Why do Veto Players waste their Time?

Commissioners' Proposal Power and Member States' Scrutiny in

EU Legislative Decision making

Abstract

This study analyzes the inter-institutional interaction between Commissioners, member states and the European Parliament in the process of EU legislative decision making. Compared to previous research which focused on the bicameral relationship between the member states and the European Parliament, the analysis draws the attention to the proposal power of Commissioners, who are nominated by member states, and member states' scrutiny of their proposals in the legislative process. Using a novel dataset it introduces an informational view on decision making and investigates whether the time spent for scrutinizing legislative proposals is a function of the risk of a Commissioner's biased drafting, heterogeneity of member state preferences and their level of information. The econometric duration analyses of roughly 8,000 Commission proposals not only demonstrate the relevance of member state preference divergence and the risk of Commissioners' biased drafting for the legislative decision-making process, but they also suppors this informational view by confirming the expected effect for parliamentary participation, type of legislation and the fact that Commissioners can shorten this process when resubmitting the proposal. The closer inspection of 1,100 cases of controversial legislation confirms that heterogeneity of member states is the dominant effect for duration, in particular when legislation is amended and decided by member state qualified majority voting.

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This study examines the inter-institutional relationship between Commissioners and member states in EU legislative decision making by focusing on the factors which impact the legislative process in the period from 1986 to 2002. Compared to inter-institutional analyses of EU legislative decision making, which often apply a veto player perspective for their study of the distributional effects of power for legislative outcomes (i.e., Crombez 1996, 1997, Tsebelis and Garrett 2000, Tsebelis 1994, 2002, Steunenberg and Selck 2006), it directs the attention to the duration of the legislative process and provides a novel perspective on the interaction between the Commission and the member states, according to which member states are faced with a principal agent-problem when appointing Commissioners. They have the sole right to initiate legislation for achieving the goal of EU integration but may be attempted to pursue the interests of their home country. These attempts should influence the duration of the legislative process because member states will gather information, scrutinize and monitor Commission proposal in order to avoid biased legislation. Compared to the conventional power-distributional perspective which has dominated previous duration analyses finding that the number of veto players (+++, Golub 1999, 2007) and their heterogeneity (+++) prolong this process, this analysis investigates why veto players (should) spend different amounts of time for legislative decision making.

This study presents a theoretical foundation for the time spent for legislative decision making by introducing a principal agent-perspective on Commissioners who have the sole right to initiate legislation and are nominated by member states for achieving the goal of European integration, but may be attempted to pursue the interests of their home country. According to Pollack (2001: 229), EU principal agent-analysis leads to the hypothesis that agency autonomy is likely to vary across issue-sectors and over time, as a function of the preferences of the member states, the distribution of information and the decision rules governing the application of sanctions or the adoption of new legislation. However, the EU principal agent-literature did not yet provide evidence on this hypothesis and is more focusing on questions of

comitology, which is established to supervise the Commission in the implementation of EU law (i.e., Pollack 1997, 2001, Steunenberg et al. 1996, Franchino 2000, 2002, 2004, 2006). The following analysis will test this hypothesis by exmaining whether there is a risk of biased drafting in EU legislative decision making and whether member states react on this risk, and whether we find empirical evidence for the impact of this relationship between Commissioners and member states on the duration of the legislative process.

For this purpose, this study presents a novel dataset which combines data on the legislative process with quantitative proxies for the sector-specific positions of the actors involved. For evaluating this principal agent-view in particular, and more generally theories of legislative decisions making in a quantitative research design, it is perhaps one of the most challenging endeavors to find reliable estimators for actors' positions which vary over time and across domains. The following analysis proposes using proxies for the sector-specific positions of member state (coalition) governments and Commissioners from domestic party manifestos applying a new sector-specific coding scheme which also mirrors the EU's multi-level system by a two-dimensional representation of domain-specific policy spaces. Moreover, the analysis also identifies a subsample of controversial legislation for statistical and theoretical reasons: Statistically, the subsample of controversial legislation clarifies the impact of the bulk of "regular" legislation (Majone 1996, 2000), while it is theoretically expected that controversial legislation raises the attention of the actors involved and hence their level of information, which should change their strategies in this principle agent-game.

