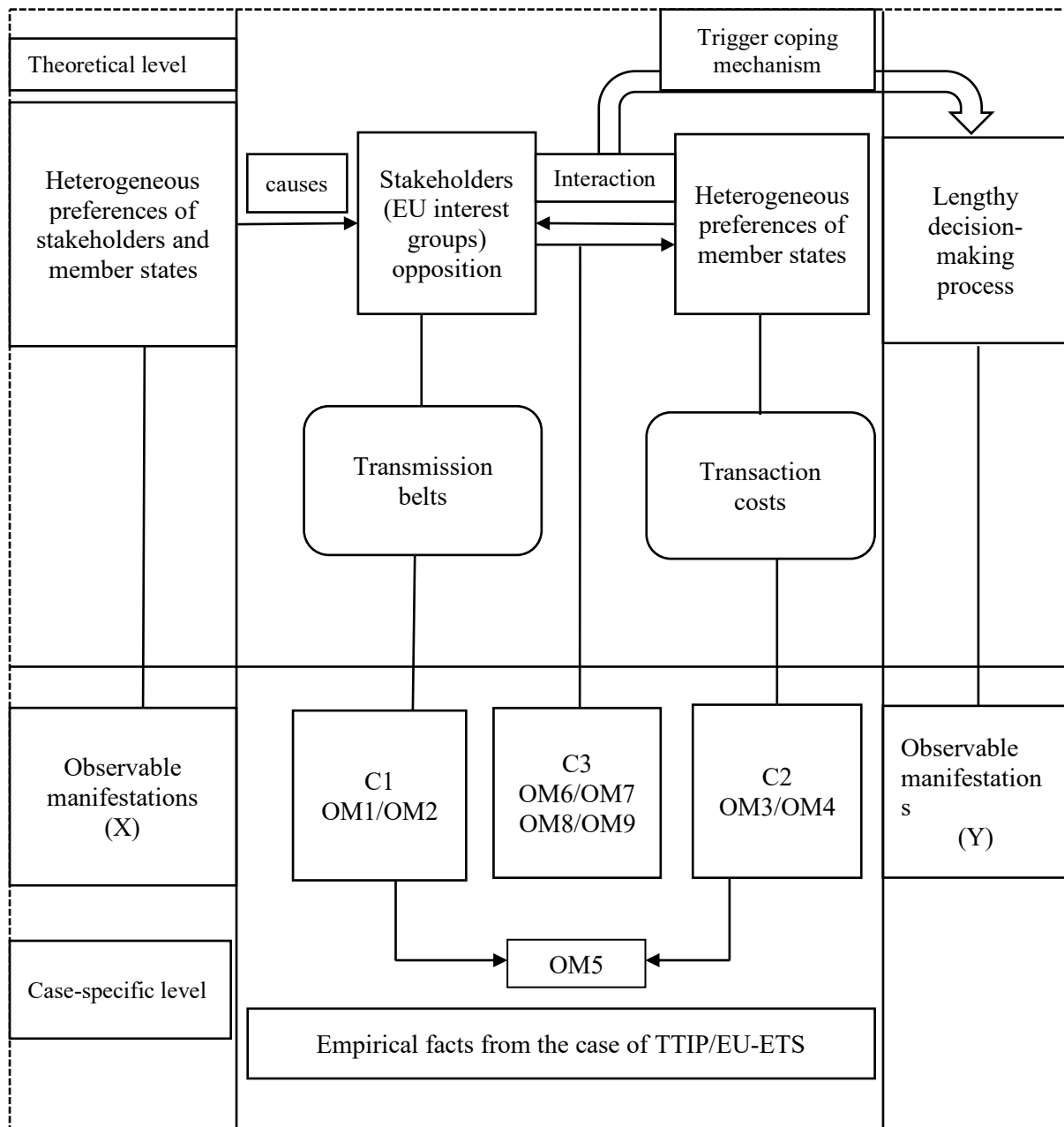
This section discusses the causal mechanism underlying the interaction effect of transmission belts and transaction costs, which is expected to reveal how divergent preferences of stakeholders and member states induce a lengthy decision-making process.

As indicated in the proceeding chapters, the transmission belts refer to an intermediary between the views of the citizens and decision-makers (Easton, 1971). Interest groups can act as an intermediary between government leaders and the private sector by responding to the preferences of civil society and influencing the behavior by which a government resolves public concerns (Bevan & Rasmussen, 2020; Klüver et al., 2015; Klüver & Pickup, 2019; Rasmussen et al., 2014). Hence, political parties and interest organizations fulfill such mediating functions by acting as “transmission belts” to ensure responsiveness between public “demand” and policy “supply” (Easton, 1951; Truman, 1971). The transaction costs refer to a certain type of sunk costs that are the function of possible ambiguities in the interpretation of legislation, information asymmetries, or capacity limitations (Dimitrova & Steunenberg, 2017). The member-state governments usually delegate powers to the European Commission to reduce transaction costs and produce policy credibility. Meanwhile, the involvement of external stakeholders increases the transaction costs of legislative bargaining by prolonging the legislative process (Rasmussen & Toshkov, 2013).

Figure 4.1 illustrates the causal mechanism via a mind map for the expected causal mechanism. It starts from a situation in which stakeholders have opposing views, as member states have different preferences about a legislative proposal (left-top corner of Figure 4.1). At a theoretical level, the mechanism is as follows: stakeholders express extensively negative

opinions on a legislative proposal through consultation at the beginning of the decision-making process. Here, the stakeholders, especially the EU interest groups, can act as transmission belts, informing member states about views on a proposal in society. After the European Commission submits the proposal to the Council, member states express different views during the Council meetings, which reflect the differences stated by stakeholders. As there is no clear common position voiced by these different stakeholders, the Council members must put more effort into the negotiations, increasing transaction costs. It induces a longer decision-making process, as noted on the right side of the figure. Based on the cases, the study explores the observable manifestations of the steps. The manifestations will be explained in the next sections, where the codes in Figure 4.1 correspond with the manifestations in the respective tables that follow.

Figure 4.1. Causal mechanism of throughput legitimacy in the EU decision-making process (source: own illustration after Beach and Pedersen, 2019)



Note: The symbols and codes in the figure will be explained in the text when I address the causal mechanism.

4.3.1 Cause 1: Transmission belts with European Union interest groups

Transmission belts are the complex function of organized interest groups in transmitting the views of the public to member states in the legislative process in exchange for access. These transmission belts are crucial to involving the public to express views and opinions on policy issues transformed by various EU interest groups (Albareda, 2018). EU interest groups mainly serve as transmission belts by providing useful policy information to their national institutions and simultaneously aggregating and representing diverse constituency interests (Berkhout et

al., 2017; Kohler-Koch & Quittkat, 2013). However, when the constituency of stakeholders have different or negative opinions about a proposal, they may require more time to consider the policy change they like and how they can formulate an alternative proposal. It requires more time to discuss and reconcile different opinions within the groups, as indicated by observable manifestations (OMs) 1 in Table 4.1. This manifestation is also included in Figure 4.1 as it reveals whether this path is used in the decision-making process.

Table 4.1. Observable manifestations (OMs) for Cause 1

Cause 1	Transmission belts with EU interest groups
OM 1	Stakeholders hold negative opinions about a policy proposal on its adoption and require a policy change or alternative proposal choice
OM 2	Stakeholders work hard to reinforce the function of transmission belts where the EU interest groups provide technical and political expertise to political parties to represent their views in national and EU politics

Moreover, making a coherent argument against a policy is important, as EU interest groups get less access to the decision-making process (Kohler-Koch & Quittkat, 2013) when their competence to connect with their constituency is less (Binderkrantz, 2009; Halpin, 2014; Leech, 2010). The transmission belts of EU interest groups are crucial to involving citizens and others from society to express opinions on policy. Meanwhile, the EU interest groups offer political parties the opportunity to present their views in the national and EU political arena. Therefore, many stakeholders work hard to strengthen the transmission belts of EU interest groups, establishing close ties with governments, EU decision-makers, and MEPs, as indicated by manifestation OM 2 in Table 4.1. This manifestation can be identified in Figure 4.1 because it illustrates the key procedure during the decision-making process.

4.3.2 Cause 2: Transaction costs for member states

The second argument is based on the idea that heterogeneous preferences among member states exacerbate the transaction costs of decision-making. As each member state may have mandated priorities for national-based interests (Judge & Thomson, 2019), preference heterogeneity may induce a situation where the views are not easily integrated. Rejection of a proposal by forming a blocking minority may prevent legislation from being adopted. Heterogeneous preferences, thus, increase the transaction costs for the Council to reach a decision (Table 4.2, OM 3). As the Council does not have the formal right to initiate legislation, member states' ability to pursue their goals is conditional on the willingness of the European Commission to propose legislation. If the European Commission disapproves of the amendments, it advises against

prolonging the legislative process. Within the Council structure, heterogeneous preferences among member states are also visible at the level of working groups and the COREPER (Beyers & Dierickx, 1998). While non-controversial issues are often handled by the working groups, more controversial ones move up to COREPER or even the Council. When working groups or COREPER cannot resolve specific issues, they pass them on to the Council as “B items” (Table 4.2, OM 4). Next, the configuration of member-state preferences determines the possibilities of adoption. When Council members still disagree, negotiations may continue, increasing transaction costs and prolonging the decision-making process. Together with the transmission belt logic, decisions are expected to be shaped by the demands of EU interest groups and the bargaining among member states (Table 4.2, OM 5).

Table 4.2. Observable manifestations (OMs) for Cause 2

Cause 2	Transaction costs for member states
OM 3	Member states take divergent positions during Council meetings, increasing the transaction costs associated with forming coalitions and reaching consensus
OM 4	Member states require debate in the Council on the high-profile policies and politically sensitive issues that remain unresolved, finally adopted by working groups and COREPER I/II Part 2 after discussion
OM 5	The policy outcomes are shaped by the configuration of the member states preferences and the demands of EU interest groups

4.3.3 Outcome: Interaction effect as a coping mechanism yields a lengthy decision-making process

The principle of EU decision-making is based on continuous interaction between EU decision-makers and member-state representatives and their bilateral exchange with stakeholders. Member-state governments are accountable to their domestic CSOs and EU interest groups (Tömmel, 2014), which requires that EU policies are beneficial to their supporting stakeholders. Thus, the long-term impact of EU policies may be less significant to member states than the short-term political benefits. Hence, member-state governments may be concerned about the demands of their domestic stakeholders (Table 4.3, OM 6).

Table 4.3. Observable manifestations (OMs) for Cause 3 and Outcome

Cause 3	The interaction effect between the negative opinions of stakeholders and member states heterogeneous preferences as a coping mechanism yields a lengthy decision-making process
OM 6	Member states are most concerned about the demands of their domestic stakeholders
OM 7	Stakeholder demands affect the preferences of member states and the strategies of EU decision-makers
OM 8	Heterogeneous opinions of stakeholders can shape the decision-making outcomes by impacting the negotiation among member states in the Council
OM 9	Observation data confirms that the interaction effects yield a lengthy decision-making process

Stakeholder demands also affect member-state preferences and their strategies in the EU decision-making process (Table 4.3, OM 7). EU decision-making is often characterized as a two-level game where the domestic level is interconnected with the EU level (Putnam, 1988). While the “input” of the member states affects the negotiations in Brussels, the resulting legislation influences national policies. Regarding highly salient policy issues, member-state governments may pressure MEPs to support their position in the Council (Costello & Thomson, 2016). The MEPs are from different national political parties that are heterogeneous in positions taken. Hence, stakeholders may complicate the throughput process by expressing the demands of their political parties. Further, heterogeneous opinions among various stakeholders may reinforce the differences among member states in the Council (Table 4.3, OM 8). It may especially occur when rather “powerful” stakeholders are involved, such as unions or employer associations, or when the preferences within the EP and the Council align (Dür & Mateo, 2013, 2014). If evidence shows that the negative opinions of stakeholders relate to the heterogeneous preferences of member states, then legislative duration is delayed given the combination of the interaction (Table 4.3, OM 9).

4.4 Research design

4.4.1 Methodological approach: Process-tracing the causal mechanism

Process tracing helps identify the policy issues at stake, context of the legislative negotiations, position-taking of member states in the process, and role of the other decision-makers to study the proposed interaction between stakeholders and member states (Bennett & Checkel, 2014). Process tracing can track the key points and analyze the processes given strategic interaction; statistical models or regression analysis can only provide correlations between different factors (Hall & Deardorff, 2006). It may pinpoint the occurrence of steps or elements that are part of a causal mechanism. Thus, process tracing allows for discovering causal relationships (Naurin & Rasmussen, 2011). Interestingly, process tracing can be executed based on semi-structured interviews, official documents, and media reports that rely on key actors who give information on the input and throughput of the causality process (Tansey, 2007; Kay & Baker, 2015).

4.4.2 Case selection and sampling

The cases were selected because they are controversial and can be deemed typical, where member states in the Council have heterogeneous preferences regarding a legislative proposal. The study employs the following criteria:

1. Several rounds of negotiation occurred before the formal legislation was adopted.
2. Different stakeholders and member states are involved in the legislative negotiations.
3. Negotiations get stuck without withdrawal or formal rejection.
4. The legislative proposal is featured as complicated and multifactorial, with specific issues in context (Winnwa, 2018).

Applying these criteria, the study selected two cases: TTIP and the EU ETS. These cases differ in the dependent (lengthy decision-making process) and independent (negative opinions of stakeholders and heterogeneous preferences of member states) variables. The TTIP case is non-binding legislation that went through several rounds of negotiations between the EU member states and the US; the EU ETS case is binding legislation debated within the EU institutions. The two cases are similar in that they attracted many stakeholders from member states. From Chapters 2 and 3, internal heterogeneity exists among stakeholders, making it more challenging to establish a common position. Table 4.4 presents information on the cases.

Table 4.4. Characteristics of the selected cases

Cases	Transatlantic Trade and Investment Partnership (TTIP)	EU Emissions Trading System (EU ETS)
Year	July 8, 2015	October 13, 2003
Legislation type	Non-binding legislation Recommendations to the European Commission on the negotiations for the TTIP 2014/2228(INI)	Binding legislation Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading system within the community and amending Council Directive 96/61/EC
Responsible entity	Directorate-General for Trade and Economic Affairs	Directorate-General for Environment and Climate Action
Consultation	1. Consultation EU-U.S. Call for proposals for regulatory cooperation activities 2. EU-U.S. Trade Talks: European Commission presents draft negotiating mandates	1. Consultation on the revision of the EU ETS directive 2. Consultation on ETS post-2020 carbon leakage provisions

TTIP is the first case and is non-binding legislation. This case has various advantages. First, at an early stage, objections against TTIP emerged in Europe with a few prominent EU interest groups and NGOs actively promoting the objections. The opposing voices did not end negotiations but forcibly promoted changes in legislative provisions. Second, TTIP attracted an enormous amount of public attention among European countries, inducing numerous public debates. Third, the hypothesized cause, outcome, and contextual conditions are all visible, which makes it possible to assess which mechanisms may be at work.

The EU ETS is the second case, which links with the fourth criterion and appears to be a suitable choice for analyzing EU crisis management policies, as climate action is among the

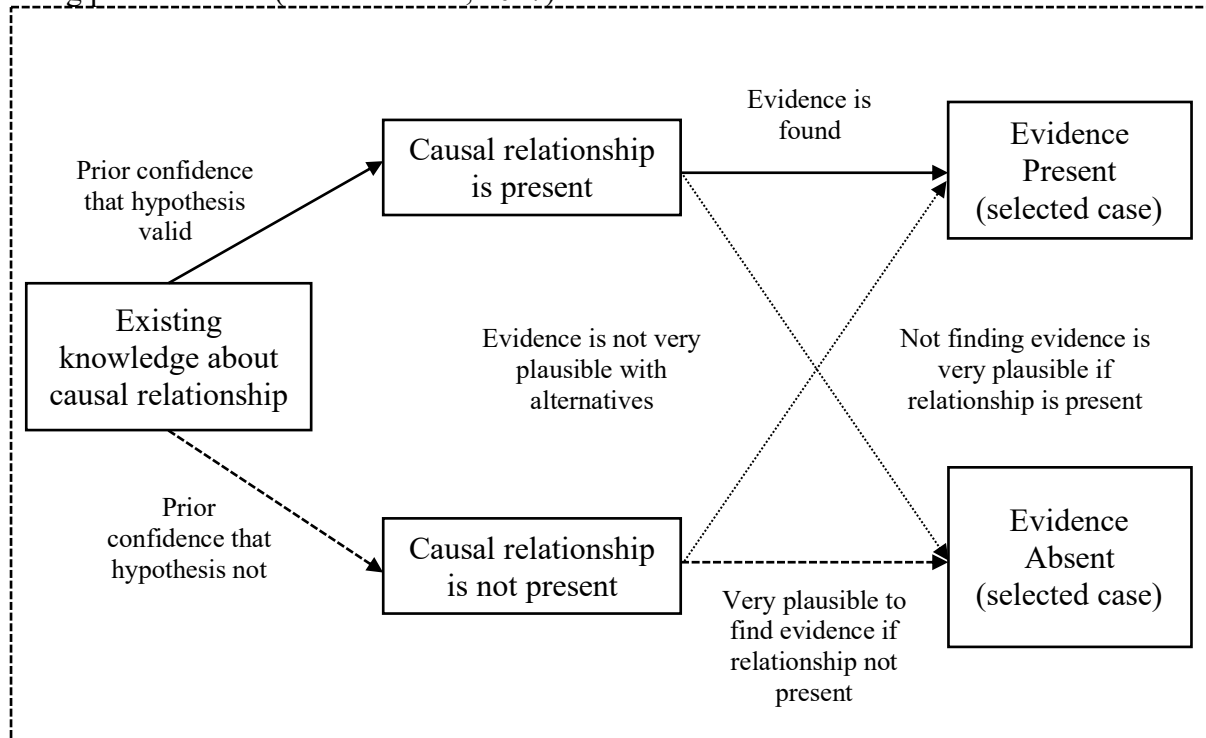
critical affairs of the EU, raising many debates and making political issues complicated. In this case, the study can track the evidence that a lengthy legislative decision-making process is more likely to result from a high degree of preference heterogeneity. Meanwhile, this case has many highly salient issues. Additionally, during the negotiation process of EU ETS, member states agree that national interests on environmental issues must be considered. As expected, member states are more likely to exhibit heterogeneous preferences on policies that can determine environmental and climate actions, as one country cannot allow loopholes among different countries to interfere with its national environmental policy.

Given that contextual conditions are unclear about the proposed mechanism, the selected cases include many possible external factors. Relative to other cases in the previous research data, these two cases have the most controversial opinions from stakeholders and the highest heterogeneous preferences among member states (see Chapter 3). Further, the analyses can be based on all legislative documents, media reports, and other relevant information about the negotiations. Using this information next to semi-structured interviews, it is possible to assess the negotiating dynamics in which EU decision-makers, including member states, and stakeholders play a role.

The study also introduces a set of methodological rules for analyzing cases that are consistent with the causal mechanisms being described. It starts with the precondition that the mechanism present in each case is unknown. It is possible to test whether a hypothesized mechanism linking cause and outcome is present while developing a theory on the mechanism that links cause and outcome by selecting a case in which the mechanism could hypothetically be present (Beach & Pedersen, 2013). The study employs a probabilistic and Bayesian-inspired logic of updating based on empirical evidence at the epistemological level (Beach & Pedersen, 2013; Bennett, 2007, 2008). The core of Bayesian logic is the rigorous appraisal of empirical evidence that may potentially reveal the truth of causal theories (Beach, 2017). Two questions should be evaluated when applying Bayesian logic to process tracing, namely, as Beach notes, “[w]hether we must find a given piece of empirical material (certainty of evidence), and whether there are any plausible alternative explanations for finding the empirical material (uniqueness of evidence)” (Beach, 2017: p. 11). This approach is broadly used in the literature (e.g., Beach & Pedersen, 2013; Checkel & Bennett, 2015; Rohlfing, 2012; Van Evera, 2016). Certainty indicates the probability of identifying a particular observable manifestation in process tracing (Rohlfing, 2014). Uniqueness indicates whether an observable manifestation

can be found from one or multiple hypotheses (Rohlfing, 2014). Figure 4.2 shows the disproof and verification in Bayesian logic and how the certainty and uniqueness of evidence are linked.

Figure 4.2. Certainty and uniqueness of evidence regarding confidence on part of a mechanism being present or not (source: Beach, 2017)



The four types of hypothesis tests (i.e., hook test, smoking gun test, doubly decisive test, and straw-in-the-wind test) (van Evera, 2016), are distinguished by the degree of certainty and uniqueness of the OMs (Bennett, 2008, 2010; Collier, 2011; Mahoney, 2012). The combination of high and low certainty with high and low uniqueness presents four tests that permit the derivation of inferences on working and competing hypotheses, depending on whether the working hypothesis passes the test (Bennett, 2010; Collier, 2011).

Table 4.5 presents the differences between the four hypothesis tests developed from Bayesian logic. First, a hoop test is identified by its high certainty and low uniqueness. Given insufficient uniqueness, passing the hoop test is inadequate for inferring causality. However, passing is essential, as failing against expectations casts doubt on the hypothesis (Rohlfing, 2014). Second, a smoking gun test combines low certainty with high uniqueness. A successful test is sufficient for causal confirmation inference because it provides credibility to the capture hypothesis (Rohlfing, 2014). Third, the doubly decisive test combines high levels of certainty and uniqueness to improve case selection and causal inference (Rohlfing, 2014). Thus, passing a test is essential and adequate for a confirmatory causal inference (Rohlfing, 2014). Finally, a

straw-in-the-wind test is characterized by low uniqueness and low certainty, the weakest of the four (Collier, 2011). As with a hoop test, passing the straw-in-the-wind test is insufficient to confirm the capture hypothesis, as the conservative party hypothesis would also be confirmed, resulting in low uniqueness (Rohlfing, 2014).

Table 4.5. Differences between four hypothesis tests developed from Bayesian Logic

	Certainty	Uniqueness	Strength	Sufficiency for causal inference
Hoop test	High	Low	Stronger	Insufficient
Smoking gun test	Low	High	Stronger	Sufficient
Doubly decisive test	High	High	Strongest	Sufficient
Straw-in-the-wind test	Low	Low	Weakest	Insufficient

Note: Adapted from Rohlfing (2014) and Collier (2011) who adapted this typology from Bennett (2010).

Table 4.6 describes the certainty and uniqueness of each piece of expected evidence in the case. If evidence for the validity of the hypothesis should be seen in the empirical material, it has a high degree of certainty. If the evidence is not required, or additional evidence may be found to prove the validity of the hypothesis, it has a low degree of certainty. If evidence is found and can be explained by alternative hypotheses, it has a low degree of uniqueness. If the evidence cannot be explained by alternative hypotheses, it is highly unique. These criteria are determined for each piece of evidence that is likely to be recognized during the case study. The evidence in this study has a high degree of certainty and uniqueness. Therefore, if the predicted evidence is found, a doubly decisive test allows for updating the confidence in the validity of the hypothesis (Beach & Pedersen, 2013).

Table 4.6. Observable manifestations, certainty, uniqueness, and hypothesis tests (source: own illustration after Beach & Pedersen, 2013; Rohlfing, 2014)

Observable manifestations	Certainty, uniqueness, and hypothesis tests
C1. OM1. Stakeholders (EU interest groups and non-state groups) hold negative attitudes or opposite opinions for a policy to be adopted via consultations; they require an adjustment of the legislative proposals	<p>High certainty: The evidence must be found in the consultation documents to prove their presence</p> <p>Low uniqueness: Negative opinions of stakeholders can be explained by conflict constellation in the EU institutions</p> <p>Evidence found: The hypothesis passes a hook test</p>
OM2. Stakeholders work hard to reinforce the function of interest groups' transmission belts	<p>Low certainty: Other factors can affect the decision-making process behind the interest group transmission belts</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: The hypothesis passes a smoking gun test</p>

Table 4.6. Observable manifestations, certainty, uniqueness, and hypothesis tests (continued)

Observable manifestations	Certainty, uniqueness, and hypothesis tests
C2. OM3. Different member states take opposing positions in different Council meetings and aggravate the transaction costs to reach the deal	<p>High certainty: I must find evidence for increased transaction costs to prove their presence</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: The hypothesis passes a doubly decisive test</p>
OM4. Member states require debate in the Council on the politically sensitive issues that remain unresolved, which are finally adopted by COREPER I/II Part 2 (B items) after discussion	<p>High certainty: I must find evidence for COREPER II/ B items to prove their presence</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: The hypothesis passes a doubly decisive test</p>
OM5. On high-profile issues, conflicts arise between the Commission and the national parliaments	<p>Low certainty: There may be other evidence of decision-making delay besides the conflicts between the Commission and the national parliaments</p> <p>Low uniqueness: the presence of conflicts on high-profile issues can be explained by alternative hypotheses</p> <p>Evidence found: the hypothesis passes a straw-in-the-wind test</p>
C3. OM6. Member states are most responsive to the demands of stakeholders from their territories	<p>High certainty: I must find evidence for member states' representatives and interact with stakeholders to prove their presence</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: The hypothesis passes a doubly decisive test</p>
OM7. EU interest groups will likely negatively affect transmission belts if stakeholders have negative opinions and member states have heterogeneous preferences for EU legislative proposals, which may prolong the legislative duration	<p>High certainty: I must find evidence for the combination of heterogeneous position-taking by stakeholders and member states to prove their presence</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: the hypothesis passes a doubly decisive test</p>
Y. OM8. Stakeholders' demands influence the preferences of member states and strategies of EU legislators	<p>Low certainty: There may be other evidence for stakeholder influence besides member states' debate in the Council</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: the hypothesis passes a smoking gun test</p>

Table 4.6. Observable manifestations, certainty, uniqueness, and hypothesis tests (continued)

Observable manifestations	Certainty, uniqueness, and hypothesis tests
OM9. Heterogeneous opinions of EU interest groups can shape the decision-making outcomes by impacting the negotiation among member states in the Council	<p>High certainty: I must find evidence for heterogeneous opinions of interest groups in the consultation document to prove their presence</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: The hypothesis passes a doubly decisive test</p>
OM10. Interview and Observation data confirm that the interaction effects induce EU legislative decision-making delay	<p>High certainty: I must find evidence for withdrawal or formal rejection in the specific negotiation to prove the interaction effects induces the EU decision-making delay</p> <p>High uniqueness: If found, the evidence cannot be explained by alternative hypotheses</p> <p>Evidence found: the hypothesis passes a doubly decisive test</p>

4.4.3 Document data

The study collected official documents, media reports, and other documents on the proposal, including a referendum, advocacy campaigns, and informal meetings. Concerning the official documents, the researcher manually gathered 100 official documents on each case. This quantitative dataset incorporates practically all the information available in the European Commission's online databases: PreLex, EUR-Lex, and the EP's Legislative Observatory.¹⁴ The European Commission maintains PreLex, which tracks the progress of legislative proposals and other policy documents that the Commission submits to other EU institutions, including cross-references to documents contained in other online databases.

Regarding the media reports data,¹⁵ the researcher manually collected 300 items of media coverage in English by searching Factiva to check whether more information was available in other languages, assess the representativeness of the English-language materials, and guarantee no missing critical documents. It also presents the search for German and French articles (none found) as a test for whether the English articles are yielding saturation. However, the results frequently included irrelevant articles. It may stem from information imbalance or translation issues with search engines. However, random checks on Google for publications in other

¹⁴ A list of all the documents and links to the EUR-Lex and EP's Legislative Observatory process files can be found in Harvard Dataverse: <https://doi.org/10.7910/DVN/MAGYPM>

¹⁵ Links to all online media reports can be found in the annex to this chapter and sorted by case, which is accessible in Harvard Dataverse: <https://doi.org/10.7910/DVN/MAGYPM>

languages revealed that there may be no additional reporting on the subject. It confirms that the automated search induced almost all output, which cannot be further improved based on web resources. Notably, some media articles merely referenced the case without providing any helpful information for the study. These reports were excluded from the analysis.

4.4.4 Interview data

Twenty-one interviews were held between November 2020 and January 2022.¹⁶ Interviewees include experienced representatives from member states, former officials of EU institutions, and organizational leaders from the selected interest groups. Regarding the TTIP case, member states such as Germany and France were highly active in negotiations. Concerning the EU ETS case, many member states (and their regions), including Denmark, Estonia, Finland, Hungary, Malta, Poland, UK, and Bavaria, were active in the debate on policy issues. Most interview respondents from the European Commission, the Council of Ministers, the EP, and the representatives of member states were present in the same meetings covering TTIP-related and EU ETS-related issues. They provided first-hand evidence from their respective institutional positions. However, most respondents were not directly involved in formulating TTIP legislative negotiations because they might not know what happened in the negotiations. It may reduce the possibility of motivation for providing a biased account of events. The study uses document analysis and participant observation to make up for the limited interviews. Officials from the European Commission, Council of Ministers, and EP and Germany's representative officials were interviewed about the TTIP case. Regarding the EU ETS case, the representative officials of Slovenia, the Netherlands, and Poland and a think tank expert were interviewed. Twelve (nine) respondents are involved in the TTIP (EU ETS) case (see Table A1 in the Appendix to Chapter 4).

The researcher designed a semi-structured questionnaire, with probing questions on all possible explanatory factors affecting stakeholders and member states' position-taking, to get information on how stakeholders reconcile conflicts and interact with member states. Thus, the study employed the questionnaire for the interviews, which comprises 26 (20) questions for the TTIP (EU ETS). These questions aim to gain information about the internal mechanisms of consulting stakeholders, various strategies used when deciding policy positions, challenges, and trade-offs faced by interest representatives who interact with policymakers at the EU level.

¹⁶ The interview transcripts from the 21 interviewees are included in PDF format, which is accessible in Harvard Dataverse: <https://doi.org/10.7910/DVN/MAGYPM>

The study employed several rounds of interviews and collected much information via semi-structured interviews. The questions in the interviews are generally accompanied by inquiries into other aspects of EU decision-making. Certain terminologies in the questions changed to reflect respondents' affiliations, though the overall phrasing remained the same. Nevertheless, interviewees could not always answer all questions, which was dependent on their position and whether they were involved in the TTIP and EU ETS negotiations.

Typically, individual interviews last roughly 30 to 60 minutes. The analysis integrated textual interview data with quantitative data from several closed questions and information gathered from online chats during the seminars and conferences.¹⁷ The study employed an iterative technique to analyze and code the interview transcripts. The first stage in the coding procedure is to identify texts in which interviewees discussed the political actors involved in the formulation of policy positions. This comprehensive way of coding clarifies how political actors interact when defining policy stances and serves as the initial descriptive section of the results. Further, a more detailed analysis of the causal mechanism drew on the two dimensions noted in the theory section (transaction costs and transmission belts). All pertinent comments from the transcripts were coded and compared with the keywords to see whether the procedures by which political actors incorporate heterogeneous preferences when discussing policy positions may be related to either of the two dimensions. In the last stage, the researcher coded the interviewees' comments on three broad codes associated with the two concepts.