This informational perspective challenges the conventional wisdom on EU legislative decision making derived from the power-oriented view of veto player theory regarding participation of the EP, the type of instrument and amended or new legislation. According to the proposed principal agent-perspective, the EP is not an (additional) veto playing opponent but can help member states to avoid a bias of Commission proposals by reducing their information deficit. Furthermore, this view also distinguishes between the type of binding

legislative instrument: compared to regulations and decisions, directives offer member states more discretionary power in the implementation stage – an effect which should reduce their efforts to control Commission proposals and therefore save time. A similar effect can be expected for amending legislation because the modification of existing legislation should reduce the risk of a bias due to the higher level of information and expertise of the member states on the proposal.

While this study is provocative by proposing another view of the EU's legislative process and challenging the conventional wisdom on several institutional features, it also seeks to provide quantitative evidence on the hypothesized effects. Several previous duration studies applied the veto player perspective to investigate the impact of institutional variables on decision-making duration (Krislov et al. 1986, Sloot and Verschuren 1990, Golub 1999, 2007, +++), but evidence that member states spend significant amounts of time on Commissioners' proposals in the event of a high bias-risk requires the identification of actors' positions, which previous analyses failed to construct in an accurate manner. However, only if the interests of member states – and sometimes the EP – are threatened by a high potential for a Commissioner's bias, and only if the member states can force the Commissioner to resubmit the proposal, the conclusion could be that the member states have established an effective control system – sometimes supported by the EP – that helps minimize this problem even in the event of diverging member state interests and hostile proposals. This argument also holds for cases in which Commission proposals were not amended and resubmitted. The anticipation of member state and parliamentary scrutiny can force a biased Commissioner to alter her proposal in order to avoid later amendments.

The remainder provides good reason for the new perspective on the existence of a principal agent-problem. However, an ambitious but necessary empirical task of this view concerns the identification of indicators which measure member state preferences and the risk of a Commissioner's bias. In order to identify these preferences and evaluate these

hypotheses, a novel combination of two datasets will be presented – one contains a total sample of roughly 8,000 cross-validated proposals and a subsample of about 1,100 controversial bills, and the second dataset documents the EU-specific two-dimensional positions of the member states and the Commissioners. The econometric findings provide strong support for the hypothesized effects and suggest that member states respond to this inherent risk of biased proposals in the process of EU legislative decision-making. The optimistic conclusion is that member states with divergent preferences can still achieve the goal of European integration even in the case of hostile drafts.

The Commission and the Member States: The Role of Commissioners

Veto player analysis has enormously improved our understanding of the various types, instruments and procedures for EU legislative decision making.[1] According to veto player studies of the EU, the Commission, the member states in the Council and the EP are the central institutional actors of EU legislative decision making, and the EP has gained co-legislative powers since the passage of the Single European Act in 1987.[2] This approach has also been applied to the quantitative study of the EU's legislative process and revealed that a higher voting rule in the Council, the participation of the EP and the type of legislation have

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[1] Tsebelis (1995, 2002) has defined veto players as those actors whose support is necessary for changing the status quo. Many authors of EU legislative decision making have based their analyses on the veto players' approach, in particular Steunenberg (1994, 2000), Crombez (1996, 1997, 2000), Moser (1996, 2000), Schneider (1996), Tsebelis and Garrett (1997, 2000, 2001), Tsebelis (1994, 1996, 2002), Scully (1997a, 1997b), Jabko (1999), Nugent (2001), Scharpf (2006).

[2] Under all procedures, the Commission has the sole right to propose legislation, but the Council or the EP may request that the Commission submits a proposal. Most legislation is adopted by the Council acting alone under either qualified majority or unanimity. Since 1987, the EP has co-legislative powers under the cooperation and co-decision procedures, the latter having been established in 1993. None of the legislative procedures imposes limits on the duration of the decision making process, which provides the Council with various delay options.

prolonging effects on the duration of legislative decision making (Krislov et al. 1986, Sloot and Verschuren 1990, Golub 1999, 2002, 2007, Steunenberg and Golub 2007, Zorn 2007, +++).[3] Although this literature made enormous empirical and methodological progress in recent years – using sophisticated event history statistics and databases with thousands of legislative cases over a period of more than 20 years –, there is a remarkable theoretical lack of understanding about the reasons for the time spent on EU legislative decision making. Still, a major question is why do veto players waste their time in this decision-making process, and in particular, why should more restrictive voting rules or additional veto players prolong the duration of decision making? The most plausible ad hoc-explanation is that EU decision making is based on bargaining, and that those bargains usually require time for finding compromises, paying side-payments etc. (+++).

Another unresolved puzzle concerns the role of the Commission, which has the sole right to initiate legislative proposals. Compared to the scholarly agreement on the increasing power of the EP, there is an ongoing debate on the Commission's role among veto players' analysts who assume either a very powerful Commission under closed rule (Steunenberg 1994, Moser 1994, Selck 2004) or simply exclude the Commission from their analysis (Tsebelis 1994, Tsebelis and Garrett 2000). Upon closer inspection of the legislative process, we are reminded that Commissioners are nominated by member states, have portfolio power and propose legislation to the member states, which then discuss, amend and decide on the proposal in the Council, sometimes followed by a decision of the EP.[4] But when each

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[3] Modeling the Commission as a unitary actor is the most common choice in both the formal and the empirical literature (Cockfield 1994, Ross 1995, see for an overview of this literature, Schneider 1997).

[4] Few scholars have yet argued that individual Commissioners play an important role in policy making (i.e., Coleman and Tangermann 1999, Sbragia 1996, Allen 1996a, 1996b), and only Crombez (1997) has yet investigated the portfolio idea and proposed an appointment model of Commissioners, according to which the preferences of the Commission always belong to the core of member states.

Commissioner can select the most preferred policy among all possible proposals, the appointment of Commissioners is of notable importance, particularly when the Commissioners' powers might be enhanced by a heterogeneous Council as this typically leads to an expansion of the Commissioner's proposal choice set.[5] This suggests that the member states face a principal agent-problem when they nominate and appoint Commissioners to achieve the common goal of EU integration, but hardly have complete information about future policy activities and must thus control them to prevent a possible bias of their proposals in the following legislative process.

According to Article 213 of the treaty "The Members of the Commission shall, in the general interest of the Community, be completely independent in the performance of their duties. They shall neither seek nor take instructions from any government or any other body". However, there are several reasons to believe that Commissioners are affiliated to the governmental institutions of their home countries, keep in touch with their party government, and might be attempted to pursue the interests of their home country. In the period under study, the appointment procedure of the investigated 75 Commissioners – and the hot debates on its proposed change during the treaty reforms – provided that large member states, such as France, Germany, Italy, the United Kingdom and Spain nominated two Commissioners, whereas smaller member states proposed only one Commissioner each.[6] On closer inspection of the Commissioners' individual backgrounds, it turns out that between 1967 and 2004, 80

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[5] Empirical studies of EU legislative decision making show that member states rarely share the same interest with respect to the legislative means despite their consistent support for the common goal of European integration (Bueno de Mesquita and Stokman 1994, Mattila and Lane 2001, Selck 2004, Thomson et al 2006).

[6] This country-related allocation rule of portfolios has been a key point in the EU's current treaty reform debate after ten new countries from Eastern and Southern Europe acceded in May 2004, followed by Bulgaria and Romania in 2007 – a number that could threaten the effective functioning of the Commission under the country-based allocation rule. However, smaller member states stood in strong opposition to modifying the rules for nominating Commissioners, feeling disadvantaged by a system of rotation (+++).

percent of the Commissioners held at least one elected office in their country of origin before becoming a Commissioner, and almost 50 percent held a cabinet ministerial position in their home country (see Hix 2004, table 2.3). This affiliation is not only related to the Commissioners who are nominated by their home governments. In her study on Commission representatives and top officials, Hooghe (2001) finds that national partisanship is important for both their careers and their choice of portfolios.[7]

On closer inspection of the appointment characteristics of the 75 Commissioners in the period under study, such as their party affiliation, positional location in their political party and their European attitudes, a survey reveals that Commissioners were usually strongly affiliated with their political party in their country of origin and expressed their median voice.[8] Except for the Austrian Franz Fischler, Commissioners are described as having above average affiliation with their political party when they were appointed, with little variation in Ireland and Greece. According to Table 1, only the Belgium Commissioners Etienne Davignon and Karel van Miert were not indicated as pursuing the interests located in the middle of the political party of origin, while most Commissioners held a centrist party

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[7] A number of relevant factors indicate problems in controlling Commissioners in- or externally, see Schmidt (2000), Dimitrova and Steunenberg (2000), Thomson et al. (2006), Hix (2004), Cini (1996), Page (1997) and Hooghe (1999a, 1999b, 2001). Briefly summarized, appointment and career support the idea of a relatively strong preference affiliation between Commissioners and their country of origin, and the internal organization of the Commission establishes discretionary portfolio power for the Commissioners allowing them to pursue the goals of their home country.