4.5 Results of the case studies

4.5.1 Evaluation of the evidence for TTIP

The TTIP negotiations started in 2013. This proposal aims to protect foreign direct investments and liberalize trade between the EU and the US. Table 4.7 presents the timeline of the TTIP negotiations, including key events and the stages of the formal legislative procedure. Table A2 in the Appendix to Chapter 4 presents TTIP-related legislation. The TTIP negotiations are

¹⁷ The study supplemented the interview data with other data from several questions gathered from online chats during the Europaeum policy seminar (normally taking place in Brussels), "Policy-Making Inside Europe" from 24 to 26 January 2022. The 2022 Policy Seminar, organized in collaboration with the European Parliamentary Research Service was a joint effort to link academic and policy institutions, contributing to a better understanding of the process of preparation and implementation of EU policies. The programme included talks and discussions with policymakers from Brussels. The researcher participated in this seminar to interview more experts. The severe developments with the Omicron variant in January, unfortunately, prevented us from holding the Seminar physically in Brussels; the organizers had to move this seminar online. Hence, the interview was conducted during the workshop when there was a free discussion or a break in the Zoom breakout room. This information is presented as quotes.

characterized by several features. First, the European Commission negotiated with the US on behalf of the EU, ensuring communication with relevant EU stakeholders, including CSOs and economic operators. Second, the recommendations for decisions and negotiating directives were sent by the Commission to the Trade Policy Committee of the Council of the EU. The recommendations were discussed in the informal Foreign Affairs Council (European Commission, 2013). Third, the Working Party and COREPER approved the decisions and submitted them for adoption. Finally, the Council concluded the final agreement after obtaining the consent of the EP. Thus, the heterogeneous position-taking among different political actors about TTIP substantially delayed the negotiations, creating a breaking point that forced the EU to change its approach and eventually reach a deal (European Commission, 2015; European Parliament, 2015a).

Table 4.7. Timeline of Transatlantic Trade and Investment Partnership (TTIP) negotiations

Date	Key events
14 June 2013	EU directives for the negotiations for the TTIP between the EU and the US, unanimously adopted by the Council on June 14, 2013
Initial legislation February 2013	EU-commissioned “ad-hoc high-level expert group” published a paper, highlighting the need for a free-trade area between the European Union and the United States (taken up by President Obama and President of the Commission Barroso)
23 May 2013	European Parliament voted on a resolution for the exclusion of Culture and Audio-visual Services from the negotiation mandate
14 June 2013	Council agrees on the exclusion of Audio-visual Services from the mandate in its directives for the negotiation of the TTIP
8-11 July 2013	1 st round of negotiations (Washington DC)
11-15 November 2013	2 nd round of negotiations (Brussels)
16-20 December 2013	3 rd of negotiations (Washington DC)
January 2014	launch of the EU advisory group
10-14 March 2014	4 th round of negotiations (Brussels)
19-23 May 2014	5 th round of negotiations (Arlington, Virginia)
July 2014	publication of the EU position papers
14-18 July 2014	6 th round of negotiations (Brussels)
October 2014	publication of the EU negotiations mandate
29 September-3 October 2014	7 th round of negotiations (Chevy Chase, Maryland)
November 2014	Announcement by the EU Commission of further transparency and access to documents for MEPs and the Council
2-6 February 2015	8 th round of negotiations (Brussels)
20-24 April 2015	9 th round of negotiations (Washington DC)
13-17 July 2015	10 th round of negotiations (Brussels)
19-23 October 2015	11 th round of negotiations (Miami)
22-26 February 2016	12 th round of negotiations (Brussels)
24 April 2016	US President Obama and German Chancellor Merkel commit to complete talks on TTIP before his term ends in January
25-29 April 2016	13 th round of negotiations (New York)
2 May 2016	Greenpeace leaks

Table 4.7. Timeline of Transatlantic Trade and Investment Partnership negotiations (continued)

Date	Key events
24 June 2016	Britain votes to leave the European Union, loses part in TTIP talks
13-15 July 2018	14 th round of negotiations (Brussels)
18 January 2019	Recommendation for a Council Decision authorizing the opening of negotiations of an agreement with the United States of America on the elimination of tariffs for industrial goods COM/2019/16 final
Final legislation	

The European Commission launched a public consultation and invited stakeholders to contribute suggestions for EU-US in the TTIP negotiations from July 25, 2018, to April 29, 2019. Stakeholders showed significant interest in reinforcing transatlantic cooperation. In the consultation response, some stakeholders held positive opinions on the Commission's initiative for better regulatory cooperation and supported the negotiations for a comprehensive and realistic transatlantic deal between the EU and the US.¹⁸ Others opposed, especially the proposition that US standards should be presumed equivalent to EU regulatory requirements. The opponents urged EU legislators to work with stakeholders and member states for a more practical approach to negotiating provisions that enhance legal certainty for EU businesses.

The first important observation is that opponents and supporters of this proposal are also divided among themselves. A few interest groups and CSOs express their demands via protest or advocacy campaigns. For instance, more than 150,000 people demonstrated in Berlin against TTIP in October 2015, and millions of people across the EU voiced their opposition to TTIP deals (Agence Europe, 2014, 2015).¹⁹ The protests pushed some authorities to suggest new negotiations to allay constituent concerns about environmental standards, food safety, and consumer rights (The Christian Science Monitor, 2016).²⁰ Friends of the Earth Europe said that the TTIP was a massive and unprecedented corporate assault on democracy and the environment, failing to elevate people above businesses and leaving them with an uncertain future (Agence Europe, 2016).²¹ European public opinion shifted against the accord over concerns that it prioritizes corporate interests over the rights of citizens (VOA News, 2016).²² However, criticism from some European politicians and citizens forced a few supporters to

¹⁸ Consultation on EU-U.S. Call for Proposals for Regulatory Cooperation Activities regarding the Regulation 1049/2001 and in accordance with Regulation (EC) No 2018/1725, April 29, 2019.

¹⁹ Agence Europe, European Parliament Adopts its Recommendations for TTIP Negotiations, July 8, 2015, Brussels. Opinion: US, EU Betraying Democratic Ideals by Refusing to Release TTIP Negotiations Texts, May 21, 2014. WTO Format to Eventually Replace TPP, TTIP–Sweden's National Trade Board, October 1, 2015.

²⁰ The Christian Science Monitor, Why Transatlantic Trade Deal Faces Stiffening Wind from Europe, September 1, 2016.

²¹ Agence Europe, Germany and France Clash Over Transatlantic Trade Deal as Opposition Grows, September 2, 2016.

²² VOA News, Germans Rally Against Planned EU Trade Deals With US, September 17, 2016, Canada.

abandon their aspirations of concluding a landmark transatlantic trade agreement before Barack Obama's term ended. The European Commission negotiated with Washington on behalf of the EU's 28 member states and appeared unconcerned about TTIP opposition. Thus, the two sides could not reach an agreement on several issues.

The second finding is that all the interviewees acknowledge that the TTIP negotiations were significantly controversial and raised transaction costs given a lack of preference overlap among member states. As member states who extremely value national sovereignty preferred intergovernmental negotiations, they allowed conflicting initiatives to dominate the Council's deliberations. Overall, respondents indicated that national interest groups and CSOs held conflicting perspectives on some aspects of TTIP, with disputes between member states (legislative parties such as EP) and stakeholders. As indicated in the statement below, the opposition was fiercest in some member states.

There are divergent views within our various departments and ministries. Our [Germany] economy minister, Sigmar Gabriel, has previously stated that the EU-US trade talks have failed because the agreement on the table was unacceptable under the unequal conditions imposed by the US-led discussions, which [...] favored the US [more than] the EU (respondent#4).²³

We [France] believed there was no political support in Paris for the TTIP negotiations because they sought a pure, straightforward, and definite halt [to] continue subsequent conversations on a reasonable ground (respondent#11).²⁴

Our economic organizations have always demanded that the negotiations should be halted, and the entire process restarted. However, we as a government [Austrian] strive to function as a neutral responder and ensure that our positions are not dominated by certain interest groups (respondent#2).²⁵

Despite their portrayal as neutral responders, respondents said they could not reconcile the internal conflicts beyond cooperating with particular interest groups. The EP and the Council want to approve the TTIP agreement transparently, even though it is challenging to reach a consensus among various stakeholders and member states. The role of the EU institutions'

²³ Author's interview, Representative officials from member state, Skype interview, February 16, 2021.

²⁴ Author's interview, European Parliament Official: MEP Committee on Internal Market and Consumer Protection and Special Committee, Virtual workshop, January 24, 2022.

²⁵ Author's interview, European Parliament Official: MEP Committee on Internal Market and Consumer Protection and Special Committee, Virtual workshop, January 24, 2022.

leadership is important in this dialogue, as they aim to reconcile the divergent stances of stakeholders. The following quote exemplifies this notion:

We (the Council) have consistently urged member states and the European Commission to coordinate their efforts to explain the benefits of the agreement and strengthen interaction with national parliaments and [CSO]. Finally, the Council of Foreign Ministers endorsed the working group's provisional agreements reached following a lengthy discussion of the TTIP negotiations (respondent#2).²⁶

We (European Commission) recognized that successful trade legislation and better implementation are a joint responsibility of the Commission, the Parliament, and the Council (respondent#1).²⁷

The TTIP negotiations should achieve an ambitious and balanced agreement that benefits all member states equally. It would neither accept an arrangement that would lower standards, nor would it consent to a proposal that would jeopardize its ability to govern public policy objectives (respondent#10).²⁸

The legislative procedure that we shaped was the [EP]'s democratic responsibility. As a result, our MEPs approved (447 votes in favor, 229 votes against, and 30 abstentions) the inclusion of a new public legal mechanism for resolving disputes between investors and member states (respondent#3).²⁹

In summary, stakeholders engaged in public consultations and contributed to opposing opinions for TTIP to be changed (Table 4.1, OM 1). The transmission belts of EU interest groups interfered with legislators' decision-making via close ties with governments. TTIP, thus, underwent several rounds of negotiations and got stuck in the legislative process. The evidence for the reasoning behind stakeholders' negative opinions and preference heterogeneity leads the transmission belts of EU interest groups to influence the TTIP case (Table 4.1, OM 2).

Furthermore, transaction costs emerged from the heterogeneous preferences of member states in this case. Member states with major European economic powers, such as Germany and France, try to politically dominate the political discussion in the Council, which further

²⁶ Author's interview, Official from the Council, Zoom interview, December 14, 2020.

²⁷ Author's interview, Official from European Commission, Skype interview, November 18, 2020.

²⁸ Author's interview, Official from European Parliament, Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, Zoom interview, January 11, 2021.

²⁹ Author's interview, Expert of think tank, Official from the Climate Action Tracking Service, European Parliamentary Research Service, Virtual workshop, January 25, 2022.

increase the resistance among other member states and increased transaction costs (Table 4.2, OM 3). Some member states (Germany, France, Austria, and Sweden) joined in a declaration of ministers requesting further debate in the working groups to discuss and clarify sensitive issues (Table 4.2, OM 4). This evidence links to the analysis of the interview results. Various TTIP text provisions drew criticism from national stakeholders, which induced various member states to oppose the stakeholder demands (Table 4.2, OM 5). It confirms that the presence of heterogeneous preferences of member states on the TTIP negotiations increased the transaction costs (Table 4.3, OM 6).³⁰ The European Commission held extensive consultations and closely communicated with co-legislators to spend time balancing the interests of stakeholders and member-state preferences. The differences in national interests avoided the formation of any consensus, leading to a strategy of attrition from opposition coalitions, as several legislators favor stakeholders' demands during the consultative activities (Table 4.3, OM 7). Given that the Commission submitted a proposal, the EU legislature discussed the dossier, while the heterogeneous opinions of stakeholders impact the negotiations between member states (Table 4.3, OM 8). Finally, interview and observational data confirmed that the decision-making duration is dramatically longer given the interaction effect between the negative stakeholder opinion and the heterogeneous preferences of member states (Table 4.3, OM 9).³¹ Therefore, most of the empirical materials support the hypotheses on the causal path.

4.5.2 Evaluation of the evidence for EU ETS

The EU ETS directive is a cornerstone of the EU's climate change policy and its primary tool for decreasing greenhouse gas emissions. It was a three-year "learning by doing" pilot program designed to prepare for phase 2, where the EU ETS would help the EU in meeting its Kyoto Protocol commitments. Phase 2 paralleled the first commitment period of the Kyoto Protocol, where countries had to meet the directive's concrete emission reduction targets (Ellerman & Joskow, 2008). Allowances were capped at the national level via national allocation plans. EU member states then agreed on national targets for carbon reductions in other sectors, such as transportation, construction, and agriculture. Table 4.8 presents the EU ETS directive timeline.

³⁰ Table 4.3 in section 4.3.3 shows the observable manifestations for Cause 3 and outcome.

³¹ The content of experts' interview and other resources is recorded in the annex database of qualitative dataset, which is accessible in Harvard Dataverse: <https://doi.org/10.7910/DVN/MAGYPM>

Table 4.8. Timeline of the European Union Emissions Trading System (EU ETS) Directive

Date	Formal legislative procedure
October 23, 2001	Legislative proposal published
November 28, 2001	Committee referral announced in Parliament, 1 st reading/single reading
December 12, 2001	1 st round of Debate in Council
March 4, 2002	2 nd round of Debate in Council
June 25, 2002	3 rd round of Debate in Council
September 10, 2002	Vote in committee, 1 st reading/single reading
September 10, 2002	Committee report tabled for plenary, 1 st reading/single reading
October 10, 2002	1 st round of Debate in Parliament. Decision by Parliament, 1 st reading/single reading
October 17, 2002	4 th round of Debate in Council
November 27, 2002	Modified legislative proposal published
March 18, 2003	Council position published
March 27, 2003	Committee referral announced in Parliament, 2 nd reading
June 11, 2003	Vote in committee, 2 nd reading. Committee recommendation tabled for plenary, 2 nd reading
July 1, 2003	2 nd round of Debate in Parliament
July 2, 2003	Decision by Parliament, 2 nd reading
July 22, 2003	Act approved by Council, 2 nd reading, final act signed
October 13, 2003	End of procedure in Parliament
October 25, 2003	Final act published in Official Journal
Final legislation	Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading system within the EU

Experts from think tanks noted that specific groups have substantial interests and different positions on various aspects of the policy, which yielded conflicts. Contentious issues are more challenging to address, requiring additional time and effort. Two experts explicitly acknowledged this situation:

We reach a quick consensus in 80% of situations, but 20% of the policy issues we address are [extremely challenging], requiring more time and effort (respondent#15, respondent#21).³²

Consultations on the amendment of the EU ETS directive include questions about the overall evaluation of this policy action and seek input on several ideas for a mechanism to prevent carbon leakage. According to responses, 47% of industry stakeholders believe there is room for emissions reduction; 42% disagree, and 11% expressed no preference for either position (Consultation 2014, 2015).¹⁶ Public authorities from eight member states favored EU-wide compensation. Others argued that compensation would be problematic, given the

³² Author's interview, Expert of think tank, January 25, 2022, Interview via zoom chat at the European online seminar. Consultation on Emission Trading System post-2020 carbon leakage provisions, December 17, 2014. Consultation on Revision of the EU Emission Trading System Directive, March 17, 2015.

disparities in the electricity market, arguing instead for the continuation of a system of state aid. According to one interviewee,

Stakeholders from the industry expressed concerns about various components of the system. They argued that the proposed new restricted one-off flexibility with the EU ETS for nine member states with a maximum allocation of 100 million ETS credits should be scrapped (respondent#18).³³

Reaching a consensus on contentious issues may be particularly challenging, as some member states dislike making concessions and are reluctant to give up their position. Any negotiation that includes fundamental principles can become difficult. While there was widespread support for the EU ETS directive, most member states stressed the importance of addressing key issues regarding the number of carbon leakage groups. Consequently, different perspectives were presented in the discussions.

1. Some member states and their regions (i.e., Czech Republic, Finland, Thüringer State, Vienna) preferred to continue the current system with no further revision. In contrast, others (i.e., Poland, Hungary, Walloon Region, Bavaria, Canary Islands) expressed preferences for developing more categories and emphasized the critical necessity of maintaining international competitiveness and pricing differentials in energy (respondent#6).³⁴
2. Denmark supported the necessity for effective, adequate, and dissuasive penalties to be incorporated into national legislation to ensure compliance with the directive. However, this directive does not grant the community with authority to harmonize member-state criminal laws. Thus, it cannot force member states to have sanctions in their domestic legislation to implement the directive (respondent#13).³⁵
3. Third, the Netherlands broadly supported the directive's aims, particularly the goal of maximum harmonization. However, as in the quote below, the Netherlands supported the inclusion of sanctions in implementing this directive, which has a deterrent impact, to ensure compliance with the directive's obligations.
4. Moreover, the Senate of the Czech Republic's Parliament expressed concern over the diminishing competitiveness on specific issues of the EU ETS directive. The

³³ Author's interview, Expert of think tank, GMF Brussels, Virtual workshop, January 25, 2022.

³⁴ Author's interview, Representative official from a member state, Teams interview, March 15, 2021.

³⁵ Author's interview, Expert of think tank, Virtual workshop, January 25, 2022.

interviewee emphasized that many issues are restrictive and usually capture the attention of only a few member states with the same preferences and positions.

In this situation, member states affected by this policy issue engaged actively in the discussions, as illustrated by the following quote:

We [from a member state] insisted on complying that each member state's designated administrative or judicial authorities have the authority to impose the penalties outlined in Article 16 (3) to ensure conformity with the provisions. Member states' representatives play a critical role in ensuring consensus among members by considering all perspectives and ensuring that all members take a homogeneous position (respondent#5).³⁶

We [from another member state] have urged that the European Commission conduct an in-depth examination of the EU ETS's operation and efficacy while simultaneously embarking on a fierce debate about alternative strategies for greenhouse gas emission reduction. As a result, the common position incorporated 23 of the 73 amendments proposed by the [EP] in the first reading (respondent#7).³⁷

Furthermore, the Council determined that the common position does not change the approach or objectives of the European Commission's original proposal and noted that the European Commission also supports the common position in its current form. Ultimately, the Council and the EP resolved the differences in views in co-decision, based on the Commission's proposal on project-based mechanisms:

(...) Ok, here is the information that I have learned in this case. The common position contains five amendments that the European Commission did not adopt in its modified proposal. As the accession discussions do not provide for it, agreements must be reached with the applicant nations. The Commission has agreed to this amendment, in principle, by replacing "third parties" with "Parties specified in Annex B of the Kyoto Protocol that have ratified that Protocol." The amendment section referring to agreements with applicant countries was rejected, as emissions trading was expected to occur in applicant countries because of the scheme's implementation. The common position acknowledges that links should be

³⁶ Author's interview, Representative officials from a member state, Teams interview, March 3, 2021.

³⁷ Author's interview, Representative official from a member state, Questionnaire, March 24, 2021.

established only with Kyoto Protocol Annex B Parties and goes further in that direction by stating that “agreements” should be concluded with third countries listed in Annex B to the Kyoto Protocol (Respondent#14).³⁸

As far as I know, the Council has typically revised the updated legislative proposal substantially. [It] includes banking allocated amounts, modifying assigned amount units, and national trading systems. Member states are actively engaged in international carbon trading, taxation, and national allocation plans because these high-profile issues raise debates between the European Commission and the national parliament (respondent#19).³⁹

In summary, EU interest groups directly intervened in legislative processes by working as a transmission belt to voice their views in the case of EU ETS. The stakeholders engaged in public consultations and contributed divergent opinions on the EU ETS amendment (Table 4.1, OM 1, and OM 2). Differences in preferences among member states prolonged the decision-making process, as the member states debated in the Council on proposals to amend some provisions in the specific legislation (Table 4.2, OM 4). The EU ETS case provided evidence concerning transaction costs from heterogeneous preferences of member states (Table 4.2, OM 3). Additionally, on highly salient issues, conflicts arose between the European Commission and the national parliaments in the case of EU ETS (Table 4.2, OM 5). The evidence for the causal mechanism behind the interaction effect between the negative interest group opinions and heterogeneous positions of member states in the EU ETS case supports the fact of lengthy legislative decision-making (Table 4.3, OM 7). Member states are most responsive to demands of stakeholders from their territories in the EU ETS case (Table 4.3, OM 6). Specific inquiries into whether the policy positions of each member state were unambiguously associated with negative stakeholder perceptions were confirmed in official documents and media reports (Table 4.3, OM 8).⁴⁰ Finally, the qualitative evidence confirmed that the interaction effects between political actors yield a lengthy EU decision-making (Table 4.3, OM 9). Therefore, most of the empirical materials provide support for the expectations of proof of the causal path.

Furthermore, the interview data contains a few empirical pieces of evidence suggesting that some perspectives do not align with expectations. For instance, one of the representative

³⁸ Author’s interview, Official from European Commission, Cabinet of European Commission, January 25, 2022.

³⁹ Author’s interview, Official from European Parliament, MEP, Virtual workshop, January 25, 2022.

⁴⁰ The proof and evidence from official documents, media reports, and expert interview are recorded in the annex database of qualitative dataset.

officials from a member state proposed that most of the citizens and interest groups in their national context supported this TTIP decision. There were no conflicts that must be approached. An official from the EP expressed their view on the EU ETS directive and noted that the Council believes the common position does not change the original proposal from the Commission and that both the Commission and Parliament support it as is:

From my perspective, I supported the decision even though other member states were opposed. Our government believed it was a fantastic opportunity to establish a strong bilateral relationship between the EU and the US. We reached a consensus without any negotiations at the national level. If other member states and EU institutions wish to engage in negotiations, the objective should be to facilitate trade between the EU and the US through the development of efficient processes that facilitate the recognition of conformity assessment results that confirm compliance with the technical regulations of each party. This should be done while ensuring that a high level of protection in the EU is maintained. Ideally, the agreement should address its relationship with existing EU-US agreements on mutual recognition as appropriate. I also hope that the Commission, in cooperation with member states, will ensure appropriate communication throughout the negotiations based on the principle of transparency, and engage all relevant EU stakeholders, including civil society and economic operators (respondent#8).⁴¹

In response to your questions and the cases you are investigating, I would like to address one aspect of this case. The Council and the [EP] made a decision on the project-based mechanisms outlined in the Commission's upcoming proposal through a process of co-decision. The common position concurred with the [EP]'s stance that the EC emissions trading scheme should only be connected to schemes in third countries that have ratified the Kyoto Protocol. From my perspective, the Council believes that the common position does not change the objectives or goals of the Commission's original proposal, and the Commission also supports the common position as it is. Furthermore, the Council made modifications to the Commission's amended proposal to accommodate the requests of certain member states, which the [EP] agreed to. These changes allow for existing instruments to

⁴¹ Author's interview, Official from a member state, Interview via zoom chat at the Europeum online seminar, January 24, 2022.

be utilized, under certain circumstances until the end of 2007 as an alternative to incorporating the relevant installations into the emission trading scheme (respondent#16).⁴²

Overall, it is important to give a nuanced picture of the findings, even if some empirical evidence contradicts expectations. It is normal for some findings to align with expectations. These conflicting perspectives, expressed by only two experts, should not detract from the core findings supporting the expectations. The conclusion that preference heterogeneity among stakeholders and member states induces legislative decision-making delays remains valid.

4.6 Conclusion

Process tracing reveals that the duration of EU legislative decision-making is affected by the negative opinions of stakeholders and the heterogeneous preferences of member states in the TTIP negotiations and EU ETS directive. Based on the uniqueness and certainty of expected evidence for the causal mechanism, the study evaluated the OMs in the case studies. Both cases manifest a lengthy decision-making process, with no alternative hypotheses to explain the outcome. Further, the study confirmed the evidence in both cases has high certainty and high uniqueness. Hence, a doubly decisive test enhanced the validity of the hypotheses (Beach & Pedersen, 2013). That is, the combination of evidence for the entire causal mechanism verified the hypotheses to be qualified in a doubly decisive test.

This chapter identified the causal mechanism that operated in the cases of TTIP and EU ETS: the negative opinions of stakeholders coincide with the heterogeneous preferences of member states for the two cases, and a significantly longer duration of the legislative decision-making process was observed in both cases. The expected theoretical framework was applied in Chapters 2 and 3. The results correspond with the quantitative study in Chapter 3, which is a causal effect in this qualitative case study. Therefore, there is a causal relationship between the preference heterogeneity of stakeholders and member states that induces longer legislative decision-making in the EU.

The input from stakeholders impacts decision-making by member states in the Council, which also affects the negotiations with EP in adopting a compromise. Clearly, to reach a decision, member-state preferences are critical to all stages of the legislative process to co-

⁴² Author's interview, Official from European Parliament, Interview via zoom chat at the Europeum online seminar, January 25, 2022.

determine whether a proposal will be adopted. Thus, member-state preferences are vital for the success of legislative negotiations, as a proposal will not be approved if member states cannot achieve any significant concessions. Positions and conflict constellations may vary enormously during negotiations. With rather heterogeneous preferences, negotiations will become more complex, and the decision-making process will take longer.

The causal mechanism in both empirical cases helps to further elucidate the complex dynamics during the negotiation of the EU legislative decision-making. From the analysis, the nature of conflicts induces a lengthy duration. However, comparing the cases, it is challenging to make a conclusive statement that a lengthy legislative decision-making process is always induced by this factor. Other mechanisms cannot be excluded, as they may be at play in other cases not analyzed. Furthermore, the two cases do not help determine the possible conditions under which this mechanism may be at play. Hence, this causality relationship warrants further examination empirically within broader backgrounds, as it is relevant, based on the results of this chapter and Chapter 3.

Another issue concerns the choice of the two cases, which were extreme regarding preference heterogeneity. As per this choice, there is a good likelihood of finding the proposed mechanism. Hence, in other cases, this mechanism may still be at work but less prominently. Meanwhile, it cannot be ignored that other mechanisms may shape the outcome in cases in which preferences are more homogenous and member states and stakeholders are much more aligned in their preferences and positions. Regarding external influences, further studies could explore the impact of interest groups on the European Commission and the EP (Klüver, 2013). Duration might be also affected by the informal interplay among the EP, the Commission, and the Council (Rasmussen & Reh, 2013; Reh et al., 2013; Zahariadis, 2013).

CHAPTER 5

Responsiveness of decision-makers to stakeholder preferences in the European Union legislative process

Abstract

This chapter examines the extent to which EU decision-makers (i.e., the European Commission, European Parliament, and Council of Ministers) respond to the different opinions of stakeholders. It formulates hypotheses from resource exchange theory and resource mobilization theory to explain variations in the responsiveness of EU decision-makers to different preferences of stakeholders. It develops a research design to analyze responsiveness in the EU context and assess the responsiveness of EU decision-makers given the heterogeneous preferences of the stakeholders. The study mainly uses the DEU-III dataset supplemented with data from policy statements and consultation documents. The findings show that the heterogeneous preferences of EU interest groups seem to lead to different positions among EU decision-makers. Additionally, the degree of congruence between stakeholder preferences and EU decision-maker positions on policy issues would affect the legislative process.

5.1 Introduction

As discussed in the preceding chapters, EU Policy is the product of strategic interaction between various actors. Empirical studies show that the EU legislative process takes longer given the involvement of political actors and external stakeholders and, most importantly, the interaction between member-state preferences and stakeholder opinions, as shown in Chapters 3 and 4. The involvement of external stakeholders increases the transaction costs of bargaining prolonging the time needed to reach a legislative deal (Rasmussen & Toshkov, 2013). That is, more active political actors make the negotiations last longer and increase the risk of delayed or blocked legislation (Klüver & Sagarzazu, 2013; König, 2007; Schulz & König, 2000). A longer decision-making process is generally conceived as unfavorable, as it might result in efficiency loss (Schulz & König, 2000) or lead to failure to produce a policy (Winnwa, 2018). Moreover, a lengthy legislative process might, arguably, undermine the extent to which policies can address real-world problems in a timely and efficient manner (Chalmers, 2014). However, when there is pressure to push the legislators to decide because a legislative proposal has highly salient issues, legislative agreements might be made relatively quickly. Even so, a fast-decision-making process without sufficient checks and balances may yield flawed policies, as goals or instruments have not been well-discussed. These discussions may lead to workable policies through incremental bargaining, deliberative engagement, partisanship, and thoughtful policy design (McConnell, 2010). Thus, fast decision-making may undermine EU decision-maker responsiveness. It may affect the extent to which interest groups and their constituencies may be represented and increases the democratic deficit of the EU.

Regarding responsiveness, it is useful to distinguish two different types: effective and rhetorical. “Effective” responsiveness refers to behavioral forms of responsiveness within the decision-making process (Maurits et al., 2019). It regards obtaining results given preferences rather than having an outcome based on the negotiations. “Effective” responsiveness focuses on how the stakeholders link their preferences to the contents of policy (Alexandrova et al., 2016). Rhetorical responsiveness, however, refers to a range of communicative strategies, where the positions taken by actors are consistently backed by credible commitments that satisfy citizen demands (Meijers & Rauh, 2016; Rauh & De Wilde, 2018). For instance, policymakers handle public concerns through debates rather than adopting tangible legislation (Hobolt & Klemmensen, 2008). It is essential to assess responsiveness in the EU context, as it sheds light on the quality of representation and how political actors connect to voters, which

may affect the extent to which the EU has a democratic deficit (Dahl and Tufte, 1973; Follesdal & Hix, 2006; Marks et al., 2002; Scharpf, 1997, 1999).⁴³

Despite concerns about the EU's democratic deficit, studies on responsiveness show a relationship between aggregate measures of preferences and output volume (Alexandrova et al., 2016). There is good reason to believe that the EU decision-makers only have a clear sense of responsiveness to policy outcomes when they clearly perceive stakeholder preferences for a legislative proposal (Soroka & Wlezien, 2010). However, the literature on responsiveness does not display an interest in the potential relationship between stakeholder opinions and decision-maker actions. Studies on policy responsiveness do not explore the mechanism through which EU decision-makers absorb information from stakeholders and how they reconcile conflicts among stakeholders. The issue of underspecifying the causal mechanism between stakeholder opinions and decision-maker actions is a problem in EU legislative studies and studies of responsiveness more broadly (Steunenberg, 2019).