[8] This survey is based on expertise by colleagues from each member country, who answered the following three questions for all Commissioners from their home country: 1) Most (if not all) Commissioners have been members of a political party in their country of origin. Please indicate for each Commissioner whether (s)he has been strongly affiliated with the political party of origin when (s)he was appointed; 2) Please indicate for each Commissioner whether (s)he pursued interests located in the middle of the political party of origin when (s)he was appointed; 3) Please indicate for each Commissioner whether (s)he was an actor with an integrationist or national attitude towards European politics.

position. With respect to their European attitudes, the results demonstrate that Danish, Irish and British Commissioners promoted the most pronounced national attitudes, while Commissioners from other countries were viewed as actors favoring a more integrationist attitude with some variation in the Netherlands.

Table 1 about here

These numbers suggest that Commissioners have a strong party-background in their home countries, but it remains an open question whether this party-oriented background of Commissioners translates into a party- or a party government-oriented attitude of Commissioners, or, whether Commissioners perhaps represent and pursue the interest of their political party at the time when they were nominated. In a veto player study on the consequences of domestic party followers for EU legislative outcomes, Crombez (1997) supposes a party-oriented background of Commissioners according to the uni-dimensional domestic left-right position of their affiliated political party. Compared to the veto player analysis of Crombez (1997) on legislative outcomes, the following study proposes using two-dimensional sector-specific preferences and controls for several possible party-backgrounds of Commissioners. The basic idea is that if a Commissioner is appointed and affiliated to a political party or a party government of her home country, and if she attempts to pursue policies favored by this actor at the expense of other member states, the question arises whether and how member states respond to this problem, and what effects these reactions have on the process of decision making. An institutional answer could involve establishing a committee system with broad investigative power, including the right to hear the Commissioner's viewpoint on the draft proposal, having access to all Commission documents

and the ability to amend the proposal. All of these activities exist but are time-consuming, suggesting that the length of the process would increase in the event of such a bias.[9]

Closer inspection of the Council's legislative work reveals that Commission proposals are indeed scrutinized at three levels from different viewpoints – the ministerial, COREPER and working group level (Hayes-Renshaw and Wallace 2006). In particular, member states extensively monitor Commission proposals in area-related working and technical groups of the Council, which discuss specific issues of the proposal text without time restriction (Kirchner 1992, Westlake 1995, Thomson et al. 2006). At each level, member states can hold hearings with the responsible Commissioner, and they have the right to postpone (without time restriction) and amend Commission proposals under unanimity in order to cope with the risk resulting from the Commissioners' autonomy and power. On the other hand, meeting the unanimity criterion for amendments should also be related to the preference heterogeneity of member states, suggesting that more heterogeneous preferences may provide an incentive for Commissioners to promote the interests of their political party respectively party governmenta at home.

Accordingly, using a committee system for controlling Commissioners and amending their proposals (by unanimity) is a plausible institutional reaction to this problem, but the corollary hypothesis is that these activities require time, and the amount of time spent for these activities should be related to the preference heterogeneity of member states and the risk of a Commissioner's bias: The more heterogeneous the member states are, the more time is

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[9] Similar effects were found by Martin and Vanberg (2004: 17) for domestic legislative processes showing that i) bills that are scrutinized more carefully will tend to require more time in the legislative process than bills that are not subject to close scrutiny, and ii) the principal-agent problem increases with increasing ideological differences among the party actors.

necessary for building coalitions, and, more importantly, for building the unanimous coalition to amend the Commissioner's proposal.[10]