Nonetheless, focusing on responsiveness may help to understand the trade-off between democratic legitimacy and political effectiveness. The trade-off between policy responsiveness and legislative duration. That is, how will EU decision-makers reconcile with the different views of external stakeholders, even if this requires more time to decide? The analysis may provide insight into why EU decision-makers sometimes use more time to reconcile divergent preferences as much as possible to resolve conflicts and improve responsiveness. The prior chapters analyzed and discussed the issues regarding the relationships between stakeholder opinions and member-state preferences. This chapter focuses on responsiveness by studying the link between the opinions of different stakeholders and the positions of EU decision-makers on specific policy issues to ascertain what drives responsiveness in the EU. More specifically, this chapter addresses this research question: *To what extent do EU decision-makers (i.e., the European Commission, [EP], and Council of Ministers) respond to the different opinions of stakeholders when EU decision-making duration is longer?*

This chapter answers the research question of whether differences in stakeholder opposition drive the responsiveness of EU decision-makers on various issues of EU legislation. It first

⁴³ The democratic deficit in the literature on EU legislative politics could be summarized by some key claims. For instance, notwithstanding the EP's increasing influence, there are no "European" elections. National elections are contested around domestic matters relative to issues at the European level (Hix, 1999; Marks et al., 2002). Moreover, European integration results in policy drift from the ideal policy preferences of stakeholders. The EU adopts policies that are sometimes opposed by many stakeholders or are not really preferred by many member states (Scharpf, 1997, 1999). Therefore, this chapter mainly focuses on the claims of the democratic deficit.

reviews the literature on responsiveness to provide a better understanding of different “degrees of responsiveness” in the EU legislative process. Second, it formulates hypotheses on responsiveness to reveal a possible deficiency in the system of interest representation and democratic legitimacy. Third, it develops a research design to analyze responsiveness in the EU context and assess the responsiveness of EU decision-makers given the heterogeneous preferences of the stakeholders. Fourth, it empirically tests the hypotheses.

There are two important reasons for this analysis of responsiveness. First, given that the EU decision-making mechanism is confronted with criticism of democratic deficit or limited responsiveness and efficiency loss, it is crucial to find remedies for these problems. This chapter further explores the pros and cons of these concepts given EU legislative politics. Second, as in Chapter 3, the EU legislative duration is longer because EU member states and stakeholders interact during the decision-making process. A longer decision-making process may not be appreciated sufficiently and is sometimes considered inefficient. More time may help effectively address conflicts and give the EU decision-makers the possibility to reconcile divergent preferences, thus improving the degree of responsiveness. This study examines the responsiveness of EU decision-makers in case of longer decision-making duration by linking insights from responsiveness, legislative politics, and interest group politics. More importantly, it offers additional insight into the search for a comprehensive resolution concerning the balance between democratic legitimacy and political efficiency. From the perspective of democratic legitimacy, fast decision-making may not be necessarily a good outcome.

For the empirical analysis, this chapter mainly uses the DEU-III dataset (Arregui & Perarnaud, 2021), supplemented with data from policy statements and consultation documents. The findings show that the positions of EU decision-makers during the legislative process reflect the preferences expressed by the EU interest groups during the consultation stage. That is, heterogeneous preferences of EU interest groups seem to lead to different positions among EU decision-makers, which can be a sign of more. However, the empirical results also show that a longer duration of the legislative process is not associated with more responsiveness; the degree of congruence between stakeholder preferences and EU decision-maker positions on policy issues affects the legislative process. The novel findings have clear implications for the EU interest group representation, the democratic participatory system, and the responsiveness of EU decision-makers.

5.2 Responsiveness in the European Union legislative process

EU decision-making is frequently delayed given the interplay of the EU decision-makers and stakeholder involvement. However, studies hardly examine whether EU legislation adequately and efficiently reflects stakeholder demands when legislative decision-making takes longer. The duration of legislative decision-making can be regarded as a key aspect of democratic responsiveness. Responsiveness refers to the capacity and desire of political actors to adjust their decision-making behavior in response to changes in public opinion (Soroka & Wlezien, 2010; Stimson, 1999; Stimson et al., 1995). However, the term “responsiveness” is also a subset of the broader concept of representation, defined as a complex, compositional feature that entails a range of achievable goals in the interaction between represented objectives and representatives (Eulau & Karps, 1977). Research shows that the responsiveness of EU decision-makers is a crucial issue in arguments on the EU’s democratic deficit and limited representation (Dahl and Tufte, 1973; Lord & Magnette, 2004; Follesdal & Hix, 2006; Scharpf, 1999).

As indicated, responsiveness in EU decision-making can also be understood as the practice through which EU decision-makers “perceive” and “digest” information concerning the preferences of participants and about how to “inform” the public (De Wilde & Rauh, 2019). Empirical studies show a unique and beneficial relationship between “what people desire” and “what decision-makers offer” (Wlezien, 2017; Wlezien & Soroka, 2016). The European Commission has the exclusive power to initiate legislative proposals in the EU legislative context in most policy areas. Legislative proposals require the agreement of member states represented in the Council of Ministers backed by EU interest groups. The Commission can discern the preferences of various actors at the time of policy formulation, as consultation activities take place throughout the legislative negotiations. Meijers et al. (2019) note that studies of EU responsiveness should explicitly acknowledge the multidimensionality of EU responsiveness by addressing the diversity of actors, institutions, and stakeholders involved. To define responsiveness purely in the relationship between public opinion and policy ignores the complexities of the EU decision-making process. They also argue that studies should focus more on specific actor responsiveness and their interactions, theoretically and empirically (Meijers et al., 2019). Policy responsiveness is usually studied at the national level and less discussed at the EU level (Zhelyazkova et al., 2019). Therefore, further analysis is required to verify mechanisms that may drive policy responsiveness in the EU, especially when legislative duration is longer.

Whether policies reflect stakeholder preferences and, thus, reveal some congruence has induced two different study streams. One stream focuses on *static* congruence, exploring the degree to which legislative proposals and demands of EU interest groups are consistently using cross-sectional analysis (Golder & Stramski, 2010; McDonald et al., 2004; Powell, 2000). Preference congruence is a dichotomous measurement of whether the opinions of EU interest groups are similar to the member-state positions or the initial legislation of the Commission. The other stream regards *dynamic* representation or responsiveness, examining whether changes in EU interest group opinions induce changes in adopted policy using time-series data (De Bruycker, 2020; De Wilde & Rauh, 2019; Toshkov et al., 2020; Zhelyazkova et al., 2019). Here, policy responsiveness is the dynamic adaptation of policy to aggregated preferences.

Although responsiveness is not precisely equivalent to congruence, it is plausible to think that responsiveness generally relates to congruence because decision-makers may take a similar position as stakeholders on specific policy proposals. However, decision-makers may represent other and broader interests without endorsing specific policy proposals. Similarly, congruence between the policy stances of decision-makers and stakeholders may develop for other reasons than being responsive to stakeholders or their constituencies. Thus, preference congruence between political actors may exist even when political actors are not certainly responsive to stakeholders or others (Judge & Thomson, 2019). For instance, the Commission may be responsive to member states and EU interest groups even when its preference congruence is different for member states and stakeholders. Alternatively, the Commission may be quite responsive to stakeholders, as legislative proposals are adjusted in response to changes in stakeholder opinions. However, some preference congruence may not always be possible. EU interest groups may raise new issues or propose various policy alternatives in their responses to the Commission's consultation exercises. If stakeholder preferences are rather diverse, it may be challenging to achieve some congruence.

Furthermore, the EU decision-makers may be responsive to the demands of EU interest groups without ultimately using these demands to shape policy: decision-makers may instead represent those stakeholders' broader interests and concerns without necessarily supporting the explicit policy solutions they propose (Judge & Thomson, 2019). Even if the EU may not seek dynamic responsiveness, several empirical studies have established a significant and robust link between opinions and decision outcomes in the EU context. Franklin and Wlezien (1997) show that more public support for European integration may yield less output legitimacy in reaching an agreement (Franklin & Wlezien, 1997). Recent studies show that the positions of

the Council and the preferences of member states are fairly congruent with public preferences (Alexandrova et al., 2016; Hagemann et al., 2017; Wratil, 2017). Member-state deviations from the adopted policy can be viewed as a shift from the interests of EU legislators, especially if there is a direct connection between member-state preferences and the demands of national stakeholders or constituencies (Steunenberg, 2019). However, the assessments of responsiveness fall short of concluding that foremost stakeholders drive responsiveness, given several limitations.

The literature on responsiveness and EU decision-making may help to better understand why EU decision-makers need more time to adopt legislation. That is, the relationship between actor preferences and longer decision-making duration is not simply a matter of a complicated legislative procedure but also responsiveness. Addressing responsiveness in the case of the longer EU decision-making duration may help identify how interest representation works, revealing how it affects the extent to which the EU has a democratic deficit.

5.3 Theoretical framework

5.3.1 Mechanisms of responsiveness in European Union legislative decision-making

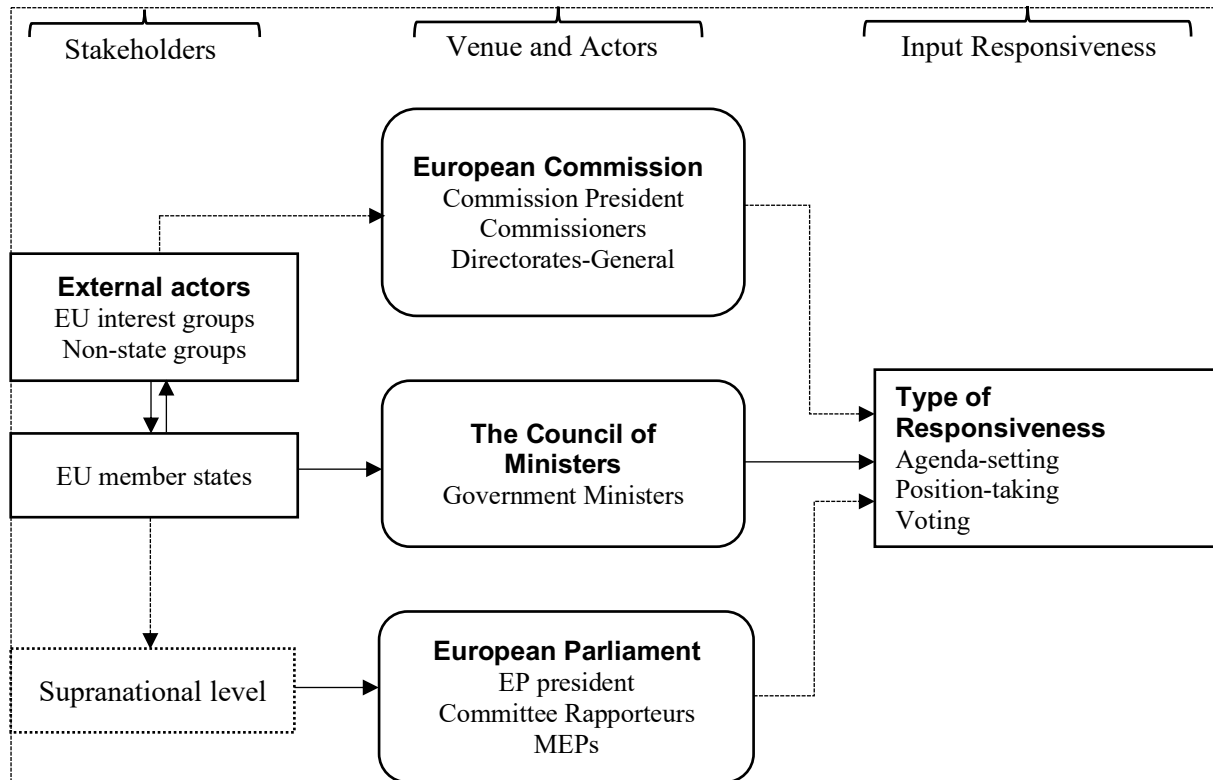
This chapter focuses on EU decision-maker responsiveness to a wide range of stakeholder opinions, including EU interest and non-state groups. The chapter distinguishes between relevant decision-makers (intended to be responsive), stakeholders (to whom the decision-makers are supposed to be responsive), and venues in which the actors interact to grasp the various elements of responsiveness in EU policy formulation.

Figure 5.1 depicts the theoretical framework of this chapter, derived from the notion of input responsiveness (Meijers et al., 2019). Per an actor-oriented perspective on responsiveness (Hagemann et al., 2017; Rauh, 2018; Williams, 2018), the main argument focuses on “who responds to whom” (Meijers et al., 2019). Responsiveness may also occur at other stages of the decision-making process, including policy formulation (Alexandrova et al., 2016), policy transposition (Williams, 2018), and policy implementation (Steunenberg, 2019).⁴⁴ Input responsiveness sheds light on how specific EU decision-makers, such as relevant directors-

⁴⁴ This chapter does not study policy implementation (Steunenberg, 2019), which is related to the concept of output legitimacy. The dissertation focuses on EU legislative politics. Based on a definition of the EU political system that produces legislation, it refers to agreed policy as output of this system. That is, following this definition of output, it employs the term “output legitimacy” for the recognition and appreciation of citizens for the realization of a legislative proposal rather than the outcome of policy implemented in member states.

general within the Commission, rapporteurs amending Commission proposals, and member states during Council deliberations, respond to external actor opinions (e.g., stakeholders).

Figure 5.1. Mechanism of actor-oriented perspective on responsiveness in the EU (source: Meijers et al., 2019)



The European Commission is a contentious venue for responsiveness. It has always been an authority that welcomes external input, consults extensively before proposing legislation, and publishes consultation documents when appropriate. It indicates that the Commission considers stakeholder opinions or demands (Haverland et al., 2018) in shaping policy. Even if the EU legislation does not fully represent public opinion at the legislative stage, the Commission may propose amendments to meet the demands of specific interest groups. Even when member states have rather heterogeneous preferences about policy change, the Commission continues to support some changes. It may contribute to policy responsiveness. However, the often-noted problem of having a democratic deficit (Follesdal & Hix, 2006) is closely related to the discussion on responsiveness. The notion of a democratic deficit is often defined by the degree of “systemic” responsiveness, wherein the EU partly revolves around responsiveness at the systemic level. Proof of actual responsiveness by EU actors, such as the ones in Figure 5.1, may provide an objection to critical observers (Zhelyazkova et al., 2019).

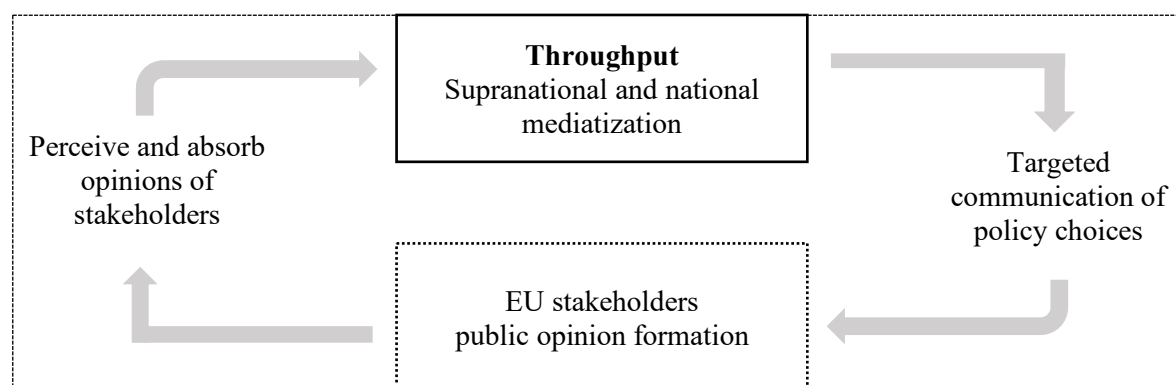
EP has several instruments to be responsive to domestic demands in the decision-making process. Given that MEPs and committee rapporteurs have an important stake in agenda-setting (Finke, 2016; Thierse, 2019), MEPs can use roll-call votes and parliamentary questions to communicate directly with their positions (Høyland, 2010; Meijers & van der Veer, 2019; Proksch & Slapin, 2010). The positions of decision-makers with legislative authority are often communicated and, therefore, may be clear to other parties and the public in a highly conflictual negotiation process. Revealing information about what the different actors want and like and how it connects to the current proposal reduces the transaction costs of the Commission to comprehend the substance of new legislation and the direction in which a compromise can be achieved. EU legislative politics studies devote considerable emphasis to the contestation generated by disputes between the EP and the Council over legislative proposals during EU-level deliberations (Hobolt & Wratil, 2020). These disputes arise when the arguments, as represented by the EP, are incongruent with member-state preferences in the Council (Naurin & Rasmussen, 2011). Therefore, the Council and EP may contribute to democratic legitimacy and responsiveness by directly discussing disputes and communicating with their positions.

The negotiations within the Council and between the Council and the EP can be characterized by a policy space that includes the policy issues relevant to a debate and the various positions of actors (Toshkov, 2017). Voting records can be used to reveal the positions. It appears that new member states often cluster together in opposition to a somewhat cohesive group of old member states in only a few policy areas, such as asylum and climate change (Hayes-Renshaw et al., 2006; Thomson, 2009). However, this situation may be also the case in other areas. Note that when most member states adopt rather similar positions, they support a policy and, thus, will not delay the legislation adoption. Hence, the preference heterogeneity indicated by the increased policy distance between the member states prolongs the duration (e.g., König, 2007; Klüver & Sagarzazu, 2013).

Dynamic responsiveness research (De Wilde & Rauh, 2019) focuses on the complexity of the intra-institutional decision-making process and domestic communication (see Figure 5.2). Member-state governments are arguably best positioned to take a stance on what domestic audiences want and how to communicate their views to audiences. Member-state governments can display responsiveness at the Council level in different ways as Meijers et al. (2019) indicate. It may vary from position taken, media statements and publicly announced commitments, and abstentions or negative votes (see Schneider, 2019, 2020; Wratil, 2018; Hagemann et al., 2017; Rauh et al., 2019). As Meijers et al. (2019: p. 1729) suggest, “[t]his

type of responsiveness should be the most politically salient in the EU decision-making process, given that the intergovernmental venue is the most visible arena in the EU decision-making process.” Further, since some decision-makers may not accept the compromise reached in the EU negotiations, they may behave as if they do and pay lip service to the new policy. It helps to explain why communication may be strategic, and it also helps in identifying some of the challenges encountered during the process. It forces decision-makers to consider how they guarantee responsiveness when not all concerns have been resolved.

Figure 5.2. Mechanism of procedural perspective on responsiveness in the EU (source: De Wilde & Rauh, 2019)



Public issues are prioritized at various stages of the EU decision-making process. Whether the policy choices are justified via consultative exercises or communication channels, the overall policy outcomes are the consequences of the interplay between various actors (i.e., EU decision-makers, EU interest groups, and the public) with varying capacities. In most cases, EU citizens must depend on mobilizing intermediate representatives to convey the extent of their support to EU decision-makers (De Bruycker, 2017; Rasmussen et al., 2014). Given that EU interest groups can act as EU citizen intermediaries, they can offer information to decision-makers supporting responsiveness in the process by tracking policy processes and conveying significant changes in public opinion (Jordan & Maloney, 2007). Many EU interest groups mobilizing around a policy issue can improve the quality and reliability of information decision-makers have about public opinion changes (Bevan & Rasmussen, 2020; Giger & Klüver, 2016; Gray et al., 2004). EU interest groups can also strengthen public responsiveness by reporting changes in public policy on time, allowing citizens to alter their preferences for specific policy actions (Pierson, 1993). This mobilization of EU interest groups that express European citizen interests is crucial for policy responsiveness.

By taking a procedural perspective on how stakeholders' opinions interact with specific EU decision-makers, it is interesting to develop a more systematic understanding of how EU decision-makers perceive, process, and transmit stakeholder opinions and communicate back to the public. The procedural perspective regarding responsiveness concerns a whole process of responses to public opinion and their wider implications for the societal acceptance of the unfinished supranational polity by highlighting possible variation at the input, throughput, and output stages (De Wilde & Rauh, 2019). This procedural perspective offers ways of identifying instances of responsive or non-responsive decision-making at the EU level and how these may occur. Conflicts among EU interest groups indicate different opinions among stakeholders. Similarly, disagreements within the Council between representatives of national governments indicate conflicts between member states. In both cases, conflicts within the Council or between EU interest groups inform the Commission of the actor positions. It also reminds the Commission to consider responding to heterogeneous preferences when initiating a legislative proposal. Hence, responsiveness by adopting a procedural perspective can be analyzed by focusing on the response of the Commission to EU interest groups in policy formulation (Hartlapp et al., 2014) or Council negotiations (Wratil & Hobolt, 2019). It sheds light on how EU decision-makers address the complexity of EU legislative politics.

5.3.2 Expectations on the extent of responsiveness in EU legislative decision-making

It is essential to focus on two aspects to discover whether the heterogeneous preferences of stakeholders drive the position-taking by EU decision-makers. One aspect regards whether the decision-makers reach agreements easily in the legislative process. The other aspect is whether decision-makers hold a congruent position during the negotiations when stakeholders express their demands concerning a policy issue during the consultation stage. Expectations of the variation of responsiveness are based on the resource mobilization (McCarthy & Zald, 1977; Klüver, 2010; Rasmussen et al., 2014) and resource exchange (Bouwen, 2002, 2004; Braun, 2012; Mazey & Richardson, 2006) theories. These theories are most relevant for understanding the exchange between political actors and stakeholders.

Resource mobilization theory presumes that EU interest groups are rational, goal-directed, and intentional collective actors who engage in the legislative process following the preferences of their constituencies (Klüver, 2010). The mission of EU interest groups is to express the preferences of members during this process. Even though EU interest groups must occasionally address divergent and contradictory opinions, they try to integrate divergent

opinions into their position. Further, they may try to reach a consensus with other groups⁴⁵ when policy issues satisfy their overall demands. If successful, there is a relatively high degree of congruence between what EU interest groups support and the desirable policy and between when decision-makers are responsive and decision-maker positions (Coen & Katsaitis, 2013).

Resource exchange theory emphasizes that the effect of interests in the political system is based on the resource exchange between political decision-makers and external stakeholders (Greenwood, 2017). The Commission sees external information as a means of enhancing the quality of legislation; in return, EU interest groups gain access to the decision-making process and can promote the interest of members (Persson, 2009). Importantly, Commissioners and MEPs often lack information about what the public wants. Relying on EU interest groups, Commissioners and MEPs may improve their information and expertise, which may increase the likelihood that they can achieve their desirable policies.

As in the prior chapters, stakeholders are categorized per their affiliated characteristics: EU interest (i.e., business, professional, identity, and institutional groups) and non-state (i.e., CSOs and NGOs) groups. Given that the former may make a stronger claim to represent various EU interests, EU decision-makers should support a proposal supported by all stakeholders and should oppose it if most of the EU interest groups oppose it (e.g., Aksoy, 2010; Arregui & Thomson, 2009; Bailer, 2004). Effective responsiveness means EU decision-makers can be linked to the overall stakeholder preferences. It enables EU decision-makers to take corresponding positions on specific policy issues to ensure the EU is responsive during the legislative process (Alexandrova et al., 2016). Hence, if EU decision-makers are responsive, opposition by EU interest groups to a specific issue should reduce the distance between each stakeholder and EU decision-maker preferences. There is more opposition⁴⁶ among interest groups that provides EU decision-makers with an incentive to take a position closer to the preferences of these interest groups. Thus, there is no clear preference in favor of or against a proposal, but responsive decision-makers will seek a position that satisfies most groups in this configuration. If the groups reject a policy issue during the consultation stage, EU decision-

⁴⁵ These groups include two ways of taking stances: they act internally and take one position based on different views among members, and they interact with other interest groups and try to find common ground.

⁴⁶ The opposition has two components—some are in favor of a proposal while others are against the proposal. The opposition in this context refers to the heterogeneous preferences regarding being in favor or against rather than the specific notion that all stakeholders are against a proposal. Hence, the study makes the implicit assumption that all stakeholders hold this “heterogeneous” position.

makers will more likely oppose the proposal. Hence, to arrive at a high degree of responsiveness, the following hypothesis must hold:

H1: The more the EU interest groups oppose a policy issue in the consultation process, the stronger all EU decision-makers (at the collective level) will disapprove of a legislative proposal in the decision-making process.

Rasmussen et al. (2014) discovered significant levels of involvement of non-state groups in a study of a broad range of consultations between December 2001 and April 2010. The result shows that non-state groups also attempt to influence the EU legislative process through direct involvement. Mobilization and inclusion of non-state groups can enhance the influence of supranational institutions. The EU system's institutional framework incentivizes the European Commission and the EP to provide input from non-state groups representing transnational socioeconomic interests. However, the Commission helps provide access to non-state interests; it can do so in exchange for specialized information and expertise (Broscheid & Coen, 2003). The Commission's policy stances concerning member-state governments and the roles played by individual Commissioners demonstrate the relevance of this supranational role despite indirect impacts of Commissioners' nationality and ideological connections (Crombez, 2003; Egeberg, 2006; Hooghe, 2005; Thomson, 2011; Wonka, 2007). As none of the other EU decision-makers has an immediate need to represent the interests of non-state groups, the Commission serves as the primary platform for lobbying. Further, as the Commission has an important role in initiating EU policy, information on how to formulate policy and the implications of this policy are vital. Moreover, the Commission would like to know to what degree its proposal or amendment is supported by non-state groups (Bouwen, 2002; Eising, 2007; Klüver, 2013). Accordingly, it may focus on non-state groups than other stakeholders (Mazey & Richardson, 2006). Hence, the Commission is more responsive to non-state groups if the groups oppose an amendment to change a policy issue in the consultation process.

H2: The more the non-state groups oppose an amendment that aims to change a policy issue in the consultation process, the more the European Commission will disapprove of the amendments proposed by the EP and the Council in the legislative process.

The hypotheses thus far focus on the demands of external stakeholders that may drive the positions of EU decision-makers during the legislative process. Nonetheless, other elements may exist that may explain the response of EU decision-makers. For instance, if a policy issue is highly salient or domestically controversial during the Council deliberations, the Council

may prioritize salient issues to all stakeholders. Research shows that the diffuse preferences of stakeholders may affect the number and kind of legislation, which is agreed upon at the EU level (Alexandrova et al., 2016; Schneider, 2018; Toshkov, 2011; Wratil, 2019). Therefore, it is important to examine the effect of saliency on the responsiveness of EU decision-makers regarding the intensity of actual conflicts among stakeholders on policy issues from legislative proposals. If all stakeholders have the same preferences on specific issues, there will be no conflicts, and legislation will be swiftly adopted. However, if some policy issues become the focal point of domestic public debate, conflicts between stakeholders may force member states to focus more on such issues. Hence, it seems that the more diffuse these preferences are, the more attention the issues receive, which feeds saliency. That is, it will reinforce policy stances in public deliberations and induce higher saliency on the issue. Preference heterogeneity⁴⁷ among stakeholders should, thus, impact EU decision-maker behavior in Brussels when negotiating highly salient issues, which may encourage them to act more responsively.

H3: Preference heterogeneity among stakeholders regarding a highly salient policy issue at the EU level affects the position taken by all EU decision-makers.

5.4 Research design

5.4.1 Unit of observation and sampling

The study focuses on specific policy issues related to EU legislation to examine whether the stakeholders' heterogeneous preferences affect position-taking by EU decision-makers during the legislative process. This chapter employs 167 policy issues embedded in 66 EU legislative proposals introduced between 2002 and 2014.⁴⁸ The 66 proposals are from the dataset used in prior chapters. Given data on position scores, stakeholder demand, and outcome of ideal points in the DEU-III dataset, the number 66 is an incidental number of observations. Each piece of legislation is subdivided into numerous sub-issues. The dataset was extended with legislation-specific sub-issues, and each contentious issue had a position score in the DEU-III dataset.

The data collection and sample selection approach followed the method introduced in Chapters 2 and 3 and is based on the EUR-Lex and Legislative Observatory databases and additional consultation information of stakeholders. Data on the policy position of each EU

⁴⁷ This indicator is a direct result of the studies in the prior chapters. In this chapter, it is an independent variable in this chapter.

⁴⁸ The quantitative datasets that support the findings of Chapter 5 are accessible in Harvard Dataverse: <https://doi.org/10.7910/DVN/RH5H3H>

decision-maker and distance of policy position was further supplemented by the DEU-I (Thomson & Stokman, 2006), DEU-II (Thomson et al., 2012), DEU-III (Arregui & Perarnaud, 2021), and EMU Positions (Wasserfallen et al., 2019) datasets.

The EUR-Lex and Legislative Observatory databases provide specific information for the 100 legislative proposals used in Chapters 2 and 3. The consultation data collected provides the opinions of all stakeholder types on legislative proposals during public consultation. The DEU datasets provide more information on the positions of EU decision-makers. The DEU-I dataset contains 69 legislative cases from 15 member states, and the DEU-II dataset contains 56 legislative cases from 27 member states spanning the 2004–2007 period and 16 legislative cases from the 28 member states from 2016 to 2019. The new DEU-III dataset, which this study employs spans over two decades of EU decision-making from 1999 to 2019 and contains systematic data on 141 legislative proposals and 363 contentious issues. The DEU dataset is, thus, the largest available dataset on the policy positions taken by member states, the European Commission, and the EP. It also provides information on the salience scores assigned by each actor to the issues for a final decision.

The EMU Positions dataset identified 47 contentious policy issues debated during the Eurozone crisis between 2010 and 2015. It contains information on all EU member-state preferences, policy space, and saliences and the positions of key EU decision-makers on the 47 contested policy issues. Regarding whether all the existing cases in Chapters 2 and 3 were presented in the DEU-III and EMU Positions datasets, 66 legislative proposals overlap in the DEU-III dataset and EMU Positions dataset. The Commission, EP, and member states took different positions on 167 specific policy issues raised by each legislative proposal on the policy scales. Importantly, a qualitative inspection revealed that the position to which the documents referred was each EU decision-maker's response to a compromise proposal during the negotiations rather than the policy positions they initially advocated (Thomson et al., 2012).

The data collection process has three steps. First, the study used the 100 legislative proposals, supplemented with other available data on the 100 legislative cases from the DEU-III and EMU Positions datasets. Second, it selected and identified 66 legislative proposals from the existing 100 legislative cases, with 167 specific issues (the Appendix to Chapter 5). Each issue is

operationalized using a 0–100 policy scale,⁴⁹ with the endpoints indicating the most extreme positions by any of the decision-makers or the most severe outcomes considered. Each decision-maker is then assigned a point on the scale corresponding to the outcomes it preferred. Third, the 66 legislative cases were chosen based on the following three criteria: (1) the cases address disagreement about the contentious proposals, (2) they are observable in primary and secondary data sources, (3) stakeholders are involved in the consultation activities therein.

The empirical study followed the DEU approach in merging and adding the legislative proposals from the EMU Positions dataset based on the original dataset in the EUR-Lex and Legislative Observatory databases and consultation documentation data. The reported position scores regard well-defined points in the policy space; higher scores indicate more consensus. The codebook and online appendices give access to the data and additional information on it.

5.4.2 Coding content

The researcher manually coded documents submitted by the groups during consultations to provide sufficient empirical evidence on the relationship between stakeholder demands and EU decision outcomes. This approach to spatially representing the positions of stakeholders and analyzing political conflict follows earlier work on negotiations in national, international, and the EU context (e.g., De Mesquita & Stokman, 1994; Judge & Thomson, 2019; Thomson, 2011; Thomson et al., 2006). It is recently applied to examine the influence of interest groups in the EU (Dür et al., 2015).