The EU's legislative process: A principal agent-view

The nomination process of Commissioners, their party-oriented background and role in legislative decision making suggest the possibility of a principal agent-problem, which should affect the legislative decision-making process. Hence, the relationship between member states' preferences and those of Commissioners, who have portfolio power, and their level of information should be decisive for understanding the duration of this process. From a principal agent-perspective one would expect that if a Commissioner attempts to pursue her own goals, other member states will have the incentive to scrutinize and amend the Commissioner's proposals. This activity of information gathering and coalition building by member states is time-consuming and should, thereby, increase the length of the decision-making process.[11] More specifically, the time spent should be a function of the risk of a Commissioner's biased drafting, heterogeneity of member state preferences and their level of

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[10] There are other characteristic of EU legislation, such as the provision of different instruments and the location of the status quo, which might affect the reaction of member states and Commissioner. For example, the EU sets out three different kinds of binding legislation: regulations, decisions and directives. While decisions and regulations are binding and directly applicable, meaning that these instruments do not have to be transposed into national law, directives offer the member states more discretionary power in the implementation stage. Another feature of the EU is that it encompasses a growing body of EU legislation, which is continuously modified. This might imply a different location of the status quo in the event of modifying legislation, which already exists at the EU level.

[11] Most studies have examined the bicameral relationship between the Council and the EP, devoting attention to the rate of successful parliamentary amendments (Westlake 1995, Corbett et al. 1995, Judge and Earnshaw 1997, Kreppel 1999, Kreppel and Tsebelis 1999). Others looked at decision-making duration and found that the EP has become a retarding veto player (Golub 1999, 2007).

information. This informational aspect points to another corollary hypothesis because more informed member states will force a Commissioner to react to their concerns by resubmitting the original proposal, which should shorten the legislative process. Consequently, when member states are highly salient on a controversial Commission proposal, this should lower the risk of biased drafting because the probability of being forced to resubmit a proposal is higher for a Commissioner in the event of important member state controversies.

Following this approach, a major indicator for member states' monitoring demand should be heterogeneity of their preferences, which are related to their distance and saliencies. Put differently, in the event of member state consensus, there would be no incentive for a Commissioner to bias a draft text; otherwise, member state consensus would ultimately lead to an amendment of the proposal. However, with increasing divergence of member state preferences, the likelihood for amendments shrinks, and the incentive to pursue own interests increases. In general, one would expect that the more extreme the position of the Commissioner is, and the more diverse the preferences of the member states are, the higher the incentive to bias and to monitor a proposal should be. In this case, the duration of the working group sessions should increase, and the number of hearings with the Commission should also increase at each level of the Council committee system: The more diverse the interests are, the more likely it is that the working groups cannot resolve all issues, and the more time is spent at the various levels of the Council committee system. Taken together, *the duration of the legislative process should significantly increase with the divergence of member state preferences and with the distance of a particular Commissioner to the likely outcome*.

Because little is to gain from a Commissioner representing the member states, delegation tends to become more severe as the heterogeneity of member states increases, and a Commissioner stands to win more from this configuration. This suggests that if member states make use of committee scrutiny for Commission proposals, if this scrutiny requires

time, if the incentive to monitor increases with heterogeneity, and if amendments must be adopted unanimously, one should find support for a positive relationship between duration of the process and heterogeneity as well as risk of country-bias. At the same time, member states can be aware of this problem and a Commissioner can resubmit her initial proposal when the activities of member states to amend the proposal are revealed. Under these circumstances, *a resubmission of a proposal should reduce the duration of the process*.

European legislation knows several procedures which can be broadly classified into those with and without parliamentary participation. Conventionally, the additional parliamentary participation is explained by the attempt to increase the EU's legitimacy (i.e. Follesdahl and Hix 2006, Rittberger 2006), but the additional parliamentary control might also shed some light into the reasons of member states to increase the power of the EP. Additional parliamentary control might help member states to avoid biased drafting. According to this informational view*, parliamentary participation would lengthen this process as long as the EP attempts to avoid a particular bias of EU legislation*. Perhaps another control variable for this informational perspective could be the type of legislation, i.e. whether the proposal concerns new or existing legislation. In the event of amending legislation, member states already know many details and positions from deliberations of the previous piece which is to be amended. *This should shorten the decision-making process*.