This study chose consultations that referred to a subsequent legislative proposal made by the Commission and analyzed the consultation documents to ascertain stakeholder opinions indicated in contributions. It chose the EU ETS directive (COD/2001/0245)⁵⁰ as one of the examples to illustrate how it coded other files to provide evidence for the coding materials. This dossier involves consultation on a specific legislative proposal (COD/2006/0304), which is addressed by the Commission, the Council, and EP following the 2004 enlargement. The proposal addresses four contentious issues on which EU legislators took varying positions and provides thorough information on the policy positions of each EU decision-maker. Documents

⁴⁹ The policy scales and scores were coded by other researchers in the literature. This study employs them to collect and add new data in its analysis.

⁵⁰ The dossier of EU ETS was selected as an example for the coding material because this case is typical, as it has complete information on contentious issues and policy positions of each EU legislators. The advantage of focusing on this case is that it is available in the quantitative and qualitative dataset of this research project, and it provides thorough information about background, references, measurements, and position scores of all political actors.

submitted by stakeholders in response to relevant consultations are accessible via a dedicated website. A total of 109 stakeholders represented organizational interests in these consultations. Each stakeholder is classified per their country of origin (national, EU-wide, or non-EU) and group type (EU interest group, research institute or think tank, NGO, and CSO). All stakeholder demands and contributions are cross-checked with the transparency registry and qualitative data provided in submission documents. Each stakeholder is assigned a score on a position scale, corresponding to the outcomes they prefer the most. The emphasis on specific policy issues is appropriate given stakeholder demands, which are often very technical and highly political.

The mapping of each stakeholder's preference for controversial issues is depicted in Figure A4 in the Appendix to Chapter 5. Specific policy scales in the DEU-III dataset have been adapted to add extra stakeholder positions or merge existing stakeholder positions given the absence of specific information in the consultation documents. The first issue at the top of Figure A4 is the total amount of CO₂ emission rights to be given and how targets should be distributed across member states. During the previous consultation stage, most stakeholders supported a small amount based on 1990 as the reference year (position 100). During the decision-making stage, data on the positions of EU decision-makers were compiled, and three positions were described: a large amount (position 0), 95% of annual average total sector emissions (position 50), and a small amount (position 100). The European Commission, the EP, and most member states took position 100, choosing a small amount based on 1990 as the reference year. The outcome score for the policy position was also 100. It demonstrates that stakeholder preferences during the consultation stage are largely consistent with the position taken by EU decision-makers during the legislative process.

The second issue depicted in Figure A4 concerns the auctioning of carbon credits. Most EU interest and non-state groups were opposed to the auctioning of carbon credits (position 0). During the consultation stage, most stakeholders opposed the auctioning of carbon credits, but Denmark and the UK wanted to maintain some flexibility for 50% auctioned, as did the Confederation of British Industry and Confederation of Danish Industry during the preceding consultations. However, other stakeholders did not go into sufficient detail in their responses to the consultation to distinguish between positions 50 and 100, focusing instead on whether additional provisions on global CO₂ reduction should be included. Hence, the categories were combined for content analysis. As in the figure, three positions were available on the DEU-III policy scale. The European Commission and 23 member states took position 0, which implied

choosing no auctioning of carbon credits, while the EP, Ireland, and Sweden wanted to support the maximum possible for auctioning carbon credits (position 100). Thus, the positions of the European Commission and the member states are closer to stakeholder preferences than the EP when EU decision-maker positions are deeply divided on an issue.

The third controversial issue is the provisions for compliance and enforcement of the new agreement. The Commission's consultation specifically requests stakeholders to provide opinions on this issue. Regarding retaining specific measures to accommodate new agreements, most stakeholder preferences aligned with the Commission and EP's scope of positions during the decision-making stage. Regarding opposition and support, a few stakeholders expressed opinions to propose special treatment for new agreements until compliance and enforcement are achieved, though the remaining few stakeholders were opposed to any special provisions. Further, approximately half of the member states took each of the two extreme stances during the decision-making stage.

The Commission and several member states were more divided on the fourth issue, which concerned mitigation actions and commitments by developed countries. One legislative proposal's distinguishing feature is that numerous member states also submitted responses to the consultation. In most situations, the demands stated during the formative stage reflected the positions taken throughout the decision-making stage. The EP, however, took no explicit position on this issue. The largest stakeholder comprises non-state groups (NGOs) concerned with climate change, renewable energy, health, the environment, human rights, and specific aspects of civil freedoms. While most NGOs supported an 80% reduction in emissions by 2050, they argued that the agency should not duplicate the work of other interest groups that share best practices and research to accelerate member states' overall emission reduction targets.

In summary, the preference configurations discussed reveal positions that are dispersed and allow for exploring the hypotheses. The coding content provides background and historical insight in the case of text for further analysis, supplementary data, a means of tracking change, and confirmation of findings from other data sources.⁵¹

5.4.3 Dependent variable

The study employed a position score that represents the position of the EU decision-makers (i.e., European Commission, EP, and member states in the Council) in the legislative process

⁵¹ The dossier specified here illustrates how other dossiers were similarly coded.

as the main dependent variable to test whether heterogeneous preferences of stakeholders drive the position-taking by EU decision-makers. This score is the dependent variable for all EU decision-makers. The study also employs distinct position scores for each decision-maker. The overall output scores are used to test H1 and H3. The study employs the position score of the European Commission to test H2. The position score compares the distances between the adopted legislation and the average position score of EU decision-makers, including member states.⁵² It may vary between 0 and 100. The smaller the score, the less distance between the average position and the final decision.⁵³ Regarding the moment at which positions are gauged, scholars of the DEU-III and EMU Positions datasets emphasize that the coded policy positions of EU decision-makers were determined after a legislative proposal was submitted but before ultimate consensus was reached in the Council or European Council (Wasserfallen et al., 2019; Arregui & Perarnaud, 2021).

Regarding positions, absolute policy positions are comparable across issues, as each policy scale represents the range of the negotiating space that existed during the legislative negotiations on an issue (Costello & Thomson, 2010; Thomson, 2009). However, the position scores for policy alternatives on different scales are not comparable given how the scales are constructed (Thomson et al., 2012). All scales were recalculated to fit the 0-100 range—the most extreme position.⁵⁴ For example, a position of 100 points indicates an extreme position on some issue, signifying a substantial difference if the agreed policy is at 50 (difference of 50). However, having a position on another issue of 75, with the agreed policy of 50, leaves a difference of 25. Whether the distance of 50 for the first issue is similar, smaller, or bigger than 25 for the second one cannot be determined. Thus, the study measured preference congruence as a dichotomous measurement for each issue to examine whether the stakeholder opinions and the positions taken by all the EU decision-makers are the same or similar.

For each contested policy issue in the selected legislative proposals, the unidimensional policy space is defined by the most extreme positions taken by member states or EU decision-makers. If the discernible policy positions range from 0 to 100, the policy space contains

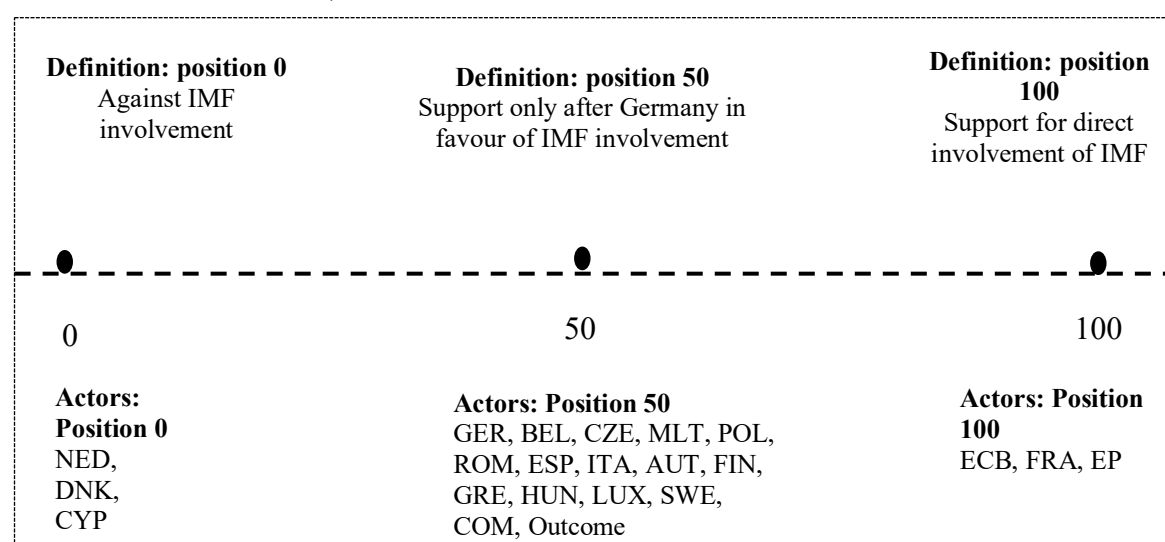
⁵² The position score is given in the original datasets rather than the recalculated scores. The policy position is a statement of the policy preferences of EU decision-makers on a particularly controversial topic at a specific moment in time when the policy debate has begun but before EU consensus has been reached. The policy score indicates the policy position's ranking inside an ordered policy space (i.e., 0 or 100) or any pre-defined score in between. The coding is based on the policy space's nearest predefined point. The average position score is 50.

⁵³ It is applicable only if the policy as adopted is position 100; otherwise, it is a matter of some policy issue scale.

⁵⁴ This method may work only when different issue dimensions are not connected. It ignores the fact that, relative to another issue dimension, the difference between extreme points can be less or more because it is a similar distance between most different positions for each dimension.

different pre-defined positions ranging from 0 to 100, as in the DEU-III and EMU Positions datasets. The study also used scores between 0 and 100 to code the most extreme positions in the unidimensional policy space. It characterized any intermediate viewpoints explicitly and provided ratings that broadly reflect the degree of proximity to either extreme stance. Figure 5.3 presents an example of policy position, space, and score on a policy issue. There are three positions on whether the legislative proposal⁵⁵ should take the IMF's⁵⁶ participation in the First Greek Program into account. Most member states took position 50, preferring a solution with only European stakeholders. Supranational institutions (position 100) advocated for direct IMF participation, which could provide funds and expertise with structural reform implementation. Although France, the European Central Bank (ECB), and the EP have another position, it was the final decision of intergovernmental negotiations.

Figure 5.3. Example of a policy position, space, and score on policy issues (source: Wasserfallen et al., 2019)



5.4.4 Explanatory variables

Table A1 in the Appendix presents the operationalization of the variables in this chapter. Stakeholder opposition is a count index that includes these two elements: (1) EU interest group

⁵⁵ The legislative proposal refers to the final proposal, which is a result of negotiations between the European Parliament and the Council. Hence, the position of the EP and Council could be divergent from the original position by the Commission. The study measures the position of all EU decision-makers on this final legislative output. This output score is presented in the DEU III dataset.

⁵⁶ The study sets the IMF case in the First Greek Program as an example to explain how the policy position, space, and score on policy issue are defined. This case is also in the dossier of choice among 167 specific issues in the selected 66 legislative proposals.

opposition and (2) non-state group opposition. The two main explanatory variables are measured by the number of negative opinions through a “relative value.”⁵⁷ This relative value can be expressed as follows as suggested by Dür & Mateo (2013: p. 14).

$$\text{Relative positive value} = \frac{(\text{number of positive opinions} - \text{number of negative opinions})}{(\text{number of positive opinions} + \text{number of negative opinions})}$$

Stakeholders expressed different opinions in the consultation, measured as positive, neutral, and negative. Abstentions and absentee votes are considered negative votes under the absolute majority rule. Hence, neutral opinions are by default negative opinions. Furthermore, the study distinguishes between types of stakeholders: EU interest and non-state groups. EU interest groups are typically categorized into four types: business, professional, identity, and institutional groups (Baroni et al., 2014; Beyers et al., 2008, 2014; Binderkrantz et al., 2017, Flöthe, 2020). Non-state groups include NGOs and CSOs, often referred to as “pressure participants” (Jordan et al., 2004; Willems et al., 2020).

Other explanatory variables from the hypotheses are preference heterogeneity among stakeholders and salience of policy issues. Preference heterogeneity among stakeholders means stakeholders hold divergent preferences on policy issues, which is measured by the squared differences between the opinions of a single stakeholder and the opinions of all stakeholders. The last explanatory variable is the salience of policy issues, measured by gauging the number of statements made by civil society groups in the selected media outlets and the number of stakeholders involved in the discussion in the consultation activities.

5.4.5 Control variables

This chapter controls for several factors that may affect the responsive behavior of the EU decision-makers and some well-established variables that tap into the characteristics of specific policy issues and relate to their legislative proposals. The first two control variables include the category of EU decision-makers and the number of decision-makers who took positions. It is necessary to control for the variables because different decision-makers have different scores on policy issues. The category of EU decision-makers is included as a dichotomous variable indicating whether the decision-makers are the European Commission, the Council and EP, or

⁵⁷ See a detailed explanation for dataset, coding process, and operationalization of stakeholder opinions and demands in Chapters 2 and 3. The same scale as the policy positions of EU decision-makers is not used to score the positions of the stakeholders because there is a lack of sufficient information in the DEU dataset for scoring the positions of the stakeholders opposition or support on this scale. Future studies can aim to bridge this gap.

only the Council (i.e., member states); the Commission, MEPs, and 28 member states could take positions to a compromise proposal during the negotiations (see details in Table A1 in the Appendix to Chapter 5).

The third control variable is the magnitude of policy change introduced by the specific policy issues related to their legislative proposals (Rasmussen, 2011; Rasmussen & Toshkov, 2011; Finke & Dannwolf, 2013), measured by the number of EP amendments tabled at the first reading. Relative to proposals that require relatively minor alterations or are withdrawn, EU legislative proposals that comprise new laws or revise existing legislation are more likely to result in policy changes at the national level.

Moreover, the contestation of the policy issue and the complexity of the legislative procedure are also included as control variables. The former is measured by the number of controversial issues in the legislative proposal, as identified in the dataset. The latter is measured by the number of EP committees involved in debating the proposal and the types of legislative procedures. The other control variable distinguishes whether the legislative act is a new proposal or simply an amendment to existing EU legislation. In the analysis of policy responsiveness, these critical variables affect whether member states and stakeholders reach a consensus in a longer duration of decision-making. Hence, the legislative duration can be a continuous variable in the analysis, measured by the number of days a legislative proposal takes to reach adoption from initiation. The study, especially, focuses on the longer duration of decision-making in the analysis, exceeding the average time of a legislative proposal from initiation to adoption. Tables A2 and A3 in the Appendix to Chapter 5 summarize the descriptive statistics and the correlation coefficients of all the variables.

5.5 Analyses and results

The study uses multilevel OLS to test the hypotheses. The primary dependent variable is the (average) position score for all EU decision-makers and the European Commission. The study uses 30 observations on the positions of EU decision-makers on each of the 167 policy issues related to 66 selected legislative proposals, comprising the European Commission, the EP, and each of the 28 member states. The 30 EU decision-makers did not take positions on all issues.

Further, 3,425 relevant opinions were expressed by a stakeholder, which corresponds to a position taken by an EU decision-maker.⁵⁸ These opinions indicate the degree to which stakeholder demands and EU decision-maker positions diverged on a specific issue. The study constructed the models in different stages (see the tables below for the complete models with all controls). All the models in Table 5.1 increase the model fit significantly relative to their baseline models with control variables. Table A4 in the Appendix presents models of bivariate relationships between dependent and explanatory variables without control variables. Table A5 in the Appendix presents additional logistic regression models, using a dichotomous measure of preference congruence as a dependent variable. Additional robustness checks validate the results in Table A6 in the Appendix to Chapter 5. Table A6 replicates the models in Table 5.1 to confirm the results while accounting for the interaction between some explanatory variables.

Table 5.1. Multilevel ordinary least squares regression

	Model 1	Model 2	Model 3	Model 4
<i>Characteristics of explanatory variables</i>				
EU interest groups opposition	-0.166* (0.084)			-0.162 * (0.089)
Non-state groups opposition		-0.384 (0.231)		0.097 (0.174)
Preference heterogeneity among stakeholders			-11.884 (18.310)	-6.719 (19.056)
Preference heterogeneity among stakeholders* salient issue			-0.072 (0.087)	-0.086 (0.088)
<i>Characteristics of EU decision-makers</i>				
Number of legislators	0.264 (0.321)	1.098* (0.474)	0.223 (0.312)	0.268 (0.317)
The Commission	37.941* (16.904)	-17.308 (24.772)	34.409* (16.530)	36.548* (16.527)
The Council & EP	38.924* (16.450)	-15.107 (24.199)	34.503* (16.136)	35.243* (16.120)
Member States	34.923 (16.695)	-18.312 (24.486)	28.983 (16.412)	30.263 (16.361)
<i>Other controls</i>				
Salience of policy issue	-0.168*** (0.022)	-0.008 (0.032)	-0.168*** (0.022)	-0.171*** (0.023)
Contestation of policy issue	-1.048 (1.770)	0.024 (2.667)	-0.127 (1.706)	-0.658 (1.796)
Legislative duration	0.847*** (0.194)	-0.091 (0.288)	0.958*** (0.193)	0.930*** (0.195)
Novelty of act	-4.369 (4.638)	-9.019 (6.767)	-2.568 (4.529)	-3.532 (4.540)
The magnitude of policy change	0.391 (0.412)	0.031 (0.473)	-0.192 (0.309)	0.282 (0.405)
Complexity of legislative act	-2.527 (1.712)	0.899 (2.516)	-2.539 (1.678)	-2.444 (1.677)
Constant	35.765* (19.269)	71.726* (28.532)	36.822* (18.914)	37.260* (19.159)
N	167	167	167	167
Pseudo R-squared	0.409	0.081	0.430	0.442

⁵⁸ The study reviewed the documents from the consultations to identify stakeholders that made submissions. The 3,425 stakeholder opinions are identified in the consultation dataset, which is also used in Chapters 2 and 3.

Notes: Dependent variable is the output score of decision-making presented by all EU decision-makers. Model 2 uses the output score of the position taken by the European Commission as the dependent variable; standard errors in parentheses; * $p < 0.1$; ** $p < 0.05$; *** $p < 0.01$.

Table 5.1 presents the results of multilevel OLS regression models of the output score of policy position. The study first includes only the term of EU interest group opposition in Model 1 to test H1. It finds a negative and significant relationship between the average policy position of all EU decision-makers and EU interest group opposition. The size of the effect is -0.166, which indicates that the position score of all EU decision-makers is lower relative to the score of the average policy position when the opposition by EU interest groups is greater (or less change is preferred). The Commission, EP, and Council are less supportive of major changes in policy issues during the legislative process when the EU interest group opinions on policy issues are negative. Hence, H1 is confirmed.

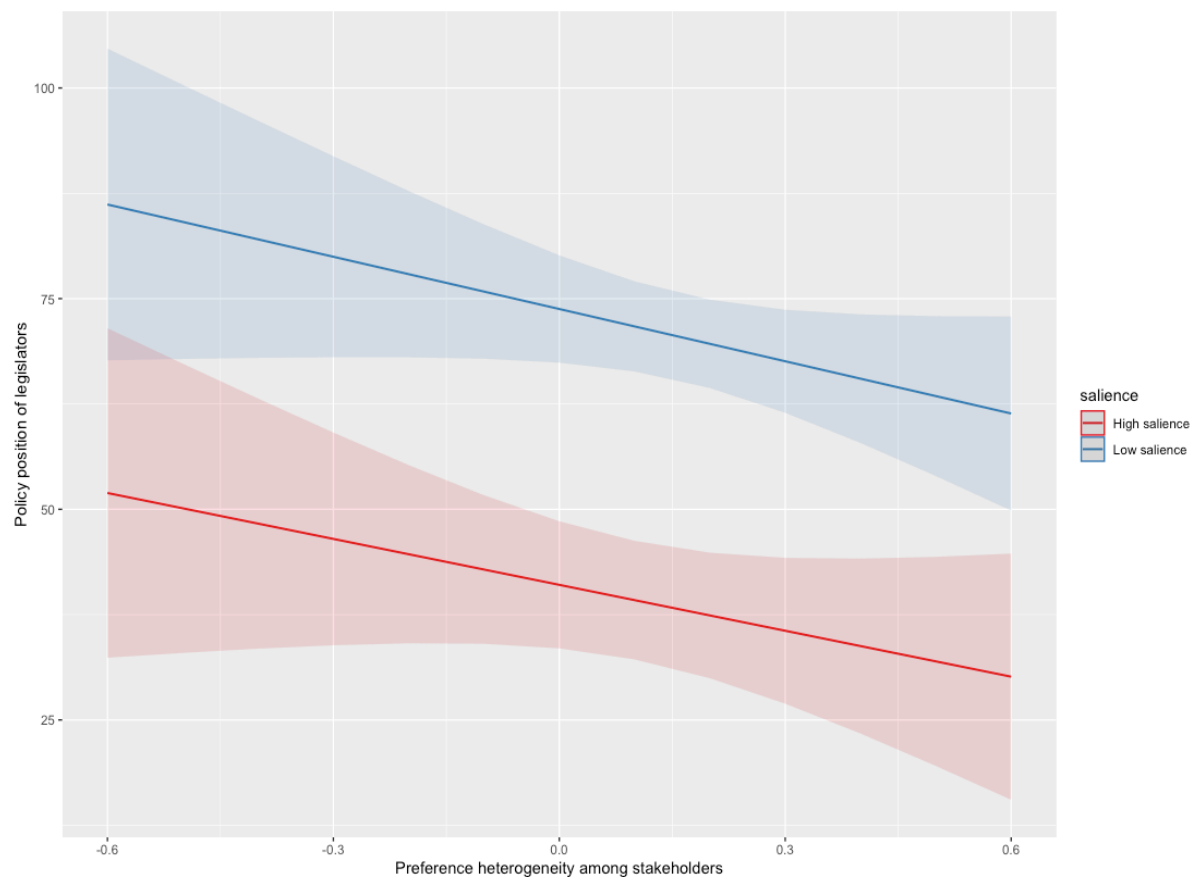
The study employs the position score of the European Commission as the dependent variable and includes non-state group opposition in Model 2 to test H2.⁵⁹ Contrary to the expectation, the effect of non-state group opposition is negative but non-significant. Thus, the opposition by non-state groups does not affect the policy position of the European Commission. Hence, H2 is rejected. Although the bivariate correlation shows that these non-state groups affect the position taken by the Commission, they are not relevant to explaining the direct effect. That is, even though non-state groups are valuable stakeholders for the Commission, the Commission usually gives greater weight to those that provide information on the opinions of the NGOs and individual citizens (Mazey & Richardson, 2006). It does not necessarily mean they have more influence on the position taken by the Commission.

Further, to test the effect of the salience of the policy issue on the relationship between the explanatory factors and dependent variables (H3), the study includes the interaction term between preference heterogeneity among stakeholders and salience of policy issue in Models 3 and 4. In both models, the preference heterogeneity among stakeholders is non-significantly related to the dependent variables after controlling for the effect of salient policy issues. Table 5.1 also applies to the full range of the intervening variable when using more tests in the alternative specifications. However, a negative and significant coefficient is associated with

⁵⁹ The position score of the European Commission is taken after the amendments proposed by the EP and the Council. Since in the DEU original dataset, there is no big difference in the position score of the Commission, the EP, and the Council. There are no differences in the effect and significance of regression analysis results when running the scores separately in different models. Only a few numerical discrepancies exist in the results but do not affect the overall results.

the variable “salience of policy issue” in Models 1 to 4. It indicates that the average policy position score of all EU decision-makers is significantly lower if the policy issues are highly salient, which also indicates that the Commission, EP, and Council may take a relatively conservative position during the legislative process when policy issues receive great attention from civil society. Thus, the salience of policy issues is not directly associated with determining the responsiveness of EU decision-makers in the legislative process. The interaction effect depicted in Figure 5.4 is based on the estimations of Model 3. Preference heterogeneity among stakeholders is plotted, with the two regression slopes for issues of low and high salience (fixed at the maximum observed value in the data), on the x-axis. Thus, H3 is rejected.

Figure 5.4. Interactions between preference heterogeneity among stakeholders and salience of policy issues treated as a continuous variable (based on Model 3)



Regarding the control variables, the effect of legislative duration is significantly related to the dependent variable, but the coefficient is positive. This result indicates that the policy position of decision-makers tends to be more supportive if the legislative process is delayed. However, the longer duration of the legislative process is not directly associated with the position taken by EU decision-makers. The remaining control variables are not significantly

related to the policy position of EU decision-makers. Table A6 in the Appendix presents the robustness checks. Moreover, the study incorporates a control variable (i.e., type of legislative act) that concerns the proposals for which an issue is an element. It is an appropriate method to check whether the variance is linked to proposals instead of issues because most proposals have three or more issue dimensions in the dataset. Additional results are reported using several categories of stakeholders and EU decision-makers, a different operationalization of dependent variables, logistic rather than OLS regression, and model estimation without control variables and multiple imputations. The study conducts a series of logistic regressions with a dependent variable indicating whether stakeholder opinions and the position taken by each EU decision-maker were congruent. All tests support the main findings, which accord with the prior findings.

5.6 Conclusion

Responsiveness in the EU's legislative process is a complicated issue, given the obstacles to a consensus between stakeholders and among EU decision-makers. Many EU decision-makers cannot be held accountable for changing conditions or bringing together different preferences of stakeholders. This chapter employed a merged dataset to examine how the preferences of stakeholders may be linked to the positions of EU decision-makers in the legislative process. From the insights from the literature on policy responsiveness and legislative politics emerged three hypotheses on the opinions of EU interest groups, which may not only impact legislative decision-making speed but also affect the degree of responsiveness.

First, heterogeneous preferences of EU interest groups may impact the responsiveness of EU decision-makers. The positions of EU decision-makers during the legislative process are correlated with the preferences expressed by EU interest groups during the consultation stage. In particular, the negative opinions of EU interest groups are considered by EU decision-makers during the decision-making stage, as reflected in their preferences during the negotiations. This finding indicates that the heterogeneous preferences of EU interest groups would affect the responsiveness of EU decision-makers.

Second, as the quantitative analysis correlates stakeholder demands and legislative duration, the study collected empirical evidence via content analyses of consultation documents to confirm the evidence relating to drivers of the EU decision-maker responsiveness. The analysis offered interesting findings: stakeholder preferences during the consultation stage are likely congruent with the position of EU decision-makers during the legislative process. The positions

of the European Commission and the member states may be more likely closer to stakeholder preferences than the EP when the positions of EU decision-makers are deeply divided on an issue.

Third, although a longer duration of the legislative process is not associated with more responsiveness, the degree of congruence between stakeholder preferences and EU decision-maker positions affects the legislative process. Even though a longer duration may be necessary to reconcile different opinions and reach a consensus, civil society may not be satisfied with the EU if it can respond to stakeholder demands on specific policy issues and only focus on rhetorical responsiveness. The situation may weaken democratic legitimacy and provide an opportunity for Euroscepticism to arise (Drüner et al., 2018).

The results have theoretical and practical implications for a better understanding of responsiveness in the EU legislative process. The normative implication is that the findings assess whether democratic legitimacy can be improved when stakeholders are involved and whether stakeholder preferences affect the speed with which decision-makers produce such outputs. However, the findings are limited to the EU level, a political system in which responsive mechanisms may operate differently than in national contexts. Nonetheless, by highlighting the importance of controlling for the scale of the underlying policy challenges, the findings may have implications for the formulation of ideas on responsiveness. Specifically, stakeholder demands and opinions must be considered as significant variables that may affect responsiveness in practice. Actual responsiveness may imply that the legislative outcome is contingent on the fulfillment of specific interests rather than an ideal outcome. Responsiveness seems to be the ability to consider different views despite heterogeneous preferences between different stakeholders.

The findings also have implications for interest group representation and democratic participation. From the qualitative data, less resourceful non-state groups may underrepresent the preferences of individuals. Notably, none of the non-state groups offer structural incentives to their constituency that make involvement more appealing to individuals less likely to engage in politics (Fung, 2006). However, as noted in the Introduction, EU decision-makers appreciate EU interest groups for their intermediary role and the potential for representation. Thus, the extent to which these stakeholders can represent most citizens may be skewed in favor of EU interest groups, which have greater representative ability than non-state groups.

The limitation of studying the responsiveness of EU decision-makers in this chapter is the challenge of identifying the causal relationship between stakeholder opinions and policy positions. This issue is crucial and is not fully studied in this chapter. Although EU decision-makers may respond to interest groups, their response could also be influenced by other factors. Further research should examine this causality and consider the policy-specific preferences of political actors and the behavior of governments, national parliamentarians, Commissioners, and MEPs regarding the preferences expressed by their respective constituencies.

CHAPTER 6

Conclusion



6.1 Introduction

This dissertation examines the political factors affecting the legislative decision-making speed using insights from legislative politics and interest group politics literature. Regarding all political systems, decision-making speed results from the interaction of political actors. In the EU, the European Commission, the member states, and the EP participate in the legislative process. Further, the actors may be affected by external stakeholders, which may have different opinions or preferences toward the EU policies. When this is the case, they can change a proposal for new legislation. In this process, interest groups that obtain selective benefits from such a proposal will have a greater incentive to change the policy proposal than groups for which these benefits are more dispersed. The European Commission and others such as MEPs may facilitate the involvement of EU interest groups by providing the opportunity to express their opinions. By examining the key characteristics of this process, we can better understand how EU legislative policymaking works.

This study starts by hypothesizing that EU decision-makers and external stakeholders affect the speed of EU decision-making. The goal is to study the mechanism. This dissertation focuses on the combined effect of the opinions of external stakeholders and the preferences of member states on decision-making speed. Thus, the first goal is to identify whether the opinions of external stakeholders on new legislative initiatives increase the input and democratic legitimacy of the EU legislative process. The second goal is to explore the causal mechanism based on the interactions, which may prolong legislative duration. The final goal is to verify whether EU decision-makers reconcile conflicting opinions and whether it motivates them to effectively respond to stakeholders on contested policy issues. Thus, the dissertation provides a comprehensive approach to assessing external stakeholder participation and the responsive function of the EU in legislative policymaking. Empirically, the dissertation mainly examines how and why the heterogeneous preferences of stakeholders affect legislative decision-making. It also studies the trade-off between political efficiency and democratic legitimacy by probing the responsiveness of EU decision-makers in the legislative process. Thus, the overall research topic is: *What political factors affect the EU legislative decision-making speed or duration?* By treating legislative duration and responsiveness as important variables, the dissertation assesses the political factors that affect legislative decision-making speed. In summary, the dissertation addresses four research sub-questions:

1. How do the different stakeholders affect the duration of the EU legislative process?

2. What is the impact of the interaction of stakeholder opinions and member-state preferences on EU decision-making speed?