A further proxy for the hypothesized informational effects could be the level of controversy among the member states themselves. Here, the responsible Commissioner does not always have an incentive for drafting hostile proposals. The incentives to draft biased proposals and to react in the expected manner may also depend on the level of information of the member states, which is usually higher for salient issues. When a Commissioner knows about the saliencies of heterogeneous member states, which indicate controversies, the probability for successful hostile legislation should decrease because member states will pay more attention to the proposed text. This suggests that - in addition to heterogeneity of

preferences - a dispute usually raises the attention and consequently reduces the danger of a bias. Accordingly, *when member states pay more attention, this should reduce the risk of bias and dominate the effect on the duration of the legislative process.*

In sum, the preferences and the level of information should influence the legislative process. On closer inspection of the two-level lawmaking system of the EU, these situations conventionally unfold into two dimensions, one referring to the question whether a policy should be decided at the lower national or upper EU level, the other where the policy outcome should be located politically (i.e. more or less liberal, more or less protective etc.). This two-dimensionality should increase the power of the agenda setter, which would enforce the principal agent-problem of Commissioners and member states.

Policy Positions, Process Characteristics and the Duration of Decision making

Testing these time-related hypotheses poses a number of methodological challenges, which were recently discussed in an intense debate among duration analysts of EU legislative decision making (for more details, see EUP 2007). A major puzzle in this discussion has been that several institutional covariates change their effects over time, but using time dependent variables could hardly remedy this effect (Golub and Steunenberg 2007). Instead of using various control variables, a second possibility is asking for a theoretical explanation for proportionality effects of the institutional variables, such as the application of the Council's voting rule or the participation of the EP (Zorn 2007). Another issue of this debate concerned the selection of the sample and the cross-validation of the data, which should cover a lengthy period including several enlargement rounds and treaty reforms for the study of the hypothesized effects (Golub 2007). While scholars found that controversial legislation is not determined by a particular procedure or a specific instrument (+++), the question remains whether and to what extent the bulk of "regular" legislation determines the statistical findings.

To solve the proportionality puzzle and sample selection problem, this study proposes using two-dimensional area-specific estimators for Commissioners' and member states' positions. Such policy-related estimators may explain why the covariates effects change over time, i.e. due to a change in governmental composition respectively change of governmental positions resulting from national elections in the member states (+++). A second innovation is the distinction between controversial legislation and the total sample in order to identify the statistical effect of the bulk of regular legislation and to examine the hypothesized informational effect.[12] Both samples cover proposals in the period from 1984 to 2002, thereby including several treaty changes (1987, 1993, 1999) and enlargement rounds (1986, 1995). Moreover, the data are cross-validated with the inter-institutional information from PreLex, a second official source of information on the detailed legislative process (+++). PreLex additionally documents Council A- and B-item notification as well as Commission DG allocation information, which is required for the identification of controversial legislation and the responsible Commissioner.[13]

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[12] When a proposal is entered as an A-item on the Council agenda, member states and the Commission have agreed on the non-controversial nature of the proposed legislation: "In practice, A-items are approved *en bloc* without prejudice to the provisions on the public nature of proceedings" (Commission 2006, 127). The B-items, on the other hand, indicate politically important decisions subject to continued discussion, even if general agreement among the member states is reached in advance.

[13] Some proposals were adopted during the period under study but initiated prior to 1984, while other pending proposals still exist for the period under study. To cope with the problem of right-censoring in this study, the median duration of 190 days between Commission initiatives and Council adoption from February 1, 2003 has been subtracted and all pending proposals after this date were excluded. This results in every initiative having a similar chance of adoption.

Process Characteristics: Controversial and non-controversial data

To cross-validate information on legislative characteristics, data has been gathered by transforming the CELEX full-text database and the PreLex process oriented database into machine-readable datasets. This transformation requires several steps and conceptual decisions. For example, some proposals provide multiple indications for voting rules and policy areas according to the cited legal basis, and others have been pending for a long time or include treaty modifications that do not terminate in deliberations within the Council (for more detail, see +++). To avoid possible bias through conceptual decisions, the combined dataset provides a cross-validated basis for EU legislative research that allows for the identification of major institutional characteristics of the legislative process in two independent sources.