3. Is there a causal mechanism behind the interaction between member states and stakeholders that affects duration?

4. To what extent do EU decision-makers respond to the different opinions of stakeholders when the EU decision-making duration is longer?

The following sections present the main findings on these questions. The study then explains the broader implications of the results and the suggestions for the functioning of the EU. Finally, it discusses the study challenges and potential directions for future research.

6.2 Main findings

The dissertation begins with a debate on whether external stakeholders have a role in legislative decision-making and, whether EU interest groups affect the speed of EU decision-making. Three perspectives illuminate why EU interest groups affect decision-making speed. The first perspective is a pluralistic understanding of stakeholder involvement via public consultation. Thus, stakeholders may represent the opinion of their members in an aggregated way and advocate for all (or the most important) voices of civil society to be heard. The second perspective is that stakeholder opinions and member-state preferences affect legislative decision-making speed. The third perspective focuses on the main political actors in the EU legislative process and shows the extent to which they are responsive and accountable to the heterogeneous opinions of stakeholders.

6.2.1 How do the different stakeholders affect the duration of the EU legislative process?

As argued by Rasmussen and Toshkov, the prospects of joint decision-making are determined by the degree of actual preference conflicts among participants rather than the density and diversity of active interests. Instead of gathering information about the sheer number and organizational type of active interest groups in each consultation, research should focus on the actual preference heterogeneity of actors involved in specific legislative proposals (Rasmussen & Toshkov, 2013). Therefore, Chapter 2 examines the impact of stakeholder opinions, as presented in public consultations, on the legislative decision-making speed.

A crucial determinant of legislative decision-making speed is the intensity of preference conflicts among stakeholders. Hence, to answer the first sub-question on whether divergent

opinions of stakeholders have a significant effect on the legislative duration and how they exert influence, Chapter 2 shows that more intense divisions in stakeholder opinions could induce longer duration. The analysis also indicates that more differences between EU interest groups yield a significantly longer legislative process than those between non-state groups.

The determinant of legislative speed is not solely contingent on stakeholder support or opposition to legislative proposals. With more involved stakeholders, stakeholder support or opposition appears to be more influential. While Chapter 2 is important for further studies and policy implications, it does not probe how stakeholders align with member-state preferences and influence EU decision-making speed (it is studied in Chapter 3).

6.2.2 What is the impact of the interaction of stakeholder opinions and member-state preferences on EU decision-making speed?

Chapter 3 builds on rational choice theory to explain how the opinions of stakeholders and the preferences of member states interact in shaping legislative duration. The argument here is that the opinions of stakeholders affect the preferences of member states. When the opinions differ, member states adapt their positions by making the search for a compromise more challenging. The study employs the idea of transaction costs to describe the problems related to making a compromise. Having higher transaction costs means it is more challenging to settle an issue, thereby prolonging the decision-making process.

Chapter 3 addresses the extent to which the relations between stakeholders and member states affect the legislative duration. As per the findings in Chapter 2, there is an interaction effect between stakeholder opinions and member-state preferences. This effect indicates that when member states have heterogeneous preferences and stakeholders file negative opinions on a proposal, the decision-making process will last longer. Based on the theoretical framework, the logic is that when there are different views among member states and stakeholders have “negative” opinions, EU decision-makers need more time to form a sufficiently large coalition and reach a consensus. Chapter 3 also reveals that the effect on the legislative process of preference homogeneity of member states is not substantially different from the effect of the preference heterogeneity of member states and the positive opinions of stakeholders.

From Chapter 3, a longer duration is not necessarily a negative outcome. Stakeholders and member states may require EU decision-makers to spend more time forming a coalition to reach a legislative deal in case of conflicts. If legislative decision-making proceeds quickly,

controversial issues may not be debated sufficiently and resolved completely, which may affect the extent to which stakeholder opinions are incorporated in the compromise.

6.2.3 Is there a causal mechanism behind the interaction between member states and stakeholders that affects duration?

The study then examines whether there is a causal relationship between the diverse positions of political actors and longer decision-making duration in the EU. Given that existing research seldom unpacks the causal mechanisms underlying this finding, it is important to investigate causality using a qualitative case study approach. A process-tracing approach can provide more evidence and explain the results in the quantitative analysis. By concentrating on the process that connects causes and outcomes, process-tracing can help untangle the causal mechanism inside the EU legislative decision-making. Further, it can substantiate causal claims about the relationship between the preferences of political actors and legislative decision-making speed.

Chapter 4 applies a process-tracing approach to explore the causal mechanism by which heterogeneous preferences of member states and stakeholder opinions yield a longer duration of EU decision-making. Generally, the causal mechanism that operates in the two selected cases of the analysis—the TTIP dossier and EU ETS—is as expected: negative stakeholder opinions coincide with heterogeneous preferences of member states for the two cases and a significantly longer duration of the legislative process. Importantly, the study identifies two mechanisms that may cause decision-making delays.

The first one is a “transmission belt” between EU interest groups and member states. As argued, EU interest groups connect the positions based on group members to EU decision-makers. When the constituency of stakeholders have different or negative opinions about a proposal, they may require more time to consider the kind of policy change they like and how they can formulate an alternative proposal. The transmission belts of EU interest groups are crucial to involving citizens and others from society to express opinions on policy. Hence, more time is required to discuss and reconcile different opinions within these groups.

The second mechanism is “transaction costs”; that is, member states’ heterogeneous preferences about a proposed policy increase the transaction costs on negotiations among these members. More Council meetings may be needed to reach a consensus and establish an agreement. The analysis in Chapter 3 used a framework for which, in this Chapter, there is additional empirical support by corroborating earlier findings and indicating the existence of a

causal relationship. That is, there is a causal relation between the heterogeneous preferences of stakeholders and member states that cause legislative decision-making in the EU to last longer.

6.2.4 To what extent do EU decision-makers respond to the different opinions of stakeholders when the EU decision-making duration is longer?

The findings on the question of the responsiveness of EU decision-makers to the preferences of stakeholders in the legislative process are somewhat mixed. Chapter 5 focuses on the relation between the opinions of different stakeholders and the positions of EU decision-makers on specific policy issues and examines the mechanism that could drive responsiveness in the EU. The positions of EU decision-makers during the legislative process reflect the preferences expressed by EU interest groups during consultation. The heterogeneous preferences of EU interest groups may affect the responsiveness of EU decision-makers in the legislative process. Interestingly, the study finds that the positions of the European Commission and the member states are often closer to stakeholder preferences than the EP when EU decision-makers are deeply divided on an issue.

Further, the empirical analyses in the prior chapters show that the EU legislative process takes longer given political actor and external stakeholder involvement. As Rasmussen & Toshkov (2013: p. 366) explain, “[e]xternal stakeholders increased the transaction costs of subsequent bargaining, prolonging the time needed to form a coalition and reach a legislative deal”. More active political actors could make the negotiations last longer and increase the risk of delayed or blocked legislation (Klüver & Sagarzazu, 2013; König, 2007; Schulz & König, 2000). However, the empirical evidence in Chapter 5 demonstrates that a longer legislative process is not related to a greater extent of responsiveness. Although the longer duration is not associated with better responsiveness, the degree of congruence between stakeholder preferences and EU decision-maker positions on the same issues affects this process by reducing legislative duration.

Chapter 5 demonstrates the importance of the successful representation of stakeholders and the effective responsiveness of EU decision-makers (Flöthe, 2020; Kohler-Koch, 2010). The empirical findings indicate that, especially when it comes to highly salient policy issues (i.e., those involving many stakeholders), EU decision-makers value EU interest groups for their intermediary role and the potential for representation; thus, EU interest groups influence the decision-making outcome significantly. This finding may be problematic from a normative

perspective, as policy issues involving many stakeholders may be controlled by specific EU interest groups diminishing the importance of other, less visible but relevant opinions.

6.3 Implications of the dissertation

The findings contribute insight into the functioning of the EU. The theoretical framework is largely inspired by the spatial model of politics and the interest group literature (to gain a deeper understanding of the influence of position-taking of political actors). Arguably, it is crucial to focus on EU interest and non-state groups in understanding EU decision-making and use these groups as a barometer for determining whether opinions (especially when they are heterogeneous) impact the EU legislative process. Chapter 2 shows how stakeholders should aggregate and express the interests of their members and how these interests affect decision-making speed. Linking public opinion via stakeholders to legislative decision-making is a vital issue in the interest group literature. In Chapter 3, member-state preferences combined with stakeholder opinions have a substantial influence in determining legislative decision-making speed. However, most studies focus on the mobilization and involvement of stakeholders and the density and diversity of interest groups (Chalmers, 2014; Rasmussen & Toshkov, 2013; Rasmussen et al., 2014; Toshkov et al., 2013). This study is the first attempt to study how stakeholder opinions feed into the legislative process and may cause delays.

Second, this dissertation sheds light on the causal mechanisms that induce a lengthy decision-making process. It helps to elucidate how these stakeholders and member states affect democratic legitimacy and political efficiency. Exploring relevant causal mechanisms helps to explain why some actors are more influential in the decision-making process. Chapter 4 hypothesizes and empirically tests the mechanisms. As per prior studies, EU interest groups act as “transmission belts” between citizens and governments (see Gilens & Page, 2014; Kohler-Koch, 2009; Lowery et al., 2005; Rasmussen & Toshkov, 2013; Rasmussen et al., 2014), thus affecting the legislative duration. Furthermore, when the preferences of member states are more heterogeneous and related to different claims of interest groups, the decision-making process will be longer. Interestingly, prior studies ignore how stakeholder involvement increases transaction costs.

Third, the dissertation can inspire scholars to examine the responsiveness of decision-makers to stakeholders and the role of EU interest groups. By combining quantitative analysis with document analysis and coding materials, Chapter 5 explains how EU interest groups could potentially affect the ability of EU decision-makers to respond to external stakeholder demands.

It shows that EU decision-makers reflect the preferences of EU interest groups during legislative decision-making. Further, heterogeneous preferences of EU interest groups affect the responsiveness of EU decision-makers in the legislative process in the sense of interest group representation and democratic participation. It helps us understand how stakeholder demands and opinions affect responsiveness.

In practical terms, this study is a reflection on how the EU makes policy. Since 2001, the European Commission has launched a series of initiatives to improve European governance (European Commission, 2001) for better regulation (European Commission, 2002). The explanatory factors studied in this dissertation help identify which factors produce or avert legislative paralysis. This insight is an essential precondition for an informed debate on potential EU institutional reforms (Golub, 2008). Hence, future political practices should pay more attention to those stakeholders with a significant role in some sectors as they may have a considerable impact on EU decision-making.

The study reveals the importance of time in the legislative process. The importance of investigating EU legislative duration stems from its relation to the efficiency of delivering certain legislative outputs to the public and making timely adjustments when legislative proposals are still being discussed. The EU legislators and the stakeholders have preferences for specific policies and the timing of their adoption. As time passes, policies may cease to answer the problems they were intended to resolve, or the demands of citizens and interest groups may shift (Rasmussen and Toshkov, 2013). A political system cannot always afford to devote unlimited time to a single policy, as it risks impairing its ability to deliver in other areas. If the EU decision-making process is prolonged, the compromise may lose its effectiveness because the nature of the problems may have altered, and public opinion may have shifted (Rasmussen and Toshkov, 2013).

Moreover, when focusing on time and duration, there are significant trade-offs between democratic legitimacy and political efficiency. Regarding meeting the preferences of various actors and enhancing the quality of legislation, the input legitimacy advantages may outweigh the disadvantage of a slower decision-making process. Given that decision-making efficiency is not the only goal guiding EU institutional reform, member states seek to trade a decrease in decision-making efficiency with some improvement in reducing the EU's democratic deficit (Schulz & König, 2000). Thus, the findings assess whether there are more outcomes in the legislative process that increase democratic legitimacy when stakeholders are involved and whether stakeholder opinions affect the speed with which decision-makers produce such an

outcome. Therefore, it is possible to determine whether decision-makers are genuinely responsive to the demands of external actors and achieve democratic decision-making.

At the micro-level, empirical research on EU decision-making speed has provided significant conclusions about the link between political actors and their institutional context. The outputs regarding adopted policy stem from behavior in the EU political system. The placement of actors inside the EU policy space defines which actors are critical to transforming minority coalitions into winning coalitions, whether at the European Commission, the EP, or the Council and between these decision-makers. The involvement of CSOs is crucial in EU legislative politics. EU decision-makers are compelled to respond to public opinion when issues are extremely important. The analysis of EU legislative politics demonstrates that it has several channels of access through which interest groups may play a role. It serves as a critical intermediate between civil society and decision-makers and advocates for their constituencies. When legislative agendas become politicized, member states governments and EU interest groups jointly affect the policy agenda and the process that may, ultimately, lead to adopting legislation through bargaining.

At the macro level, the EU shows that an advanced political system is impossible to establish without a fully formed decision-making institution, widespread popular backing, and extensive political involvement. If the EU wants to achieve better governance and development, it must balance the power to make policy with a higher level of democratic engagement. Even so, without increased capability or democratic legitimacy of member states, the EU is unlikely to address new policy issues. Therefore, the findings provide insight and reflection on how the EU can make better decisions in the future.

6.4 Future research and challenges

Some aspects and new agendas of this study give scope for future research. First, it is vital to focus on the mobilized stakeholders and policy issues studied at the EU and national levels. This dissertation only focuses on stakeholders at the EU-level, as it is an expensive and time-consuming process for stakeholders to be politically active at the EU-level. Interest groups at the EU-level may typically aggregate a more diverse set of preferences and opinions than national or local groups (Kohler-Koch & Quittkat, 2013). Hence, the stakeholders examined at the EU-level could be described as having more diverse preferences among their members on policy issues. However, stakeholders at the national level may have fewer preference conflicts, as they share similar institutional and cultural features. They may also have more homogeneous

preferences. Hence, if we compare the stakeholders included in the analyses of Chapters 2, 3, and 5, which consider all types of stakeholders mobilized at the EU-level, with similar samples of stakeholders mobilized at the national level, stakeholders at the national level may display fewer conflicts in their opinions on legislative proposals. At the EU-level, the incidence of a longer legislative duration is likely to be higher than at the national level. Future research can focus on the types of stakeholders mobilized at the national level by using a similar research design to Chapter 2. It would be easy to set benchmarks and compare whether the influence speed of heterogeneous preferences among stakeholders at different levels of government on legislative decision-making differs considerably from the findings at the EU-level.

Second, using stakeholder opinions and member-state preferences as the indicators for analyzing legislative decision-making speed implied that the closer stakeholders and member states are aligned with their preferences, the more evidence for more responsiveness and higher democratic legitimacy of policymaking. Hence, a new research agenda can look at how other groups in the EU decision-making process reflect these preferences, including working groups and national parliaments. EU decision-making outcomes may be skewed in favor of particular interests and do not accurately reflect the policy preferences of all citizens at the national level. Still, the primary issues of concern to citizens, such as taxation, education, welfare, and health care, are mainly the responsibility of national governments, not the EU. Having a skewed way of representing citizens can undermine the EU's political function and democratic governance, slowing the path of European integration. Therefore, based on the results and combining the literature on interest groups and legislative politics, it is vital to further analyze the engagement of national citizens and how their interests are reflected in supranational interest groups. Additionally, Chapter 5 emphasized the importance of policy issues affecting the legislative duration, the involvement of political actors in establishing policy positions, and the degree of responsiveness required to be perceived as more influential by the EU decision-makers. Future research should emphasize the negotiation process and involvement of the committees in the Council or the national parliaments, emphasizing policy issues on the national and EU-level context in which it occurs.

Third, a new research agenda can attempt to choose other qualitative approaches and cases. Regarding the qualitative approach, Chapter 4 uses qualitative data gathered from semi-structured interviews with EU officials to ascertain the motivations, ideological preferences, policy positions, and policy choices of EU political actors. However, the subjective aspect of the opinions of interviewees could not be eradicated, potentially making it challenging for

researchers to ascertain the hidden preferences and true thoughts of EU legislators. Future research can employ multiple qualitative approaches to capture in-depth the actual legislative behavior of EU legislators. On the selection of the cases, Chapter 4 provided a comprehensive understanding of how heterogeneous positions of political actors induce a lengthy decision-making process by using process tracing in two cases. Future studies can conduct more case studies to explore whether the causal relationship between the heterogeneous position-taking of political actors and the lengthy EU legislative decision-making can be observed empirically in broader institutional backgrounds.

The fourth aspect of a new research agenda regards variables used in the quantitative analysis. This dissertation repeatedly employed stakeholder opinions as the main explanatory variables to test various hypotheses proposing that their opinions affect the legislative process. Particularly, Chapters 3 and 5 tried to move beyond variables of general stakeholder opinions by distinguishing between EU interest groups and non-state groups. However, the opinions and preferences of different stakeholders regarding legislative proposals are not always consistent, as stakeholders have preferences for specific policies and the timing of their implementation. In this sense, various EU interest groups may express differing demands and opinions during the legislative process. Future studies should assess variables that relate to stakeholder-specific opinions, policy-specific preferences of political actors, and policy-specific behavior of governments, national parliamentarians, MEPs, and Commissioners.

A few other challenges could provide potential avenues for future research. First, it would be helpful to contribute to the debate on whether the longer duration of the legislative decision-making is a beneficial or bad outcome for EU legislative politics. Slow legislative decision-making speed might involve efficiency losses and increase the transaction costs of bargaining in EU policymaking. However, consultation advantages in reconciling diverse stakeholder preferences and enhancing the quality and democratic legitimacy of legislation may surpass the efficiency losses of lengthy legislative processes. Nonetheless, this dissertation indicates that some decision-makers worry about stakeholder involvement causing delays in legislation adoption, which cannot be ruled out. The considerations show that responsiveness means satisfying stakeholder demands and delivering inputs and demands on time. If the decision-making process is prolonged, the negotiated compromises may fail to achieve their objectives, as the nature of the issues they were intended to resolve may have changed, or the opinions of stakeholders may have shifted. Further, decision-makers are constrained by time to adopt

legislation; thus, time spent on one policy cannot be diverted to another. It would, therefore, be interesting to incorporate more variables to study this debate in future research.

Second, identifying whether there is a successful trade-off between the democratic deficit and political efficiency in EU decision-making can provide an evaluation of whether the representation through EU interest groups is successful. When too many stakeholders are involved and numerous voices are introduced into the legislative process, it would induce a longer negotiation process (Winnwa, 2018). Although policy advocates are keen to frame the finally adopted legislation as successful, opponents are more likely to frame those policies as failures (McConnell, 2010). From Chapter 5, it would be interesting to link the longer duration of the legislative process to whether representation through EU interest groups is successful in the eyes of civil society. EU interest groups do not work in isolation, and the dynamics of their environment affect how they organize and what the likelihood is of their success.

Finally, future research may consider the issue regarding seeking policy success. That is, further research could entail a more thorough examination of responsiveness articulated in Chapter 5 from the perspective of realizing a legislative act that is close to one's preference and, in the implementation phase, desired outcomes that are the result of the policy at hand. EU policies can be assessed in different ways. One desirable outcome for EU decision-making is a successful policy, implying that the legislative policy can be implemented and is favored by most stakeholders (McConnell, 2010). However, a policy can be considered successful if the realized outcomes during implementation align with the goals proponents aim to achieve. Policy success tends to manifest in different ways. Moreover, policy success implies political actors and stakeholders achieved the desirable policy because their actions somewhat induced the outcome (Thomson, 2011). The policy may coincide with stakeholder demands if decision-makers respond to the signaled opinions. This topic is an interesting scope for future research.

6.5 Concluding remarks

Throughout the dissertation, the study highlights the importance of considering political actors and how the preferences of different stakeholders interact to determine decision-making. As shown in the Introduction chapter, member states regularly reach out to external stakeholders to represent their constituencies. However, stakeholders face the challenge of balancing and reconciling member differences. Thus, for a better understanding of the influence of political actors on decision-making speed, this dissertation contributes to opening the “black box” of EU decision-making. It probes how stakeholders exert influence by expressing their opinions

on legislative proposals; it explores the mechanisms of how EU interest groups interact with member states and discusses the implications of all the elements for the political behavior of EU decision-makers and the functioning of the EU legislative decision-making. Hence, from an optimistic perspective, when stakeholder demands and member-state preferences yield a slower pace of EU legislative decision-making, it is not necessarily a bad thing. Stakeholder involvement can improve the democratic legitimacy of EU legislative politics. Additionally, the interaction between member states and stakeholders sheds light on the responsiveness of the EU decision-makers, which increases when the differences in opinions of stakeholders are reflected in legislative debates. The findings have normative and practical implications for explaining the democratic deficit in the EU and present instructive cases of how stakeholders and decision-makers are part of the same process leading to responsive politics.



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Appendices

Appendix to Chapter 2

7.1.1 Detailed description of dataset and variables

Table A1. List of policy areas and policy issues

Policy area and affairs	Specific policy issues
Justice, freedom, and security DG (8)	<ol style="list-style-type: none"> 1. Jurisdiction and the recognition and enforcement of judgments in civil and commercial matters 2. Protection of individuals regarding the processing of personal data by the Community institutions and bodies and on the free movement of such data 3. The law applicable to non-contractual obligations (ROME II) 4. The law applicable to contractual obligations (Rome I) 5. Establishing a European Union Agency for Fundamental Rights 6. Export/import control, trade defense, trade barriers 7. Protection of personal data processed in the framework of police and judicial cooperation in criminal matters 8. EU Civil Protection
Migration and Asylum (1)	EU legislation on the legal migration of non-EU citizens (Fitness Check on EU legal migration legislation)
Competition DG (16)	<ol style="list-style-type: none"> 1. Capital market: prospectus to be published for securities 2. Revising the exemption that liner shipping consortia from the EU rules 3. EC Treaty to de minimis rule 4. Competition rules applicable to agreements in the insurance sector 5. Control of concentrations between undertakings. EC Merger Regulation 6. Introduce settlement procedure for cartels 7. The control of concentrations between undertakings and Implementing Regulations 8. The application of the Treaty to certain categories of agreements and concerted practices concerning 9. Information exchanges in liner shipping 10. Exemption for vertical supply and distribution agreements 11. Insurance Block Exemption Regulation 12. Research and development and innovation 13. State aid for film and other audio-visual production 14. Block exemption regulation 15. Best Practices Code on the conduct of State aid control proceedings 16. Informing parties in the Statement of Objections of the main relevant parameters for the possible imposition of fines.
Enterprise and Industries DG (3)	<ol style="list-style-type: none"> 1. Medicinal products for human use: implementation of good clinical practice in the conduct of clinical trials 2. Transport safety: type-approval of two or three-wheel motor vehicles 3. Good clinical practice specific to advanced therapy medicinal products
Economic and financial affairs DG (2)	<ol style="list-style-type: none"> 1. Transparency and fees in cross-border transactions in the EU 2. The targeted revision of EU consumer law directives
Taxation and customs rights DG (4)	<ol style="list-style-type: none"> 1. Indirect taxation on the common system of value added tax (VAT) 2. General arrangements for excise duty - harmonization and simplification 3. Mutual assistance for the recovery of claims relating to taxes, duties, and other measures 4. Manufactured tobacco: excise duty. Codification
Budget DG (1)	General budget of the European Communities: recasting of the financial regulation
Internal market and services DG (20)	
Information society and media DG (1)	Electronic communications: common regulatory framework for networks and services, access, interconnection, and authorization

Table A1. List of policy areas and policy issues (continued)

Policy area and affairs	Specific policy issues
Health, food safety and consumer protection DG (5)	<ol style="list-style-type: none"> 1. Evaluation of the Blood, Tissues and Cells legislation 2. The approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation, and sale of tobacco 3. Package travel and linked travel arrangements 4. Plant protection products and pesticide residues 5. Food chain, animal health, animal welfare, plant health.
Energy and transport DG (23)	
Environment DG (10)	<ol style="list-style-type: none"> 1. Motor industry, cycle and motorcycle, commercial and agricultural vehicles. 2. Electrical and electronic equipment WEEE, restriction of hazardous substances RoHS. 3. Waste electrical and electronic equipment WEEE Public access to environmental information. 4. Climate change. 5. Cadmium ban provided for portable batteries and accumulators. 6. Eco-management and audit scheme EMAS, voluntary participation by organizations. 7. Chemicals: classification, labelling and packaging of substances and mixtures. 8. European Environment, Climate action. 9. The approximation of the laws, regulations and administrative provisions relating to the classification, packaging, and labelling of dangerous substances. 10. Public access to environmental information.
Maritime affairs and fisheries DG (1)	Fish stock conservation: multiannual plan for the Baltic salmon stock
Education and culture DG (1)	European Union program for education, training, youth and sport and repealing Decisions
Research DG (1)	Deployment of Intelligent Transport Systems
Secretariat-General (1)	European Citizens' Initiative

Table A2. Examples of identifying and coding stakeholder opinions through consultation

Opinions or preferences of stakeholders	
Positive terms	<p>‘Support’, ‘agree’, ‘consent’, ‘accept’, other positive opinions</p> <ol style="list-style-type: none"> 1. The automobile industry actively supports environmental policy efforts to design products free of hazardous substances and as environmentally sound as possible. (From 7th Adaptation to scientific and technical progress of exemptions under Directive 2000/53/EC on end-of-life vehicles for the purpose of a possible amendment of Annex II to this Directive). 2. The views of both the Consumer Group and the Industry Group tended to be quite positive and the following comments were made in support of the current proposal. (From 2nd stakeholder consultation on the review of Directive 2002/95/EC ("RoHS"). 3. EE&MC strongly supports the Commission's intent to publish guidelines on how to conduct economic analysis in the EC competition rules. (From best practices for the submission of economic evidence and data collection in cases concerning the application of Articles 101 and 102 TFEU and in merger cases under Regulation (EC) No 924/2009)

Table A2. Examples of identifying and coding stakeholder opinions through consultation (continued)

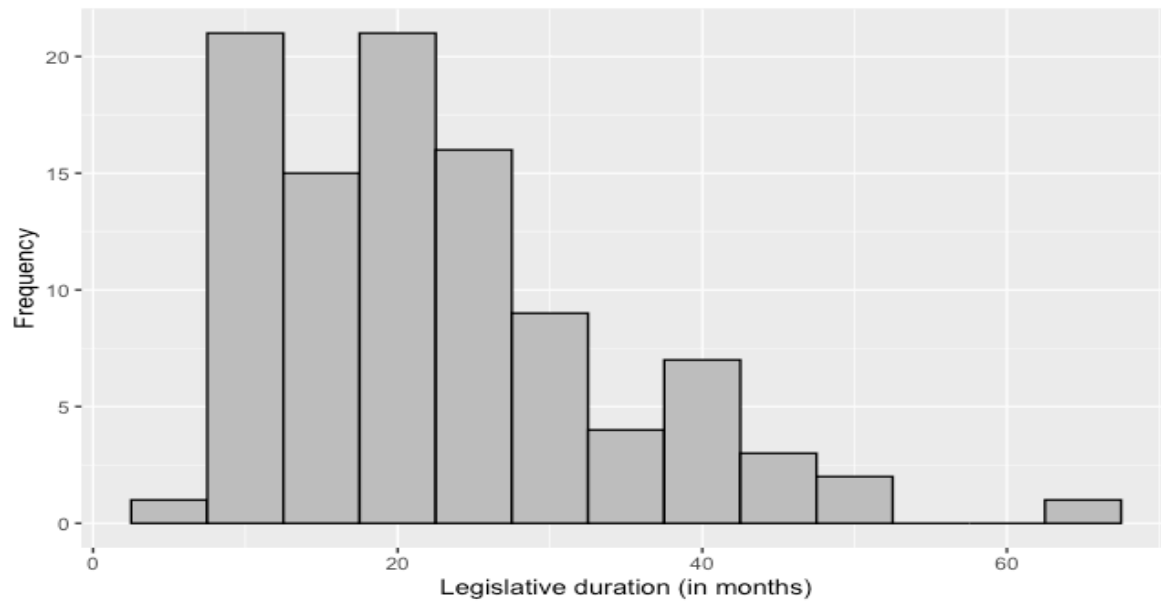
Opinions or preferences of stakeholders	
Positive terms	<p>4. Allen & Overy LLP welcomes this opportunity to comment on the European Commission's public consultation on the functioning of Council Regulation 139/2004 (the Merger Regulation). In general, we agree with the Commission that the jurisdictional thresholds are working well overall, although we do have some specific comments in relation to the application of the thresholds to specific sectors.</p> <p>5. CEBS supports the Commission undertaking work in this area. CEBS agrees that one of the key objectives of this work should be to ensure that all national supervisors have adequate tools to identify problems in a bank at an early stage and to be able to take appropriate action. (Consultation on the compensation of victims of cross-border accidents in the EU of Directive 2009/103/EC)</p> <p>6. International Air Carrier Association (IACA): No revision is needed but current legislation needs to be implemented correctly</p> <p>7. European Disability Forum (EDF) On the whole, the PRM regulation has changed the situation very positively.</p>
Negative terms	<p>'Disagree', 'oppose', 'contest', 'not believe', other negative opinions</p> <p>1. Our opinion about expiration on 31.12.2010 of the Regulation (EC) 1407/2002 concerning state aid for the coal industry is negative. (From consultations concerning consequences of expiration on 31.12.2010 of the Regulation (EC) 1407/2002 on state aid for the coal industry).</p> <p>2. In all airports, signs are in place, but experience shows that even when consumers know their rights the company will disagree in many cases and information is very complicated. (From public consultation on the detergents Regulation in the context of its ex-post evaluation under Regulation (EC) No 648/2004)</p> <p>3. Hornonitrianske bane Prievidza Company contests some provisions in consultation paper in the matter of the Regulation 1407/2002 and recommends prolonging the Regulation as following reasons.</p> <p>4. Regarding to the application of the Liability Regulation, of the 23 national authorities which responded, roughly half (52.2%) did not believe that current measures were sufficient, compared with 14.3% which did not and 28.6% which did not express an opinion. (From public consultation on air passenger rights carried out by the European Commission under Regulation (EC) No 2111/2005)</p>
Neutral terms	Demanding, evaluating, No comments, no opinions

Table A3. List of variables, operationalization, and data sources

Variables	Variable name	Measurement	Data sources
Dependent variable	Legislative duration	The number of months/days between the European Commission comes up with a proposal and proposal is adopted into legislation.	Eur-Lex database European Parliament's Legislative Observatory website
	Preference heterogeneity among stakeholders	The stakeholders hold divergent preferences: which is calculated as the weighted sum of squared differences between individual actors and the pooled stakeholders	New gathered datasets based on datasets of Rasmussen and Carroll (2013) about the public consultations conducted from 2002 to 2018.
Explanatory variables	Stakeholders support	The number of all stakeholders in favor of the provisions for legislative proposal as expressed in the public consultation.	Online consultation on the Your Voice in Europe portal and the websites of the separate Commission Directorates-General (DGs). Automated data extraction and human coding from Consultation documents
	Stakeholders opposition	The number of stakeholders opposed to the provisions for legislative proposal as expressed in the public consultation	Ditto
	Preference heterogeneity among EU interest groups	The extent to which EU interest groups' preferences vary across all stakeholders	Ditto
	Preference heterogeneity among non-state groups	The extent to which non-state groups' preferences vary across all stakeholders	Ditto
	The density of stakeholders	The number of stakeholders	European Commission's Register of Interest Representatives (RIR) database
	The diversity of stakeholders	The number of group types	Ditto
Control variables	Type of legislative proposal	Directives; Regulations; and Decisions	Eur-Lex database European Parliament's Legislative Observatory website
	Novelty of legislative proposal	The number of EP amendments tabled at the first reading	Eur-Lex database European Parliament's Legislative Observatory website
	Transparency of legislative process	A legislative act negotiated in informal trilogues in the first reading is less transparent Is the act agreed upon through informal trilogues in the first reading? 1 = yes, 0 = no	Eur-Lex database European Parliament's Legislative Observatory website
	Complexity of legislative proposal	The number of EP committees involved in debating the proposal, and the policy area.	European Parliament's Legislative Observatory website

7.1.2 Descriptive statistics of variables

Figure A1. Predicted frequency for legislative duration



7.1.3 Plots for visualizing the H2 and H3 based on Model 4

Figure A2. Predicted counts of legislative duration for stakeholders support (Estimates based on Model 4 for Hypothesis 2)

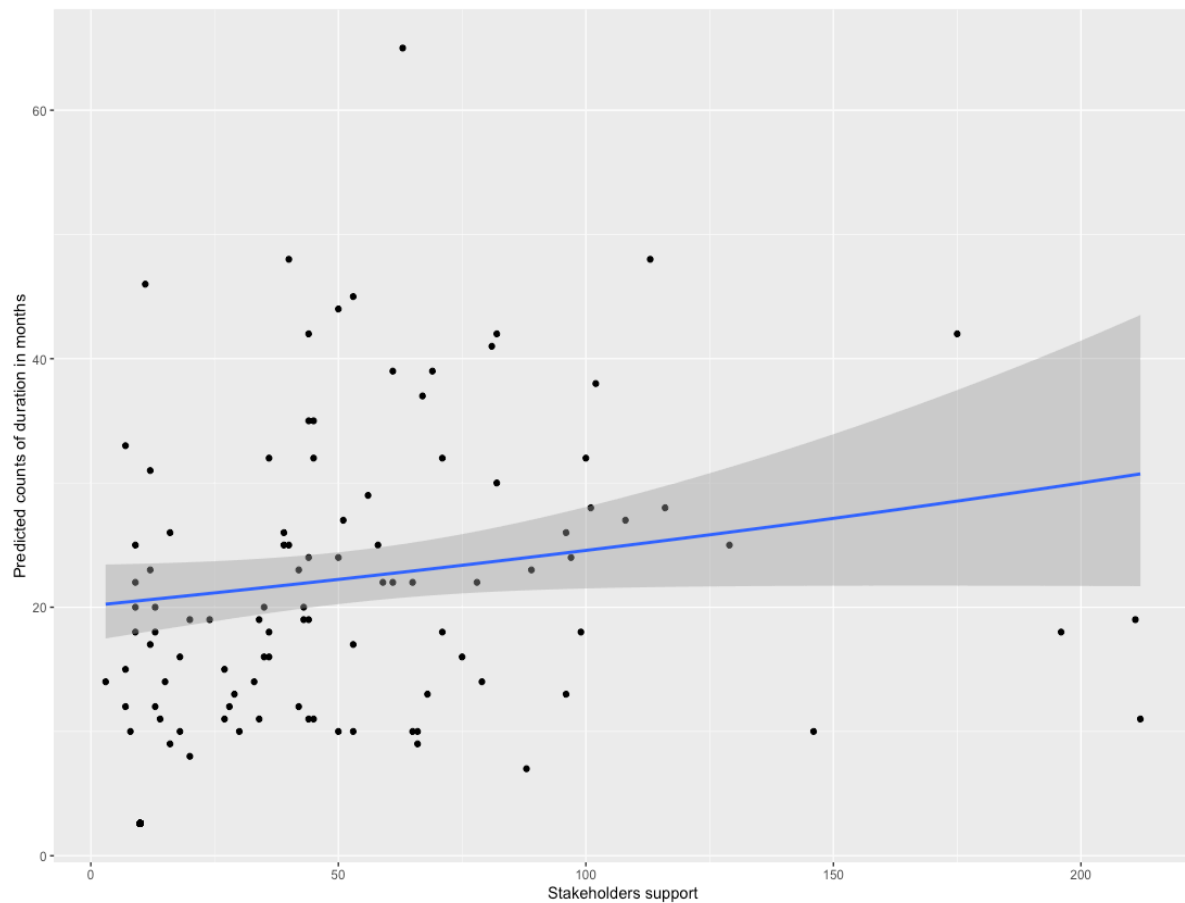


Figure A3. Predicted counts of legislative duration for stakeholders opposition (Estimates based on Model 4 for Hypothesis 3)

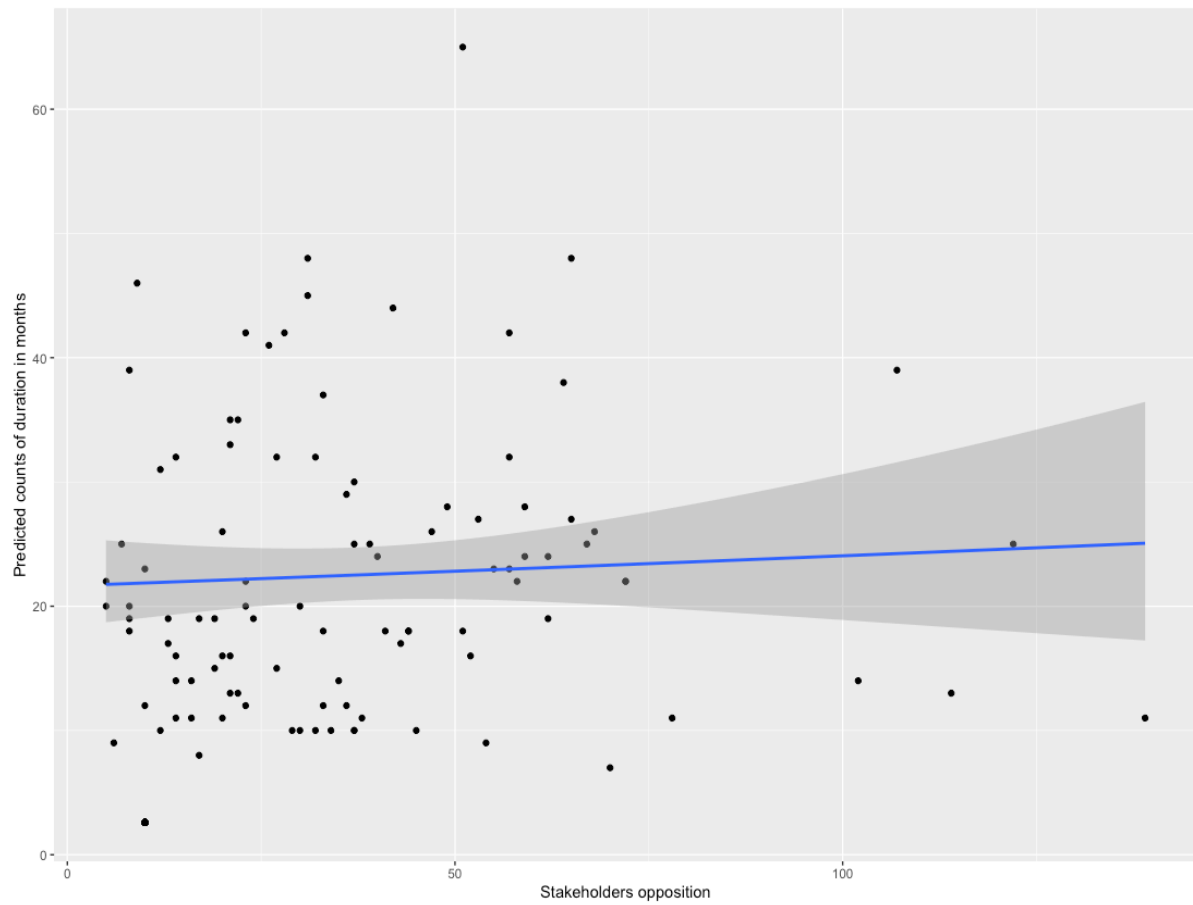


Table A4. Descriptive statistics of all variables

Variables	Mean	Variance	Std. Dev.	Max	Min
Legislative duration (in months)	22.53	127.87	11.31	65.00	7.00
Preference heterogeneity among stakeholders	0.14	0.06	0.24	0.75	-0.54
Stakeholders support	54.95	1846.63	42.97	212.00	3.00
Stakeholders opposition	37.73	689.45	26.26	139.00	5.00
Preference heterogeneity among EU interest groups	0.13	0.08	0.28	0.78	-1.00
Preference heterogeneity among non-state groups	0.14	0.21	0.46	1.00	-0.86
The density of consultation	99.56	4151.85	64.43	315.00	12.00
The diversity of stakeholders	4.06	1.17	1.08	7.00	1.00
Type of legislative proposal	1.59	0.35	0.59	3.00	1.00
Novelty of legislative proposal	4.91	42.71	6.54	47.00	0.00
Transparency of legislative process	0.34	0.23	0.48	1.00	0.00
Complexity of legislative proposal	2.16	1.75	1.32	6.00	0.00

Table A5. Correlation matrix of the variables

Variables	1	2	3	4	5	6	7	8	9	10	11
Legislative duration (in months)	1										
Preference heterogeneity among stakeholders	0.229	1									
Stakeholders support	0.155	0.455	1								
Stakeholders opposition	0.051	-0.250	0.523	1							
Preference heterogeneity among EU interest groups	-0.086	0.482	0.312	-0.055	1						
Preference heterogeneity among non-state groups	0.129	0.291	0.262	0.002	0.107	1					
The density of consultation	0.171	0.192	0.312	0.259	0.207	0.257	1				
The diversity of stakeholders	0.338	0.022	0.083	0.143	0.043	0.160	0.136	1			
Type of legislative proposal	-0.262	-0.224	-0.060	0.124	-0.038	-0.266	-0.018	0.007	1		
Novelty of legislative proposal	0.120	0.037	0.204	0.217	-0.012	0.041	0.315	0.059	0.001	1	
Transparency of legislative process	0.037	0.106	0.115	0.022	0.103	0.090	0.104	0.097	-0.147	0.234	1
Complexity of legislative proposal	0.488	0.160	0.153	0.048	-0.065	0.209	0.142	0.233	-0.239	0.127	0.185

7.1.4 Robustness checks

Table A6. Multilevel negative binomial regression with alternative operationalization of the explanatory factors

Dependent variable (in days)	Model A	Model B	Model C	Model D
Preference heterogeneity among stakeholders	0.885* (0.595)	0.358* (0.566)	0.557* (0.528)	0.104* (0.522)
Stakeholders support (percentage)	-0.201 (0.791)	-0.649 (0.747)	-0.318 (0.708)	-0.672 (0.682)
Stakeholders opposition (percentage)	-0.674 (0.612)	0.063 (0.600)	-0.523 (0.543)	0.114 (0.559)
Preference heterogeneity among EU interest groups	0.356* (0.166)	0.450** (0.157)	0.212* (0.149)	0.303* (0.146)
Preference heterogeneity among non-state groups	-0.025 (0.119)	-0.058 (0.114)	-0.083 (0.107)	-0.140 (0.104)
The density of consultation		0.001* (0.001)		0.001 (0.001)
The diversity of stakeholders		0.160 *** (0.045)		0.126** (0.042)
Type of legislative proposal				
<i>Directive</i>			0.001 (0.212)	0.143 (0.204)
<i>Regulation</i>			-0.181 (0.213)	-0.062 (0.204)
<i>Decision</i>			Included	Included
Novelty of legislative proposal			0.006 (0.007)	0.004 (0.007)
Transparency of legislative process			-0.087 (0.095)	-0.099 (0.089)
Complexity of legislative proposal			0.165*** (0.033)	0.136*** (0.033)
Constant	0.329*** (0.177)	0.720*** (0.128)	0.052*** (0.178)	0.954*** (0.168)
Alpha	0.228 (0.113)	0.216 (0.018)	0.175 (0.023)	0.185 (0.033)
Observations	100	100	100	100
Deviance	158.155	133.129	119.232	105.548
Rseudo R-square	0.245	0.236	0.145	0.085

Table A7. Negative binomial regression for main explanatory factors (EU interest groups versus non-state groups)

Dependent variable (in months)	Model E (EU interest groups)	Model F (Non-state groups)
Preference heterogeneity among stakeholders	0.915* (0.362)	0.806* (0.378)
Stakeholders support	-0.001 (0.002)	-0.002 (0.002)
Stakeholders opposition	0.005 (0.004)	0.005 (0.004)
Preference heterogeneity among EU interest groups	0.358* (0.167)	
Preference heterogeneity among non-state groups		0.077 (0.115)
Constant	2.926*** (0.106)	2.908*** (0.110)
Observations	100	100
Deviance	460.49	480.30
Rseudo R-square	0.012	0.056

Appendix to Chapter 3

7.2.1 Detailed description of dataset and variables

Table A1. List of variables, operationalization, and data sources

Variable name	Operationalization	Data sources
<i>Dependent variable</i>		
The legislative decision-making duration	1. Number of months between the initial proposals and the signature of the final act. 2. Number of days between EP opinion on the first reading till the legislative procedure ends;	1. Data on the legislative activity of the EU derived from EUR-Lex: database available at http://eur-lex.europa.eu . 2. Legislative Observatory: European Parliament's database for monitoring the EU decision-making process.
<i>Independent variables</i>		
Intra-institutional conflicts on EU legislative proposal	Conflicts within the Council: Is the proposal only an A-item on the Council agenda? 1 = yes, 0 = no	Eur-Lex database European Parliament's Legislative Observatory website
Preference homogeneity of member states	Number of A items mentioned in agenda of the Council meeting.	1. New gathered datasets based on datasets of Rasmussen & Carroll (2013) about the public consultations conducted from 2002 to 2018. 2. Legislative Observatory, key event, Council debate
Preference heterogeneity of member states	Number of B items mentioned in agenda of the Council meeting.	
Preference heterogeneity among stakeholders	The stakeholders hold divergent preferences: which is calculated as the weighted sum of squared differences between individual actors and the pooled stakeholders	
Stakeholders support	Percentage of stakeholders positive opinions on legislations.	1. Online consultation on the Your Voice in Europe portal and the websites of the separate Commission Directorates-General (DGs). 2. Consultation documents of all external actors. 3. Automated data extraction and human coding.
Stakeholders opposition	Percentage of stakeholders negative opinions on legislations.	
<i>Control variables</i>		
Inter-institutional conflicts	Conflict between the EP and the Council: Is the act agreed upon in conciliation/third reading? 1 = yes, 0 = no	Eur-Lex database European Parliament's Legislative Observatory website
Conflicts within the EP	Is the act agreed upon unanimously in the responsible EP committee? 0 = yes, 1 = no	Eur-Lex database European Parliament's Legislative Observatory website
Saliency of EU legislative proposals	Saliency at the national level in the eyes of MEPs: Number of times act is mentioned in plenary/committee debates/written reports in the lower house of the national parliament	1. Newly gathered datasets based on Rasmussen & Carroll (2013) about public consultations conducted from 2002 to 2018.
Consultation duration	Consultation duration (number of days from the date the consultation opened until the deadline for submitting contributions).	1. Online consultation on the Your Voice in Europe portal and the websites of the separate Commission Directorates-General (DGs).

7.2.2 Descriptive statistics of variables

Figure A1. Predicted density and frequency for legislative duration

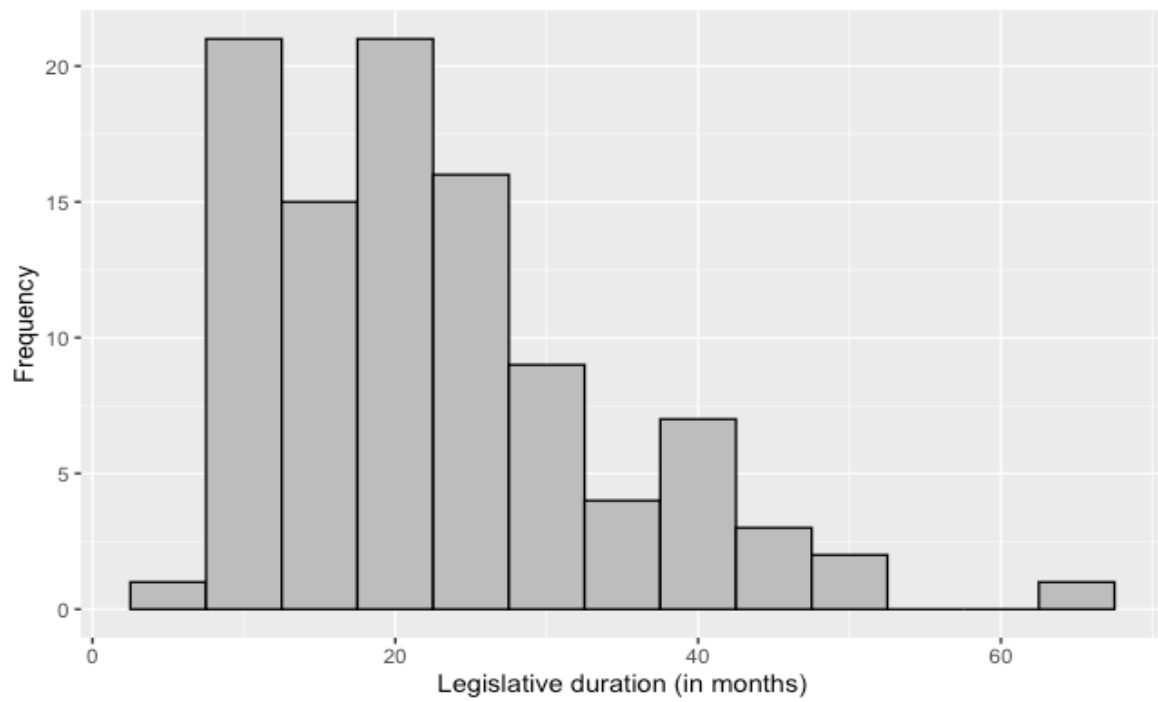


Table A2. Correlation matrix between dependent and independent variables

Variables	1	2	3	4	5	6	7	8	9	10	11
Legislative duration	1.000										
Intra-institutional conflicts	0.020	1.000									
Preference homogeneity of member states.	0.369	-0.430	1.000								
Preference heterogeneity of member states	0.423	0.194	0.305	1.000							
Preference heterogeneity among stakeholders	0.229	0.081	0.099	0.106	1.000						
Stakeholders support	0.111	-0.037	0.128	0.053	0.455	1.000					
Stakeholders opposition	-0.238	-0.084	-0.078	-0.160	-0.523	-0.500	1.000				
Inter-institutional conflicts	0.303	0.027	0.116	0.321	0.175	0.169	-0.146	1.000			
Conflicts within the EP	0.037	-0.177	0.457	0.257	0.106	0.085	-0.155	-0.070	1.000		
Saliency of EU legislative proposals	-0.188	0.074	-0.209	-0.100	-0.181	-0.023	0.214	-0.145	-0.169	1.000	
Consultation duration	0.230	-0.092	0.302	0.113	0.124	0.056	-0.198	-0.110	0.211	-0.108	1

7.2.3 Robustness checks

Table A3. Alternative model specifications

Variables	Model A	Model B	Model C	Model D
Intra-institutional conflicts	0.092 (0.123)	-0.025 (0.149)		
Preference homogeneity of member states	0.159 (0.052)		0.131 (0.206)	
Preference heterogeneity of member states	0.176** (0.060)			-0.172 (0.191)
Preference heterogeneity among stakeholders	0.697** (0.537)	0.190 (0.240)		
Stakeholders support	-0.767 (0.564)		0.064 (0.428)	
Stakeholders opposition	0.030 (0.661)			-1.398* (0.563)
Interaction effects				
H1: Intra-institutional conflicts*Preference heterogeneity among stakeholders		0.315 (0.465)		
H2: Preference homogeneity of member states* Stakeholders support			-0.017 (0.368)	
H3: Preference heterogeneity of member states * Stakeholders opposition				0.910* (0.430)
Controls				
Inter-institutional conflicts	0.162 (0.129)	0.380** (0.132)	0.331* (0.130)	0.255* (0.130)
Conflicts within the EP	-0.204 (0.103)	-0.004 (0.105)	-0.134 (0.109)	-0.104 (0.096)
Saliency of EU legislative proposals	-0.0003 (-0.001)	-0.001 (0.001)	-0.001 (0.001)	-0.001 (0.001)
Consultation duration	0.001 (0.001)	0.003* (0.001)	0.002 (0.001)	0.002 (0.001)
Constant	3.037** (0.330)	2.855** (0.158)	2.863** (0.270)	3.393*** (0.277)
Inalpha	1.326 (0.172)	1.424 (0.182)	1.325 (0.172)	1.519 (0.188)
Pseudo R-square	0.235	0.286	0.188	0.294

Notes: Significance level: *p < 0.05. **p < 0.01. ***p < 0.001. Dependent variable: legislative duration. Number of observations is 100. Constant estimates baseline incidence rate.

Table A4. Multilevel negative binomial regression models with alternative operationalization of the explanatory factors

Variables	Model 1	Model 2	Model 3	Model 4
Intra-institutional conflicts	0.284 (0.291)	0.292 (0.236)	0.331 (0.239)	0.315 (0.300)
Preference homogeneity of member states	0.201* (0.100)	0.148 (0.183)	0.206* (0.101)	0.168 (0.193)
Preference heterogeneity of member states	0.159 (0.122)	0.160 (0.120)	0.046 (0.227)	0.057 (0.234)
Preference heterogeneity among stakeholders	1.194 (0.718)	1.220 (0.671)	1.283 (0.684)	1.266 (0.741)
Stakeholders support	-0.007 (0.004)	-0.007 (0.004)	-0.009 (0.006)	-0.009 (0.007)
Stakeholders opposition	0.006 (0.007)	0.005 (0.008)	0.007 (0.007)	0.006 (0.009)
Interaction effects				
H1: Intra-institutional conflicts*Preference heterogeneity among stakeholders	0.095 (0.815)			0.027 (0.864)
H2: Preference homogeneity of member states* Stakeholders support		-0.001 (0.003)		0.001 (0.004)
H3: Preference heterogeneity of member states * Stakeholders opposition			0.002* (0.003)	0.002* (0.003)
Controls				
Inter-institutional conflicts	0.371 (0.243)	0.366 (0.242)	0.372 (0.242)	0.366 (0.247)
Conflicts within the EP	-0.287 (0.205)	-0.285 (0.205)	-0.271 (0.207)	-0.270 (0.210)
Saliency of EU legislative proposals	-0.001 (0.001)	-0.0004 (0.001)	-0.0005 (0.001)	-0.0005 (0.001)
Consultation duration	0.005 (0.002)	0.004 (0.002)	0.005 (0.002)	0.004 (0.002)
Constant	1.693*** (0.314)	1.764*** (0.372)	1.784*** (0.352)	1.828*** (0.402)
Inalpha	1.193 (0.163)	1.067 (0.150)	1.060 (0.150)	1.182 (0.162)
Pseudo R-square	0.364	0.367	0.366	0.385
N	100	100	100	100

Notes: Significance level: *p < 0.05. **p < 0.01. ***p < 0.001. Dependent variable: legislative duration is measured by accounting for the number of months from the opinion of the European Parliament on the first reading to the legislative procedure ends. Stakeholders support is measured with the relative number of stakeholders positive opinions on legislation, and stakeholders opposition is measured with the relative number of stakeholders negative opinions on legislation.

Table A5. Multilevel OLS regression models

Variables	Model 1	Model 2	Model 3	Model 4
Intra-institutional conflicts	-0.470 (3.211)	1.906 (2.794)	2.058 (2.845)	-0.147 (3.296)
Preference homogeneity of member states	3.588** (1.244)	4.603* (2.163)	3.591** (1.259)	5.430* (2.247)
Preference heterogeneity of member states	4.496** (1.486)	4.275** (1.490)	3.132 (2.841)	3.006 (2.904)
Preference heterogeneity among stakeholders	10.524 (7.367)	12.958 (7.183)	13.647 (7.240)	10.459 (7.499)
Stakeholders support	-0.068 (0.049)	-0.062 (0.049)	-0.087 (0.069)	-0.098 (0.070)
Stakeholders opposition	0.074 (0.073)	0.087 (0.078)	0.081 (0.076)	0.116 (0.084)
Interaction effects				
H1: Intra-institutional conflicts*Preference heterogeneity among stakeholders	13.342 (9.632)			14.599 (9.825)
H2: Preference homogeneity of member states* Stakeholders support		-0.024 (0.040)		-0.041 (0.042)
H3: Preference heterogeneity of member states * Stakeholders opposition			0.019* (0.040)	0.025* (0.042)
Controls				
Inter-institutional conflicts	4.442 (3.258)	4.713 (3.287)	4.599 (3.287)	4.522 (3.277)
Conflicts within the EP	-4.886* (2.345)	-5.278* (2.368)	-5.000* (2.380)	-4.890* (2.379)
Saliency of EU legislative proposals	-0.004 (0.011)	-0.007 (0.011)	-0.008 (0.011)	-0.005 (0.011)
Consultation duration	0.049 (0.028)	0.050 (0.029)	0.045 (0.029)	0.0543 (0.029)
Constant	1.640*** (0.608)	2.411*** (0.675)	2.322*** (0.711)	2.503*** (0.832)
Pseudo R-square	0.285	0.288	0.286	0.293
N	100	100	100	100

Notes: Significance level: *p < 0.05. **p < 0.01. ***p < 0.001.

Appendix to Chapter 4

7.3.1 Semi-structured interview respondents

Table A1. List of interviews

Respondent	Date	Affiliation	Interview via
Respondent#1	18 November 2020	European Commission Official	Zoom conversation
Respondent#2	14 December 2020	The Council Official	Teams conversation
Respondent#3	11 January 2021	European Parliament Official	Zoom conversation
Respondent#4	16 February 2021	Representative official of Germany	Skype conversation
Respondent#5	3 March 2021	Representative official of the Netherlands	Teams conversation
Respondent#6	15 March 2021	Representative official of Poland	Teams conversation
Respondent#7	24 March 2021	Representative official of Czech Republic	Skype conversation
Respondent#8	24 January 2022	Representative official of Slovenia	Zoom chat
Respondent#9	24 January 2022	European Commission Official	Zoom chat
Respondent#10	24 January 2022	European Parliament Official	Zoom chat
Respondent#11	24 January 2022	European Parliament Official	Zoom chat
Respondent#12	24 January 2022	European Commission Official	Zoom chat
Respondent#13	25 January 2022	Expert of think tank	Zoom chat
Respondent#14	25 January 2022	European Commission Official	Zoom chat
Respondent#15	25 January 2022	Expert of think tank	Zoom chat
Respondent#16	25 January 2022	European Parliament Official	Zoom chat
Respondent#17	25 January 2022	Expert of think tank	Zoom chat
Respondent#18	25 January 2022	Expert of think tank	Zoom chat
Respondent#19	25 January 2022	European Parliament Official	Zoom chat
Respondent#20	25 January 2022	Expert of think tank	Zoom chat
Respondent#21	25 January 2022	Expert of think tank	Zoom chat

7.3.2 Interview questions

Case 1: Transatlantic Trade and Investment Partnership (TTIP), online interview (Zoom/Teams/Skype) (26 questions)

1. Role of respondent in TTIP legislation

- (1) What is the role of your institution in TTIP negotiation?
- (2) What are your main tasks and duty in the process of TTIP negotiation?

2. Please describe the process of negotiation in the Council

- (1) Whether there were any disagreements on the proposals among member states or groups of member states?
- (2) If was, which member state and why they opposed? On the whole proposal or parts of it? Which parts?
- (3) Did the position of member states strongly diverge?

- (4) Did Germany and France play a particular role?
- (5) What was the role of Germany, France and Austria? Why did they make such strong statements? Did they also defend them in the Council meeting? How did the other member states react?
- (6) Has the interest groups' negative opinions on TTIP negotiations affected the member states' decision?
- (7) Has the member states' position affected the Commission's decision?

3. Role of the different Council presidencies?

- (1) Did the German presidency play a particular role?
- (2) How was German position?
- (3) How were the other presidencies?

4. Individual opinions

- (1) What do you think will be the main factors that affected the position-taking on this proposal?
- (2) Have you noticed that negotiators mention time invested in the Council meeting as a cost?
- (3) What is the opinion of your institutions towards the TTIP negotiations?
- (4) Do you think which type of political actors have exactly the preferred influence on the legislative process?
- (5) Who do you think is the winner of the negotiations?
- (6) What would you say has been the most successful strategy in the negotiations?

5. The Council—the European Commission interaction

- (1) How much did the Council disagree with the initial Commission proposal?
- (2) How much did the Council insist on changing the Commission proposal?
- (3) Did the EP position matter to the Council? Did they discuss with stakeholders from the EP?
- (4) Who coordinated the debate between the institutions?

6. Conciliation of heterogeneous positions

- (1) How were the disagreements solved?
- (2) Who proposed a solution? What solution did they propose?
- (3) Was there a compromises or deals?
- (4) Whose opinions would be the most influential?

Case 2: EU Emissions Trading System (EU-ETS) Directive, online interview (Zoom/Teams) (20 questions)

1. General questions

- (1) To what extent the interest groups' opinions influence the member states' positions on the directive?
- (2) Why did this proposal delay?

2. The European Commission

- (1) What was the Commission's position on this proposal?

- (2) How did the Commission handle the negotiations?
- (3) How did it react to the Council's division? Did it interfere with the Council's decision?
- (4) Did the Commission consider changing its position?
- (5) Did the Commission react to the Council not agreeing on a position?
- (6) Is the Commission closer to the Parliament or the Council on this directive?

3. The Council

- (1) What are the main points of disagreement in the Council?
- (2) Why is the Council so divided on this issue? Who opposed the proposal most in the Council? What are the arguments by the opposing member states?
- (3) Which member states defend similar positions?
- (4) Which role does Germany play in the negotiations? Did it change positions?
- (5) How did the Member states Presidency approach the conflicts? Why did they fail to forge consensus?
- (6) How did the other member states' presidency approach the conflicts?
- (7) Were there any further negotiations after the Council decided to withdraw the Parliament's amendments?

4. The Council and The European Parliament

- (1) How did the Council judge the EP's position? (Accept? Reject? Withdrawal?)
- (2) How did the Council receive the EP's criticism for not taking a position?
- (3) Do you know any of division inside of the Parliament?
- (4) What were the main points of disagreement?
- (5) Which amendments were particularly problematic?