Another advantage of combining CELEX and PreLex is the inclusion of further proposal characteristics, which are only listed in one of the two data sources, such as the indication of a B-point for controversial legislation. Because several authors (e.g. Majone 1996, 2001, Golub 2007) suppose that many Commission proposals hardly generate conflict among member states, this study proposes controlling for this claim by using the B-item characteristic to distinguish between a subsample of controversial proposals and the total sample, which also includes more regulatory non-controversial legislation under the written procedure and A-items.[14] Figure 1a illustrates all Commission and Council activities in this period. Until the end of the 1980s, the number of Commission initiatives and adoptions by the Council continuously increased. Since then, except for the time around the Maastricht treaty (1993), these activities have decreased continuously. Today, the number of initiatives and adoptions is lower than at the beginning of the 1980s, before the EU's internal market

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[14] Some proposals have indicated more than one B-item which could be used for weighting the level of conflict. In this study, however, the smaller sample includes all cases having at least one indicated B-item.

program started. This trend towards less legislative activity is even more significant because an increasing number of Commission proposals only modify existing legislation.

According to figure 1b, this trend is less pronounced for controversial legislation, which has fallen from more than one hundred legislative acts in the 1990s to about 50 per year by 2000. One explanation is that the median proposal-adoption time lag has increased. Figures 2a and 2b illustrate how the decision making process has slowed in recent years. While the median proposal-adoption time lag was about 100 days until the end of the 1980s, it markedly increased in the early 1990s to about 150 days. Before the Nice treaty entered into force, the median duration of adopted proposals increased to about 130 days in 2000. A similar trend is shown for the subsample of controversial legislation in figure 2b, which reveals a shorter process duration for controversial proposals prior to the enlargement in 1995. Member states obviously settled these conflicts before the accession of Austria, Finland and Sweden.

Table 2 distinguishes between types of legislation and provides some other descriptive statistics on the explanatory variables of the EU decision-making process. Overall, the Commission initiated 7,514 proposals, 1,172 of these initiatives are document as B-items, meaning that they raised concerns and controversies in the Council's deliberations. More than 93% of the total sample and more than 97% of B-item proposals were adopted – a rate that may already surprise scholars of comparative legislative politics. Two reasons are of notable importance: Commission proposals are rarely rejected and are normally pending, because the legislative process knows no end of terms or dissolution. About 15 per cent of all decided proposals had a time lag of more than one year. This means that they can be adopted after a long pending period that may even include a treaty modification with a change in procedural provisions. Moreover, compared to other legislative systems, the EU has no competitive initiators. The Commission formally initiates all legislation, whereas opposition (minority) proposals usually cause lower adoption rates in other legislatures. Reference to existing

legislation supports this effect and also excludes the EP as an additional veto player, particularly in the domain of internal market politics.

Another explanation for the relatively high share of successful proposals and increase in duration rests in the application of Council qualified majority voting (about 65% overall and about 71% for controversial legislation) and the small but increasing share of EP participation (about 11% and 12%). According to veto player theory, Council qualified majority voting (RULE) should facilitate legislative decision making, while parliamentary participation (PARLIAMENT) results in an additional veto player and thus should complicate the process.[15] This study also accounts for Commission resubmissions that rarely occur in the overall sample (15%) during Council deliberations but have a higher share of about 27% of B-item legislation. This Commission's behavior (RESUBMIT) in reaction to the Council's activities is also an indicator for the limited foresight of the following process because the Commission could not anticipate possible constraints and had to resubmit its initiative.

Table 2 also shows that the EU uses different instruments for legislation (INSTRUMENT). The binding and directly applicable instruments (decisions and regulations) dominate with about 87% of EU legislation, and these instruments are often used in the agricultural (accounting for about 20%) and trade sector (about 30%). Because directives offer member states more discretionary power in the implementation stage, regulations and decisions should require a higher level of control vis-à-vis Commission proposals. Another characteristic to control for is the type of legislation that distinguishes between Commission initiatives decided on a treaty basis and proposals that are decided on the basis of a previous legislative act (AMEND). This kind of amended legislative power often excludes parliamentary participation and has been used in almost 34% of all cases and 31% of controversial cases. The three dummy variables distinguish between the period before the

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[15] As long as the voting behavior of MEPs follows in accordance with their political party affiliation (Kreppel 2000, Hix 2002, 2004).

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accessions of Portugal and Spain (1986) and of Austria, Finland and Sweden (1995). In sum, EU legislation is characterized by a very high adoption rate of modified regulations in the agricultural and trade sectors that allow for Council qualified majority voting without EP participation.