5. Individual opinions

- (1) What do you think will be the main factors that affected the position-taking on this proposal?
- (2) Have you noticed that negotiators mention time invested in the Council meeting as a cost?
- (3) What is the opinion of your institutions towards the EU ETS directive?
- (4) Do you think which type of political actors have exactly the preferred influence on the legislative process?
- (5) Who do you think is the winner of the negotiations?
- (6) What would you say has been the most successful strategy in the negotiations?

7.3.3 Timeline of TTIP negotiations

Table A2. Timeline of TTIP related legislation

Date	Formal legislative procedure
14 June 2013	EU directives for the negotiations for the Transatlantic Trade and Investment Partnership (TTIP) between the EU and the US, unanimously adopted by the Council on 14 June 2013
9 October 2014	EU directives for the negotiations for the Transatlantic Trade and Investment Partnership (TTIP) between the EU and the US declassified and made public by the Council on 9 October 2014
8 July 2015	European Parliament resolution of 8 July 2015 containing the European Parliament's recommendations to the European Commission on the negotiations for the Transatlantic Trade and Investment Partnership (TTIP) (2014/2228(INI))
24 April 2016	Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance)
27 April 2016	Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA
25 July 2018	Directives for the negotiations with the United States of America for an agreement on the elimination of tariffs for industrial goods
9 April 2019	Council decision authorizing the opening of negotiations with the United States of America for an agreement on conformity assessment Directives for the negotiations with the United States of America for an agreement on conformity assessment
18 January 2019	European Commission adopted proposals for negotiating directives for its trade talks with the United States: one on conformity assessment, and one on the elimination of tariffs for industrial goods. (Conformity assessment AND Industrial tariff elimination)

Appendix to Chapter 5

7.4.1 Coding the policy position and operationalization of variables

Table A1. Variables and operationalization

Variables	Variable name	Operationalization
Dependent variable	1. Output score of decision-making presented by all EU decision-makers.	
	2. Dichotomous measure of whether or not the stakeholders opinions in line with the positions taken by member states in the Council.	
Explanatory variables	EU interest groups opposition	The numbers of EU interest groups negative opinions
	Non-state groups opposition	The numbers of non-state groups negative opinions
	Salience of policy issue	The number of statements made by civil society groups in the selected media outlets and the number of stakeholders under discussion in the consultation activities.
Control variables	Contestation of policy issue	Number of controversial issues in the Commission proposal.
	Number of Legislators	The Commission, EP and 28 Member states take positions that responses to a compromise proposal during the course of the negotiations.
	Category of legislators	The legislator is European Commission The legislator is both the Council and European Parliament The legislator is the Council, i.e., Member States.
	The magnitude of policy change introduced	The number of EP amendments tabled at the first reading
	Complexity of legislative act	The number of EP committees involved in debating the proposal, and the types of legislative procedures.
	Novelty of legislative act	Whether the legislative act is a new proposal or simply an amendment to an existing EU act
	Type of legislative act	Directives; Regulations; and Decisions
	A longer Legislative duration	The number of days between the initial legislative proposals and the signature of final acts, which is exceed the median days of legislative duration.

7.4.2 Descriptive statistics and correlation matrix

Table A2. Descriptive statistics of main variables

Variables	Minimum	Median	Mean	Maximum	St. dev.
Policy position of all legislators	0.00	65.00	58.90	100.00	33.36
Preference congruence	0.00	1.00	0.50	1.000	0.50
EU interest groups opposition	0.00	19.00	25.63	303.	34.53
Non-state groups opposition	0.00	12.00	16.63	64.00	15.23
Preference heterogeneity among stakeholders	-0.54	0.12	0.14	0.56	4.68
Salience of policy issue	24.00	145.0	164.00	414.00	98.17
Contestation of policy issue	1.00	3.00	3.12	6.00	1.26
Number of Legislators	2.00	17.00	20.11	30.00	7.02
Legislative duration (months)	9.00	23.00	25.75	65.00	11.92
Novelty of act	0.00	1.00	0.54	1.00	0.50
The magnitude of policy change	0.00	4.00	6.01	47.00	7.03
Complexity of legislative act	0.00	3.00	2.53	6.00	1.40

Table A3. Correlation matrix of main variables

Variables	1	2	3	4	5	6	8	9	10	11
Policy position	1									
EU interest groups opposition	-0.049	1								
Non-state groups opposition	-0.008	0.473	1							
Preference heterogeneity among stakeholders	-0.027	-0.010	-0.255	1						
Salience of policy issue	-0.529	-0.085	-0.023	1						
Contestation of policy issue	-0.037	-0.252	-0.360	0.031	1					
Number of Legislators	-0.044	0.154	0.171	0.201	0.075	1				
Legislative duration	0.372	-0.031	-0.147	-0.189	0.229	-0.184	1			
Novelty of act	-0.114	-0.165	-0.075	0.072	-0.007	-0.113	-0.190	1		
Policy change	-0.014	0.649	0.253	0.007	-0.083	0.154	0.115	-0.118	1	
Complexity of legislative act	0.063	-0.047	-0.128	-0.015	0.128	0.150	0.303	-0.081	-0.022	1

Note: Dependent variable is policy position: output score of decision-making presented by all EU decision-makers.

7.4.3 Bivariate analysis: interest group opposition and responsiveness (Table A4)

Table A4. Models of bivariate relationships between dependent variable and explanatory variables without control variables

Variables	Model A	Model B	Model C
EU interest groups opposition	-0.060* (0.086)	-0.047* (0.101)	-0.104* (0.072)
Non-state groups opposition	0.094 (0.205)	-0.301 (0.241)	0.080 (0.175)
Salient policy issue			-0.183*** (0.023)
Preference heterogeneity among stakeholders	-1.690 (0.152)	-4.214 (0.078)	3.492 (0.248)
Preference heterogeneity among stakeholders* salience			-0.107 (0.094)
Constant	59.485*** (4.524)	75.641*** (5.319)	92.095*** (6.044)
N	167	167	167
Number of EU decision-makers	27	27	28
F-statistic	0.196	1.030	0.313

Notes: Dependent variable is output score of decision-making presented by all EU decision-makers. EU interest groups opposition and non-state groups opposition are z-standardized for Model C but measured on original scales for all other models; All are mixed effects linear regressions; Standard errors in parentheses; *p<0.1; **p<0.05; ***p<0.01.

7.4.4 Additional logistic regression models of preference congruence

The study ran a series of logit models with a dependent variable indicating whether stakeholder preference and EU decision-maker position were congruent and obtained substantively similar results. Table A5 shows the multilevel logistic regression models of the preference congruence. First, Models A1 to A4 include the main explanatory and control variables with interactions. EU interest groups' opposition to the specific policy issue of legislative proposals has a positive and significant effect on Models A1 to A4. Thus, there is congruence between the positions of all legislators and EU interest group opposition. More opposition from EU interest groups yields increased disagreement among EU legislators on policy issues, confirming H1.

Second, the effect of non-state groups is non-significant. Models A3 and A4 include all the variables and add the interaction between explanatory variables. However, the estimate of the effect lacks the necessary precision to attain standard levels of statistical significance in Models A3 and A4. Third, the salience of policy issues still has direct effects in Models A1 to A4: the effect of this salience is statistically significant at the 95% confidence level and is consistently positive. Fourth, the legislative duration in Models A1 and A4 has a negative and significant effect, indicating that there is congruence between decision-makers' positions and stakeholder opposition when the legislative decision-making speed was fast. Moreover, there are no significant and robust effects associated with the main explanatory variables in Models A1 to A4 (i.e., EU interest group and non-state group opposition). Finally, no significant and robust effects are associated with other control variables in Models A1 to A4.

Table A5. Additional logistic regression models

Variables	Model A1	Model A2	Model A3	Model A4
<i>Characteristics of explanatory variables</i>				
EU interest groups opposition	0.024* (0.014)			0.020* (0.014)
Non-state groups opposition		0.003 (0.018)		0.010 (0.021)
Preference heterogeneity among stakeholders			0.725 (2.726)	0.565 (2.915)
Preference heterogeneity among stakeholders*saliency			0.015 (0.015)	0.016 (0.016)
<i>Characteristics of EU decision-makers</i>				
Number of legislators	-0.065 (0.04)	-0.051 (0.039)	-0.068 (0.042)	-0.083 (0.044)
The Commission	-15.904 (13.740)	-15.779 (13.473)	-15.573 (13.684)	-16.032 (13.496)
The Council & EP	-15.713 (13.740)	-15.801 (13.473)	-15.157 (13.684)	-15.493 (13.496)
Member States	-15.524 (13.740)	-15.607 (13.473)	-14.596 (13.684)	-14.859 (13.496)
<i>Other controls</i>				
Saliency of policy issue	0.032*** (0.005)	0.031*** (0.005)	0.033*** (0.006)	0.034*** (0.006)
Contestation of policy issue	0.147 (0.233)	0.002 (0.215)	-0.011 (0.212)	0.163 (0.239)
Legislative duration	-0.127*** (0.038)	-0.127*** (0.039)	-0.177*** (0.046)	-0.166*** (0.046)
Novelty of act	-0.412 (0.555)	-0.564 (0.563)	-0.78 (0.593)	-0.563 (0.594)
The magnitude of policy change	-0.052 (0.056)	0.019 (0.033)	0.033 (0.032)	-0.040 (0.058)
Complexity of legislative act	0.170 (0.184)	0.174 (0.182)	0.252 (0.188)	0.251 (0.194)
Constant	14.302 (13.741)	14.899 (13.474)	14.934 (13.684)	14.316 (13.496)
N	167	167	167	167
AIC	134.24	138.46	132.81	133.13

Note: Odds Ratio, standard error in parenthesis, *p<0.1; **p<0.05; ***p<0.01. Dependent variable is preference congruence between stakeholders from the consultations during the formative stage and EU decision-makers' positions during the subsequent decision stage on the same policy issues.

7.4.5 Robustness checks

This appendix presents several robustness checks to confirm the results in Table 5.1 in Chapter 5. First, to account for a potential overestimation of the models, Models 1 to 3 in Table A6 show that the main results hold when the Commission, EP, or member states are excluded. Second, Model 4 in Table A6 controls for all EU decision-makers for more contextualized analyses. The results accord with the main findings in Table 5.1. Third, the analyses hold after controlling for interaction between explanatory variables (see Models 5 and 6 in Table A6). The longer legislative duration is an important control, as we consider decision-making speed a condition for effective responsiveness. The inclusion of the variables does not affect the main results. Finally, to confirm the results after considering the interaction between explanatory variables, Table A6 replicates the models in Table 5.1 of the manuscript. However, it also includes the EU interest groups with the saliency of policy issues. The coefficients and p-values

are almost the same as those reported in the manuscript, confirming the robustness of the results. Despite not being the preferred method, the second step of the model confirms the results regarding the main explanatory variables.

The study also gauged the sensitivity of the results concerning the classification of specific policy issues as high versus low salience. In particular, arguably, even where highly salient issues attain below-average civil society and stakeholder attention most of the time, they should still be classified as salient because they obtain at least average attention at some times. The study, therefore, built an alternative version of the salient policy issues dummy variable that is only “0” (“1”) for the low (high) salience issues. The results are reported as Model 5 in Table A6 and Figure A1. They fully support the main results. A third check regards the point that none of the main models in the chapter uses fixed effects for debates. Such an estimator could verify that responsiveness stems from decision-maker differential behavior within debates, not to macro-trends in interest group opinions that are erroneously correlated with the contestation of specific issues. However, with contestation fixed effects, it is impossible to identify the coefficient on the dummy variable for salient policy issues, as one contestation concerns one issue. Thus, such a model was excluded, though reported as a robustness check. Model 6 includes longer legislative duration, and Figure A2 plots the fixed effects, controlling for various confounders on both levels. The results accord with those of the main models.

The illustrated interaction effect is based on the estimates of Model 5 (6) in Table A6. The shaded regions indicate 75% confidence limits. The EU interest group opinion runs from no opposition to full opposition on the x-axis, and the two regression slopes are drawn for issues with low (long) and high (short) salience (legislative duration), fixed at the maximum observed value in the data. Similarly, the illustrated interaction effect is based on the estimates of Model 7 in Table A6. The shaded regions indicate 75% confidence limits. Preference heterogeneity among stakeholders is plotted from less heterogeneous preferences to more heterogeneous preferences on the x-axis, and the two regression slopes are drawn for issues with long and short legislative duration, fixed at the maximum observed value in the data.

Table A6. Robustness checks of OLS models for policy position of EU decision-makers

Variables	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
<i>Characteristics of explanatory variables</i>							
EU interest groups opposition	-0.159* (0.090)	-0.147* (0.090)	-0.151* (0.089)	-0.161* (0.089)	-0.297 (0.291)	-0.108 (0.349)	
Non-state groups opposition	0.128 (0.174)	0.112 (0.176)	0.116 (0.175)	0.097 (0.174)	0.133 (0.170)		
Preference heterogeneity among stakeholders	-9.108 (9.388)	-8.969 (9.393)	-9.463 (9.442)	-8.301 (9.268)			-7.344 (2.064)
Preference heterogeneity among stakeholders*saliency	-0.081 (0.089)	-0.080 (0.089)	-0.080 (0.089)	-0.081 (0.088)			
EU interest groups opposition*saliency					0.001 (0.001)		
EU interest groups opposition*legislative duration						-0.002 (0.014)	
Preference heterogeneity among stakeholders* legislative duration							1.873* (0.763)

Table A6. Robustness checks of OLS models for policy position of EU decision-makers (continued)

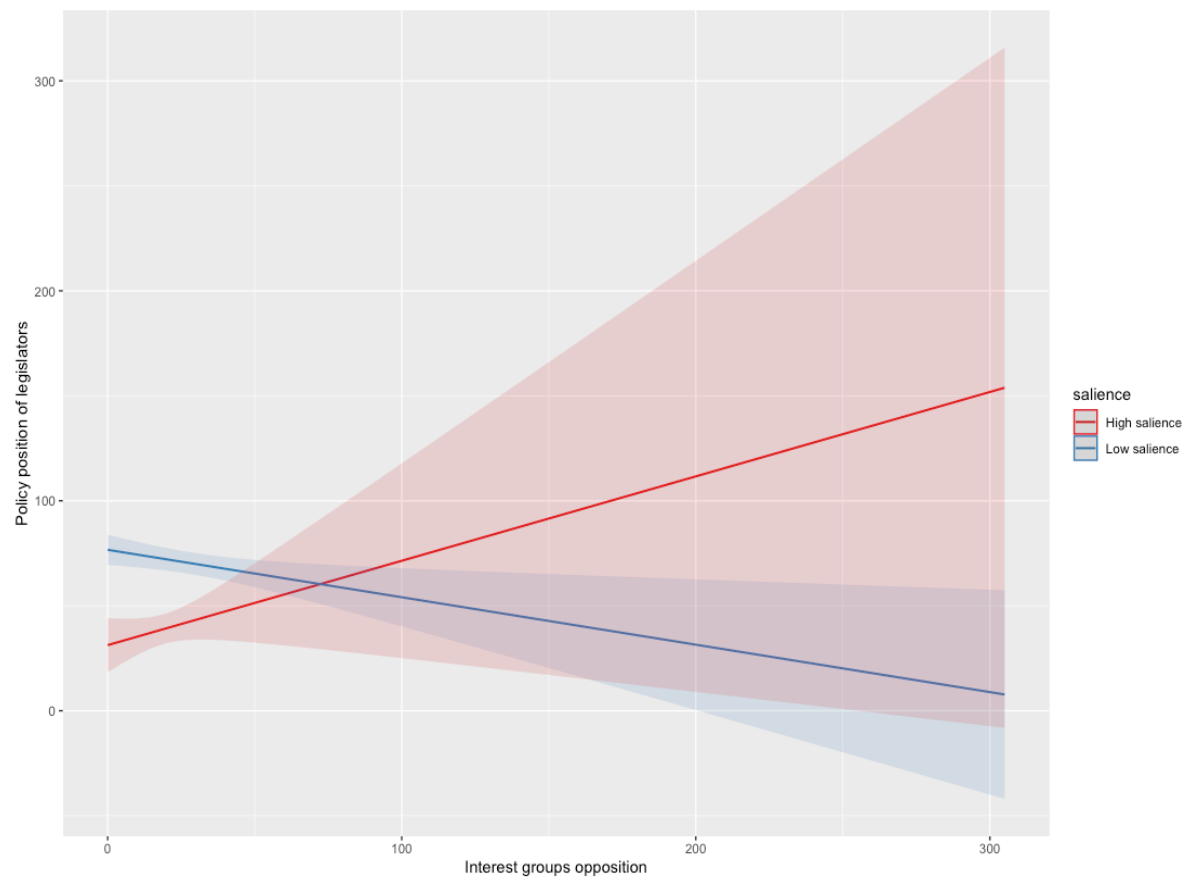
Variables	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
<i>Characteristics of EU decision-makers</i>							
Number of legislators	0.379 (0.322)	0.320 (0.325)	0.341 (0.319)	0.301 (0.323)	0.260 (0.330)	0.303 (0.327)	0.475 (0.325)
The Commission	3.248 (5.556)			36.363* (16.564)	37.622* (17.063)	37.657* (17.049)	33.031* (16.280)
The Council & EP		2.318 (5.113)		34.929* (16.162)	37.916* (16.640)	34.247* (16.801)	31.161 (15.933)
Member States			-3.199 (7.058)	29.605 (16.430)	34.302* (16.898)	36.123* (19.629)	26.245 (16.207)
<i>Other controls</i>							
Type of act	-2.429 (3.712)	-2.306 (3.707)	-2.464 (3.724)	-2.272 (3.693)	-2.667 (3.713)	-2.559 (3.674)	-2.458 (3.628)
Saliency of policy issue	-0.172*** (0.023)	-0.172*** (0.023)	-0.173*** (0.023)	-0.173* (0.023)	-0.183*** (0.042)	-0.170*** (0.022)	-0.179*** (0.022)
Contestation of policy issue	-1.028 (1.823)	-1.059 (1.822)	-0.990 (1.839)	-0.422 (1.840)	-0.477 (1.887)	-0.847 (1.806)	0.728 (1.723)
Legislative duration	0.949*** (0.196)	0.962*** (0.196)	0.959*** (0.196)	0.932*** (0.195)	0.866*** (0.198)	0.901* (0.392)	0.625** (0.236)

Table A6. Robustness checks of OLS models for policy position of EU decision-makers (continued)

Variables	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
<i>Other controls</i>							
Novelty of act	-5.680 (4.20)	-4.782 (4.473)	-4.799 (4.460)	-3.310 (4.564)	-4.572 (4.753)	-4.303 (4.849)	-2.477 (4.472)
The magnitude of policy change	0.095 (0.416)	0.007 (0.409)	0.040 (0.404)	0.223 (0.417)	0.332 (0.425)	0.323 (0.425)	-0.161 (0.319)
Complexity of legislative act	-2.042 (1.662)	-2.299 (1.715)	-2.286 (1.708)	-2.674 (1.721)	-2.549 (1.802)	-2.820 (1.774)	-2.464 (1.698)
Constant	74.049*** (12.313)	(12.268)	(12.228)	40.786* (20.036)	39.738* (20.936)	38.708* (21.038)	(19.420)
N	167	167	167	167	167	167	167
Rseudo R-squared	0.426	0.425	0.425	0.444	0.414	0.411	0.451

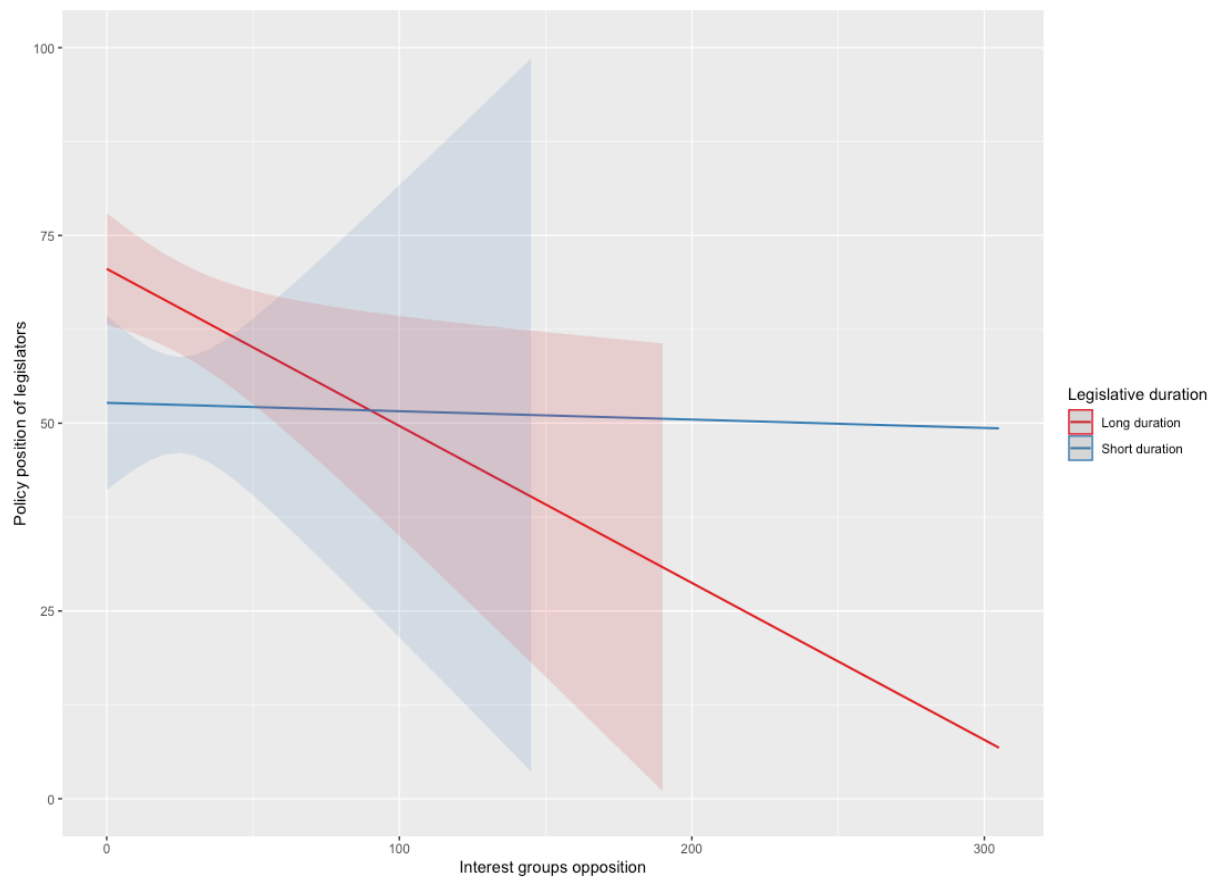
Notes: All are mixed effects regressions; Standard errors in parentheses; Dependent variable is output score of policy position presented by all EU decision-makers and position score of the Commission. *p<0.1; **p<0.05; ***p<0.01.

Figure A1. Interactions between EU interest groups opposition and salience (based on Model 5)



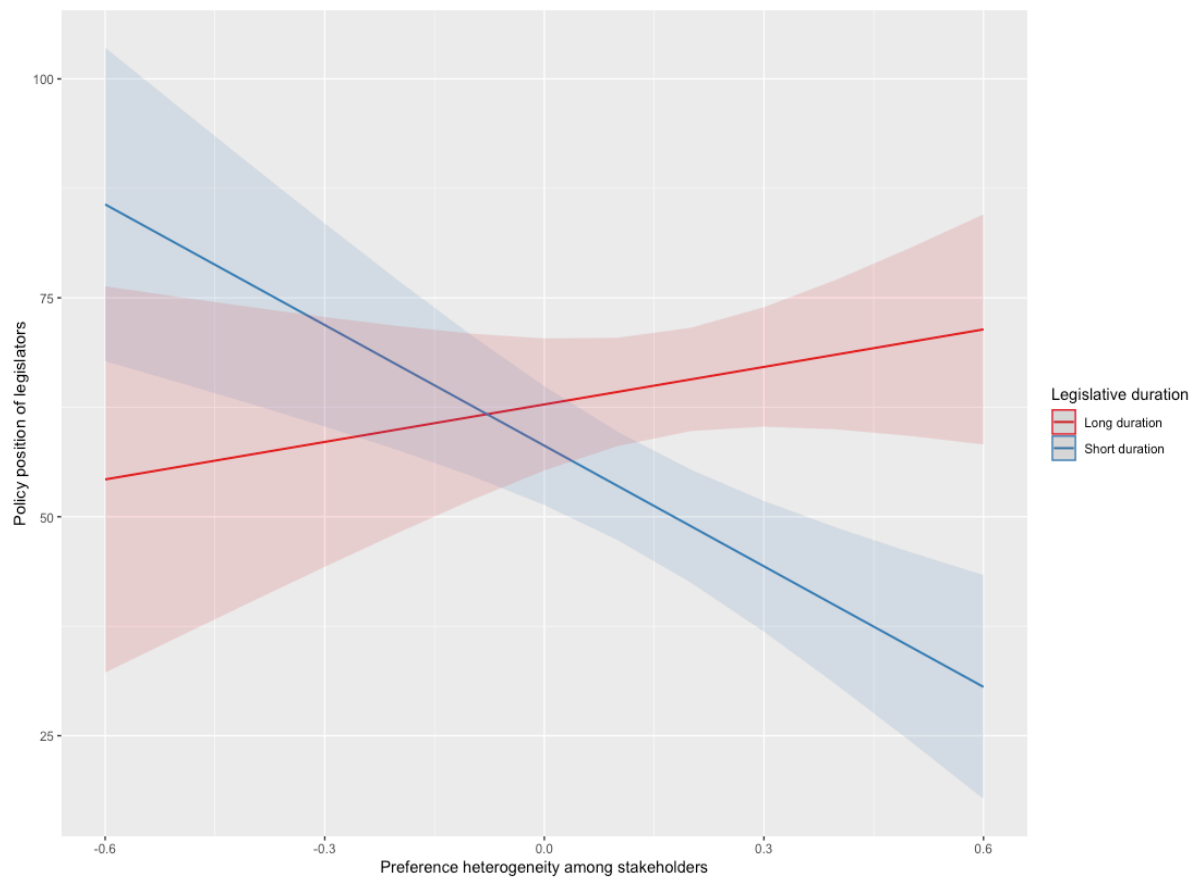
The illustrated interaction effect is based on the estimates of Model 5 in Table A6. The shaded regions indicate 75% confidence limits. The EU interest groups opinion runs from no opposition to full opposition on the x-axis and the two regression slopes are drawn for issues with low salience and issues with high salience (fixed at the maximum observed value in the data).

Figure A2. Interactions between EU interest groups opposition and legislative duration (based on Model 6)



The illustrated interaction effect is based on the estimates of Model 6 in Table A6. The shaded regions indicate 75% confidence limits. The EU interest groups opinion runs from no opposition to full opposition on the x-axis and the two regression slopes are drawn for issues with long legislative duration and issues with short legislative duration (fixed at the maximum observed value in the data).

Figure A3. Interactions between preference heterogeneity among stakeholders and legislative duration (based on Model 7)



The illustrated interaction effect is based on the estimates of Model 7 in Table A6. The shaded regions indicate 75% confidence limits. Preference heterogeneity among stakeholders is plotted from less heterogeneous preferences to more heterogeneous preferences on the x-axis and the two regression slopes are drawn for issues with long legislative duration and issues with short legislative duration (fixed at the maximum observed value in the data).

7.4.6 Coding materials

Figure A4. Stakeholders' preferences and EU actors' positions on four issues of legislative proposal (COD/2006/0304)

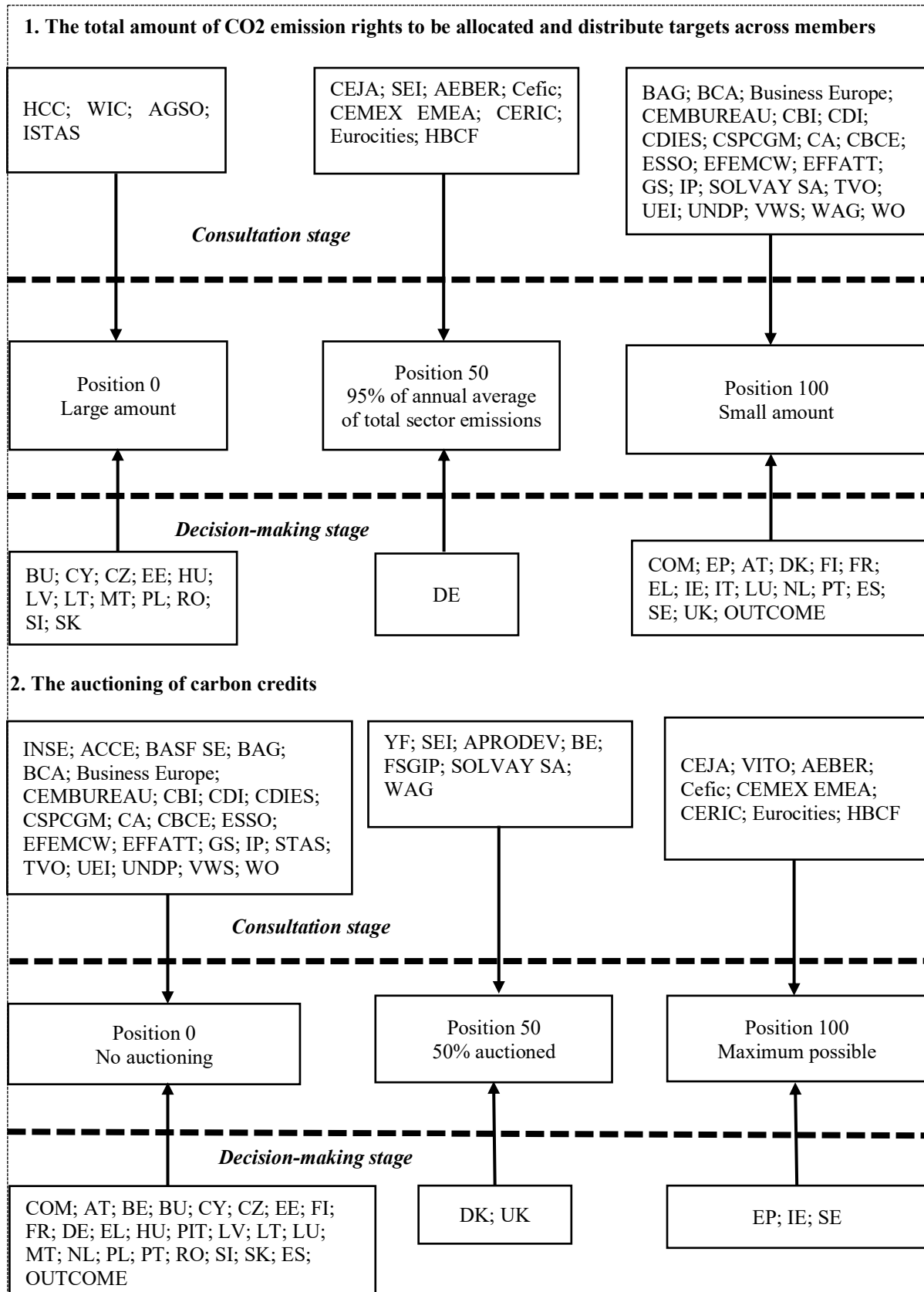
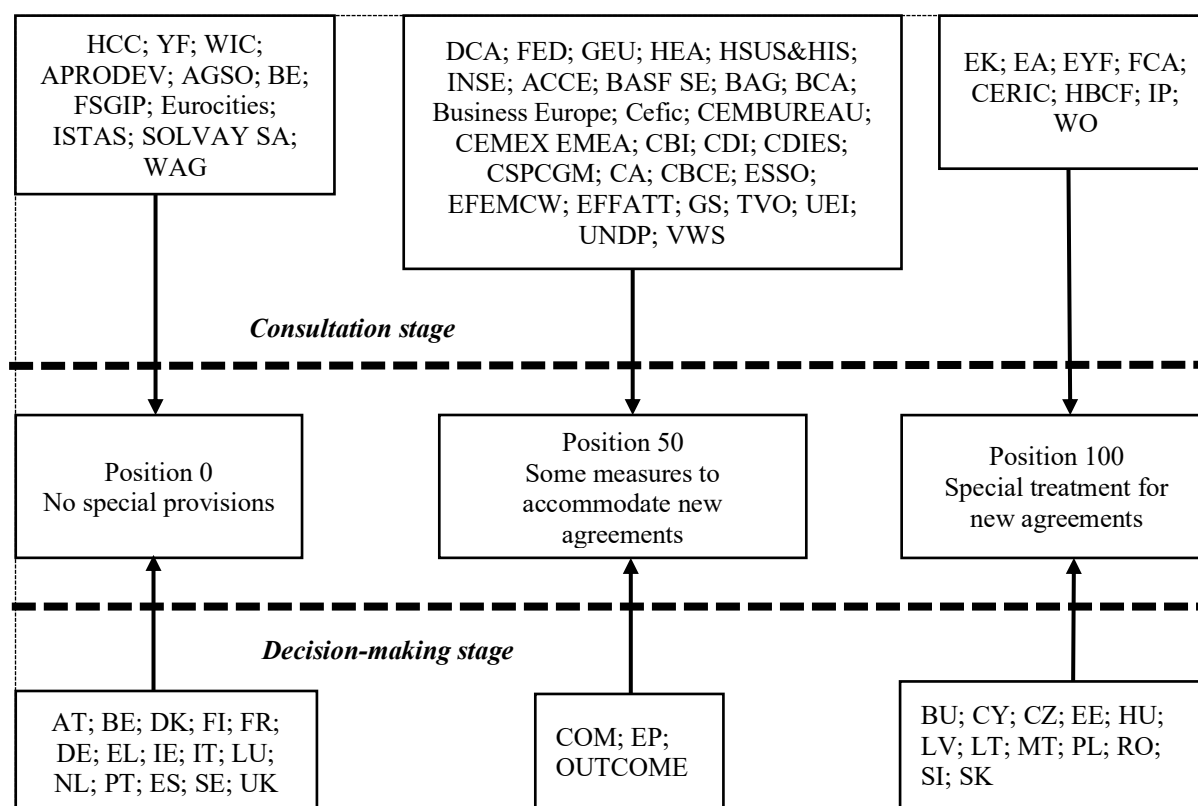
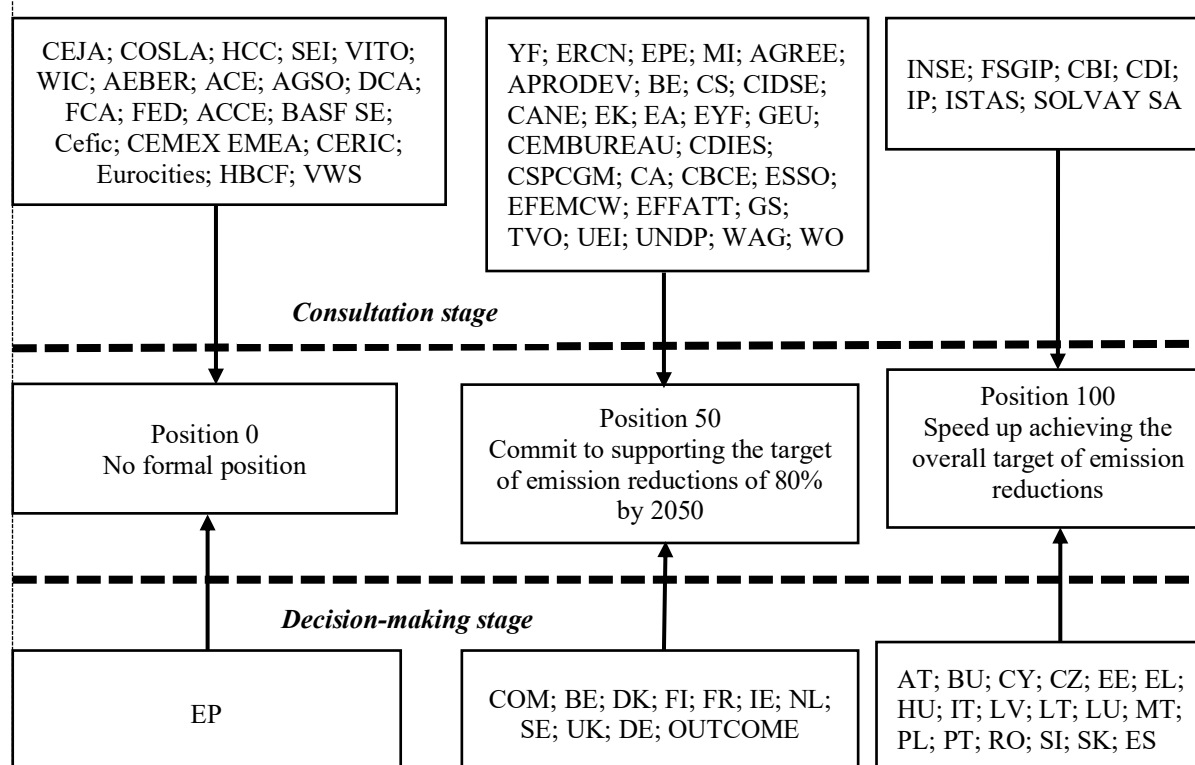


Figure A4. Stakeholders' preferences and EU actors' positions on four issues of legislative proposal (COD/2006/0304) (Continued)

3. Provisions for compliance and enforcement of the new agreement



4. The mitigation actions and commitments by developed countries



Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC to include aviation activities in the scheme for greenhouse gas emission allowance trading within the community (COD/2006/0304)

Table A7. Stakeholder preferences and EU decision-makers' positions on four issues of EU directive about greenhouse gas emission (COD/2006/0304)

Policy scale	Position taken
Consultation stage	
Issue 1: What are the preferences of stakeholders regarding the total amount of CO2 emission rights to be allocated?	
Position 0: Opposition to the flexibility mechanism of emissions close to starting date of the directive	HCC; WIC; AGSO; ISTAS
Position 50: Maintaining 95% of annual average of total sector emissions for period 2004 to 2007	CEJA; SEI; AEBER; Cefic; CEMEX EMEA; CERIC; Eurocities; HBCF
Position 100: Support small amount based on 1990 as the reference year	COSLA; YF; ERCN; EPE; MI; VITO; AGREE; APRODEV; ACE; BE; CS; CIDSE; CANE; DCA; EK; EA; EYF; FCA; FED; GEU; HEA; HSUS&HIS; INSE; FSGIP; ACCE; BASF SE; BAG; BCA; Business Europe; CEMBUREAU; CBI; CDI; CDIES; CSPCGM; CA; CBCE; ESSO; EFEMCW; EFFATT; GS; IP; SOLVAY SA; TVO; UEI; UNDP; VWS; WAG; WO
Issue 2: What are the preferences of stakeholders regarding the auctioning of carbon credits	
Position 0: Opposition to the auctioning of carbon credits	COSLA; HCC; ERCN; EPE; MI; WIC; AGREE; ACE; AGSO; CS; CIDSE; CANE; DCA; EK; EA; EYF; FCA; FED; GEU; HEA; HSUS&HIS; INSE; ACCE; BASF SE; BAG; BCA; Business Europe; CEMBUREAU; CBI; CDI; CDIES; CSPCGM; CA; CBCE; ESSO; EFEMCW; EFFATT; GS; IP; STAS; TVO; UEI; UNDP; VWS; WO
Position 50: Maintaining certain flexibility for 50% auctioned	YF; SEI; APRODEV; BE; FSGIP; SOLVAY SA; WAG
Position 100: Support more flexibility for maximum possible	CEJA; VITO; AEBER; Cefic; CEMEX EMEA; CERIC; Eurocities; HBCF
Issue 3: What are the preferences of stakeholders regarding the provisions for compliance and enforcement of the new agreement	
Position 0: Opposition to any special provisions for compliance and enforcement of the new agreement	HCC; YF; WIC; APRODEV; AGSO; BE; FSGIP; Eurocities; ISTAS; SOLVAY SA; WAG
Position 50: Maintaining certain measures to accommodate new agreement	CEJA; COSLA; ERCN; EPE; MI; SEI; VITO; AGREE; AEBER; ACE; CS; CIDSE; CANE; DCA; FED; GEU; HEA; HSUS&HIS; INSE; ACCE; BASF SE; BAG; BCA; Business Europe; Cefic; CEMBUREAU; CEMEX EMEA; CBI; CDI; CDIES; CSPCGM; CA; CBCE;

Table A7. Stakeholder preferences and EU decision-makers' positions on four issues of EU directive about greenhouse gas emission (COD/2006/0304) (continued)

Policy scale	Position taken
Consultation stage	
Issue 3: What are the preferences of stakeholders regarding the provisions for compliance and enforcement of the new agreement	
Position 100: Support to propose special treatment for new agreement until the compliance and enforcement	EK; EA; EYF; FCA; CERIC; HBCF; IP; WO
Issue 4: What are the preferences of stakeholders regarding the mitigation actions and commitments by developed countries?	
0: No formal position on this issue	CEJA; COSLA; HCC; SEI; VITO; WIC; AEBCER; ACE; AGSO; DCA; FCA; FED; ACCE; BASF SE; Cefic; CEMEX EMEA; CERIC; Eurocities; HBCF; VWS
50: Commit to supporting the target of emission reductions of 80% by 2050	YF; ERCN; EPE; MI; AGREE; APRODEV; BE; CS; CIDSE; CANE; EK; EA; EYF; GEU; HEA; HSUS&HIS; BAG; BCA; Business Europe; CEMBUREAU; CDIES; CSPCGM; CA; CBCE; ESSO; EFEMCW; EFFATT; GS; TVO; UEI; UNDP; WAG; WO
100: Share good practice and research to speed up achieving the overall target of emission reductions	INSE; FSGIP; CBI; CDI; IP; ISTAS; SOLVAY SA
Decision-making stage	
Issue 1. The total amount of CO ₂ emission rights to be allocated and distribute targets across Members States	
Position 0: Large amount based on emissions close to start date of directive	BU; CY; CZ; EE; HU; LV; LT; MT; PL; RO; SI; SK
Position 50: 95% of annual average of total sector emissions for period 2004 to 2007	DE
Position 100: Small amount based on 1990 as the reference year	COM; EP; AT; DK; FI; FR; EL; IE; IT; LU; NL; PT; ES; SE; UK; OUTCOME
Issue 2. The auctioning of carbon credits	
Position 0: No auctioning	COM; AT; BE; BU; CY; CZ; EE; FI; FR; DE; EL; HU; PIT; LV; LT; LU; MT; NL; PL; PT; RO; SI; SK; ES; OUTCOME
Position 50: 50% auctioned	DK; UK
Position 100: Maximum possible	EP; IE; SE
Issue 3. Provisions for compliance and enforcement of the new agreement	
Position 0: No special provisions for compliance and enforcement of the new agreement	AT; BE; DK; FI; FR; DE; EL; IE; IT; LU; NL; PT; ES; SE; UK

Table A7. Stakeholder preferences and EU decision-makers' positions on four issues of EU directive about greenhouse gas emission (COD/2006/0304) (continued)

Policy scale	Position taken
Decision-making stage	
Issue 3. Provisions for compliance and enforcement of the new agreement	
Position 50: Some measures to accommodate new agreements to the compliance and enforcement	COM; EP; OUTCOME
Position 100: Special treatment for new agreements until the compliance and enforcement	BU; CY; CZ; EE; HU; LV; LT; MT; PL; RO; SI; SK
Issue 4. The mitigation actions and commitments by developed countries	
0: No formal position on this issue	EP
50: Commit to supporting the target of emission reductions of 80% by 2050	COM; BE; DK; FI; FR; IE; NL; SE; UK; DE; OUTCOME
100: Share good practice and research to speed up achieving the overall target of emission reductions	AT; BU; CY; CZ; EE; EL; HU; IT; LV; LT; LU; MT; PL; PT; RO; SI; SK; ES

Abbreviation of EU actors:

COM: European Commission; EP: European Parliament; AT: Austria; BE: Belgium; BU: Bulgaria; CY: Cyprus; CZ: The Czech Republic; DE: Germany; DK: Denmark; EE: Estonia; EL: Greece; ES: Spain; FI: Finland; FR: France; HU: Hungary; IE: Ireland; IT: Italy; LT: Lithuania; LV: Latvia; LU: Luxembourg; MT: Malta; NL: The Netherlands; PL: Poland; PT: Portugal; RO: Romania; SI: Slovenia; SK: Slovakia; SE: Sweden; UK: United Kingdom.

Abbreviation stakeholders:

CEJA: Consejería Educación Junta de Andalucía
COSLA: Convention of scorrish local authorities
HCC: Hampshire County Council
YF: Yorkshire Forward
ERCN: Energy Research Centre of the Netherlands
EPE: Entreprises Pour Environnement
MI: Merlien Institute
SEI: Stockholm Environment Institute
VITO
WIC: Wuppertal Institute for Climate
AGREE: Actions for Green Renewable and Efficient Energy
APRODEV
AEBER: Asociación Española de Energías Renovables
ACE: Association for the Conservation of Energy
AGSO: Association of German Seaport Operators
BE: Bellona Europa
CS: Church of Sweden
CIDSE

CANE: Climate Action Network Europe
 DCA: Dan Church Aid
 EK: Energia Klub
 EYF: Eurogroup for Animals
 FCA: Finn Church Aid
 FED: Friends of the Earth Denmark
 GEU: Greenpeace European Unit
 HEA: Health and Environment Alliance
 HSUS&HIS: Humane Society of the United States and Humane Society International
 INSE: International Network for Sustainable Energy
 FSGIP: Flemish Support Group for Indigenous Peoples
 ACCE: American Chamber of Commerce to the EU
 BASF-SE
 BAG: Bayer AG
 BCA: British Cement Association
 Brusiness Europe
 Cefic
 CEMBUREAU
 CEMEX EMEA: CEMEX EMEA, Asia & Australia
 CBI: Confederation of British Industry
 CDI: Confederation of Danish Industries
 CDIES: Confederation of Danish Industry
 CSPCGM: Chambre Syndicale des producteurs de Chaux grasses et magnésiennes
 CA: Climate Alliance
 CBCE: Commission of the Bishops Conferences of the European
 CERIC: Community of European Railway and Infrastructure Companies
 ESSO: European Solar Shading Organization
 Eurocities
 EFEMCW: European Federation of Energy Mine and Chemical Workers
 EFFATT: European Federation of Food Agriculture and Tourism Trade Unions
 GS: GreenSpeed
 HBCF: House of Bishops of the Church of England
 IP: Institute of Physics
 ISTAS
 SOLVAY SA
 TVO: Teollisuuden Voima Oyj
 UEI: Union of the Electricity Industry
 UNDP: United Nations Development Programme
 VWS: Vestas Wind Systems
 WAG: Wienerberger AG
 WO: Wirtschaftskammer Österreich



English summary

Policymakers in the EU have sought ways to accommodate and resolve disagreement and controversy for an efficient decision-making process. The EU decision-making processes must be up to democratic standards at the European level. It requires EU decision-makers to connect citizens more closely with the EU institutions and develop an efficient and flexible political system. Hence, stakeholder involvement in the EU decision-making processes has become a critical component for the EU and especially the European Commission to boost democratic legitimacy and internal power. However, reconciling the divergent opinions of stakeholders is a challenge for EU decision-makers. The EU is and has been under pressure given the financial crisis, growing populism, and border security and migration. Hence, adjusting the European policymaking system appears to be important. The influence of crisis in the EU regards a necessity to focus on the speed of decision-making because the decision-making speed may somewhat reflect legislative efficiency and crisis management capabilities of the EU. Thus, it is essential to determine whether any important factors in the decision-making process on EU legislation can affect its speed. It could help decision-makers determine the actual causes of legislative stagnation and how to avoid them, thereby producing a democratically legitimate policy to solve the EU crisis. However, it is unclear how stakeholders exert influence by expressing their opinions on legislative proposals, the mechanisms EU interest groups put in place to interact with member states efficiently, and the implications of the elements for their political behavior among EU decision-makers. Consequently, by treating legislative duration and political responsiveness as dependent variables, the dissertation provides a comprehensive assessment of the political factors that affect legislative decision-making speed.

It highlights why we should consider stakeholders and member states and how they interact to influence decision-making outcomes. As illustrated in the Introduction chapter, member states regularly reach out to external stakeholders to represent specific constituencies. However, stakeholders face challenges in balancing and reconciling their conflicts with their members. For a better understanding of the influence of political actors on legislative speed in the EU democratic context, this dissertation tries to open a black box to explore what political factors affect EU decision-making speed and how they do this.

Empirically, this study employs quantitative and qualitative datasets to test hypotheses across the four main empirical chapters. The first dataset uses public consultation information on the opinions of stakeholders involved in specific proposals, used in Chapter 2. It integrates information on stakeholder opinions and member-state preferences on 100 specific legislative proposals across the whole EU member states, which is mainly used in Chapters 3 and 5. Based on the theoretical considerations and empirical results of Chapters 2 and 3, the second dataset

includes case information about specific evidence and references of opinions from EU official documents, authoritative media reports, and semi-structured interviews of experts and EU officials. This dataset is mainly used in Chapter 4. The third dataset selects policy space and policy positions of each EU decision-maker from the DEU-III and EMU Positions datasets, which then serve as supplementary data for Chapter 5.

The dissertation is structured into four research sub-questions based on the theoretical foundation in the literature to address the overarching question. The first research sub-question is “*How do the different stakeholders affect the duration of the EU legislative process?*” This sub-question is addressed in Chapter 2, where a crucial determinant of the legislative decision-making speed is the intensity of preference conflicts between different stakeholders regarding legislative proposals. The study probes the impact of various stakeholders on decision-making speed, presenting opinions in public consultations. Accordingly, the intensity of preference conflicts between different stakeholders significantly prolongs the legislative process.

From the findings in Chapter 2, additional analysis is required to examine in-depth the degree of heterogeneity in member-state preferences, using some of the same variables as in Chapter 2. Hence, the second research sub-question is “*What is the impact of the interaction of stakeholder opinions and member-state preferences on EU decision-making speed?*” The study establishes a link between the opinions of stakeholders and the preferences of member states to explore the impact of their interactive relationship on the duration of EU decision-making. The interaction effect between heterogeneous preferences of member states and stakeholders with negative opinions prolongs decision-making duration. The chapter finds a correlation between the interaction of heterogeneous preferences of the actors and longer EU decision-making duration.

The third sub-question is “*Is there a causal mechanism behind the interaction between member states and stakeholders that affects duration?*” This question builds on the findings from the previous two sub-questions and further seeks to reveal the causal mechanism behind the finding of lower EU decision-making speed. Hence, Chapter 4 employs an in-depth analysis of process tracing, where the study focuses on heterogeneous preferences of member states and the specific opinions of stakeholders. The qualitative evidence demonstrates that more different opinions of political actors, particularly more negative opinions, yield longer duration. Indeed, there is a causal relationship between the heterogeneous preferences of member states, negative opinions of stakeholders, and lengthy legislative decision-making.

The last sub-question is “*To what extent do EU decision-makers respond to the different opinions of stakeholders when the EU decision-making duration is longer?*” This question

connects decision-making speed to the political responsiveness of EU decision-makers by examining the relationship between the opinions of different stakeholders and the positions of EU decision-makers and member states on specific policy issues. Chapter 5, therefore, explores whether EU decision-makers consider actors' opinions and whether the EU's legislative politics represent democratic legitimacy. The finding shows that the positions taken by EU decision-makers during the legislative process reflect the preferences expressed by EU interest groups during the consultation stage.

This study links the legislative proposals, EU political actors, external stakeholders, and legislative duration to study what political factors most affect EU decision-making speed. It contributes to the academic literature on decision-making speed by examining a significant gap: the potential impact of member states and stakeholders on decision-making duration, how heterogeneous preferences of member states and negative opinions of stakeholders affect the decision-making speed, and how the EU decision-makers respond to these actors' preferences. This study makes a theoretical contribution by integrating a series of hypotheses in each chapter with the literature on EU legislative politics to develop coherent arguments on the causes of legislative duration differences. The normative and practical implications of the findings help explain the democratic deficit in EU legislative politics and present instructive cases of how stakeholders must reconcile divergent interests. Ultimately, answering the sub-questions contributes to resolving the great puzzle of this doctoral research project.



Dutch summary

Beleidsmakers in de EU hebben gezocht naar manieren om meningsverschillen en controverse op te vangen en op te lossen voor een efficiënt besluitvormingsproces. De EU-besluitvormingsprocessen moeten voldoen aan democratische normen op Europees niveau. Dit vereist dat EU-besluitvormers burgers nauwer verbinden met de EU-instellingen en een efficiënt en flexibel politiek systeem ontwikkelen. Daarom is de betrokkenheid van belanghebbenden bij de EU-besluitvormingsprocessen een kritisch onderdeel geworden voor de EU en vooral de Europese Commissie om de democratische legitimiteit en interne macht te versterken. Het verzoenen van de uiteenlopende meningen van belanghebbenden is echter een uitdaging voor EU-besluitvormers. De EU staat onder druk vanwege de financiële crisis, groeiend populisme en grensbeveiliging en migratie. Daarom lijkt het aanpassen van het Europese beleidssysteem belangrijk. De invloed van crisis in de EU met betrekking tot de noodzaak om te focussen op de snelheid van de besluitvorming, omdat de snelheid van de besluitvorming enigszins de wetgevende efficiëntie en crisismanagementcapaciteiten van de EU kan weerspiegelen. Het is dus essentieel om te bepalen of belangrijke factoren in het besluitvormingsproces over EU-wetgeving de snelheid ervan kunnen beïnvloeden. Dit kan besluitvormers helpen bij het bepalen van de werkelijke oorzaken van wetgevende stagnatie en hoe deze te vermijden, waardoor een democratisch legitiem beleid wordt geproduceerd om de EU-crisis op te lossen. Het is echter onduidelijk hoe belanghebbenden invloed uitoefenen door hun mening te uiten over wetgevingsvoorstellen, de mechanismen die EU-belangengroepen hebben ontwikkeld om efficiënt met lidstaten te communiceren en de implicaties van deze elementen voor hun politieke gedrag bij EU-besluitvormers. Daarom biedt het proefschrift door de duur van wetgevingsprocedures en politieke responsiviteit als afhankelijke variabelen te behandelen, een uitgebreide beoordeling van de politieke factoren die van invloed zijn op de snelheid van de wetgevingsbesluitvorming.

Het benadrukt waarom we belanghebbenden en lidstaten moeten overwegen en hoe ze samenwerken om besluitvormingsresultaten te beïnvloeden. Zoals geïllustreerd in het inleidende hoofdstuk, benaderen lidstaten regelmatig externe belanghebbenden om specifieke kiezersgroepen te vertegenwoordigen. Belanghebbenden worden echter geconfronteerd met uitdagingen bij het afwegen en verzoenen van hun conflicten met hun leden. Om een beter begrip te krijgen van de invloed van politieke actoren op de snelheid van wetgevingsbesluitvorming in de EU-democratische context, probeert deze dissertatie een black box te openen om te onderzoeken welke politieke factoren de snelheid van EU-besluitvorming beïnvloeden en hoe ze dat doen.

Empirisch maakt deze studie gebruik van kwantitatieve en kwalitatieve datasets om hypothesen te testen in de vier belangrijkste empirische hoofdstukken. De eerste dataset gebruikt informatie uit openbare raadplegingen over de meningen van belanghebbenden die betrokken zijn bij specifieke voorstellen, zoals gebruikt in hoofdstuk 2. Het integreert informatie over belanghebbenden en voorkeuren van lidstaten over 100 specifieke wetgevingsvoorstellen over alle lidstaten van de EU, die voornamelijk worden gebruikt in hoofdstukken 3 en 5. Op basis van de theoretische overwegingen en empirische resultaten van hoofdstukken 2 en 3, omvat de tweede dataset casusinformatie over specifiek bewijs en referenties van meningen uit EU-officiële documenten, gezaghebbende mediaverslagen en semi-gestructureerde interviews met experts en EU-functionarissen. Deze dataset wordt voornamelijk gebruikt in hoofdstuk 4. De derde dataset selecteert beleidsruimte en beleidsposities van elke EU-beslisser uit de DEU-III en EMU-Posities datasets, die vervolgens dienen als aanvullende gegevens voor hoofdstuk 5.

De scriptie is gestructureerd in vier onderzoeksvragen die gebaseerd zijn op de theoretische fundamenteën in de literatuur om de overkoepelende vraag aan te pakken. De eerste onderzoeksvraag luidt: *“Hoe beïnvloeden verschillende belanghebbenden de duur van het EU-wetgevingsproces?”* Deze vraag wordt behandeld in Hoofdstuk 2, waarbij een cruciale determinant van de besluitvormingssnelheid van de wetgevende macht de intensiteit van de voorkeursconflicten tussen verschillende belanghebbenden met betrekking tot wetsvoorstellen is. De studie onderzoekt de impact van verschillende belanghebbenden op de snelheid van de besluitvorming door meningen te presenteren in openbare raadplegingen. Dienovereenkomstig vertraagt de intensiteit van voorkeursconflicten tussen verschillende belanghebbenden aanzienlijk het wetgevingsproces.

Uit de bevindingen in Hoofdstuk 2 blijkt dat aanvullende analyse nodig is om de mate van heterogeniteit in de voorkeuren van lidstaten in detail te onderzoeken, waarbij enkele van dezelfde variabelen als in Hoofdstuk 2 worden gebruikt. Daarom is de tweede onderzoeksvraag: *“Wat is het effect van de interactie tussen de meningen van belanghebbenden en de voorkeuren van lidstaten op de snelheid van de EU-besluitvorming?”* Het onderzoek legt een verband tussen de meningen van belanghebbenden en de voorkeuren van lidstaten om de impact van hun interactieve relatie op de duur van de EU-besluitvorming te onderzoeken. Het interactie-effect tussen heterogene voorkeuren van lidstaten en belanghebbenden met negatieve meningen verlengt de besluitvormingsduur. Het hoofdstuk vindt een correlatie tussen de interactie van heterogene voorkeuren van de actoren en een langere duur van de EU-besluitvorming.

De derde subvraag is: *“Is er een oorzakelijk mechanisme achter de interactie tussen lidstaten en belanghebbenden dat de duur beïnvloedt?”* Deze vraag bouwt voort op de bevindingen uit de vorige twee subvragen en zoekt verder naar het causale mechanisme achter de bevinding van lagere snelheid van EU-besluitvorming. Daarom gebruikt hoofdstuk 4 een diepgaande procesanalyse, waarbij het onderzoek zich richt op de heterogene voorkeuren van lidstaten en de specifieke meningen van belanghebbenden. Het kwalitatieve bewijs toont aan dat meer verschillende meningen van politieke actoren, met name meer negatieve meningen, leiden tot een langere duur. Er is inderdaad een causaal verband tussen de heterogene voorkeuren van lidstaten, negatieve meningen van belanghebbenden en langdurige wetgevende besluitvorming.

De laatste subvraag luidt: *“In hoeverre reageren EU-besluitvormers op de verschillende meningen van belanghebbenden wanneer de duur van de EU-besluitvorming langer is?”* Deze vraag verbindt besluitvormingssnelheid met politieke responsiviteit van EU-besluitvormers door de relatie te onderzoeken tussen de meningen van verschillende belanghebbenden en de posities van EU-besluitvormers en lidstaten over specifieke beleidskwesties. Hoofdstuk 5 onderzoekt daarom of EU-besluitvormers rekening houden met de meningen van actoren en of de wetgevende politiek van de EU de democratische legitimiteit vertegenwoordigt. De bevinding laat zien dat de standpunten ingenomen door EU-besluitvormers tijdens het wetgevingsproces de voorkeuren weerspiegelen die zijn uitgedrukt door EU-belangengroepen tijdens de consultatiefase.

Deze studie verbindt de wetgevingsvoorstellen, EU-politieke actoren, externe belanghebbenden en de wetgevingsduur om te onderzoeken welke politieke factoren het meest van invloed zijn op de snelheid van EU-besluitvorming. Het draagt bij aan de academische literatuur over besluitvormingssnelheid door een belangrijke lacune te onderzoeken: het potentiële effect van lidstaten en belanghebbenden op de duur van de besluitvorming, hoe heterogene voorkeuren van lidstaten en negatieve meningen van belanghebbenden de besluitvormingssnelheid beïnvloeden, en hoe EU-besluitvormers reageren op de voorkeuren van deze actoren. Deze studie levert een theoretische bijdrage door een reeks hypothesen in elk hoofdstuk te integreren met de literatuur over EU-wetgevingspolitiek om samenhangende argumenten te ontwikkelen over de oorzaken van verschillen in wetgevingsduur. De normatieve en praktische implicaties van de bevindingen helpen bij het verklaren van het democratisch tekort in de EU-wetgevingspolitiek en presenteren leerzame cases over hoe belanghebbenden uiteenlopende belangen moeten verzoenen. Uiteindelijk dragen de antwoorden op de subvragen bij aan het oplossen van de grote puzzel van dit promotieonderzoek.



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Yuxuan Lei

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About the author

Yuxuan Lei was born on May 7, 1993, in Qinghai, China. She achieved a bachelor's degree in Business Administration at Hebei University, China, spanning the years 2010 to 2014. Additionally, she pursued a master's degree in Public Administration at Lanzhou University, China, spanning the years 2014 to 2017. Yuxuan's unexpected interest in policy analysis led her to switch subjects and study Political Science, along with Sociology to gain more training in statistics. Consequently, her decision to pursue a PhD was motivated by her desire to capitalize on the knowledge she acquired during these studies.

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