Policy Positions of Member States and Commissioners

Compared to the data on the legislative process, little quantitative information exists for an accurate identification of the positions of the member states and Commissioners. Under the assumption of party government, this study proposes using domestic party manifestos on order to construct indicators with variation across policy areas and over time (Budge et al 1987, Gabel and Huber 2000). According to Marks et al. (2006), the advantage of party manifestos comes from the objectivity of the data (compared to the subjectivity of experts), the cumulative research covering a longer period than expert surveys do; however, they criticize the strategic nature of manifestos, the different timing across countries and the disregard of intra-party dissent (see also, McDonald et al. 2006). Some authors suggest that party manifestos make their way into governmental programs and policies (Gabel and Huber 2000, Gallagher et al. 2001). Others disagree about the validity of measuring positions, but most criticism centers on the usefulness of the coding scheme of the left-right dimension used by the Comparative Party Manifesto Group (Woldendorb et al. 1993, Harmel et al. 1995, Laver et al. 2003).

Applying a more accurate coding scheme for the study of EU legislative decision making may remedy (some of) this criticism but involves several steps. To retrieve policy field specific values from these data, this study aggregates the percentage of quasi-sentences that are positively or negatively related to four EU policy sectors and a dimension on European integration more generally, following the manifesto calculation procedure – a mix of policy positions and weights (Laver 2001). More specifically, the domestic party

manifestos are merged with data on the party composition of the corresponding national governments, including the date of their inauguration and dismissal. These data are related to EU policy areas in order to compute policy positions on specific EU policy sectors like agricultural, trade, internal market and common rules politics (see appendix).[16] For an accurate presentation, the resulting set of policy sectors and the traditional left-right dimension (for the remaining cases) were completed with a European integration to construct a two-dimensional policy space (Laver and Budge 1992, Klingemann et al. 1994, Gabel and Hix 2002, Gabel and Huber 2000, Hix 1999, Mattila and Lane 2001, Kreppel 2002, Tsebelis 2002, Hooghe et al. 2002, Pennings 2002). According to this two-dimensional sector-specific concept, the European dimension refers to the question about the extent to which the proposal should be decided at the EU level, while the sector-specific dimension indicates where the proposal should be regulated along the respective sector-specific policy scale.

This scheme offers several options for the identification of member state and Commissioners' positions. Regarding member states, most governments consist of coalition partners advising to average their policy positions.[17] For example, the mean positions of the Christian and Liberal parties are calculated to represent the German Kohl government from

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[16] In order to avoid missing data this study applies the manifesto calculation procedure – a mix of policy positions and weights (Laver 2001).

[17] At this step, one can calculate different measures for the preference indicators by party manifestos. Four versions have been used, a non-weighted and a weighted saliency as well as a non-weighted and a weighted position measure. The weights refer to the parties' seats in parliament, while the saliency measure also considers the relative importance of the policy domains by relating the number of statements to the total number of all statements. Regarding EU applications, the position measures suffer from the fact that the coding scheme of the party manifesto research group does not capture many EU items. For example, in the domain of agricultural politics, only two items can be used for counting party statements, which means that there is almost no variation among the position-related estimators. Only saliency indicators provide for enough variation. For this reason, only the two saliency/position estimators are taken into account.

1982 to 1998, which varied across policy sectors and over time (due to elections in 1983, 1987, 1990 and 1994). With the most extreme of these sector-specific, two-dimensional governmental positions, it is possible to calculate member state heterogeneity (HETEROGEN) in the next step. These two-dimensional differences express their level of heterogeneity that varies across policy areas and over time.

Compared to the positions of the (coalition) governments of member states, it is much more difficult to account for a Commissioner's portfolio and position. In principle, three options exist for the identification of Commissioners' positions with these data: Commissioners are assumed to pursue the interests of either their domestic political party – either at the time of their nomination or at the time of the proposal bargains – or their home (coalition) government. The first the political party-view corresponds to a socialization perspective, while the other are more suited for a instrumentalist view of Commissioners. In each case, it can be asserted that the country-bias of Commissioners (BIAS) is identical with the respective view of the policy position of the current government or political party, or the political party at the time of nomination. Note that Commissioners can have different country-positions on the European integration dimension. Finally, the distance between the Commissioners' position and the bargaining mean of the member states divided by the total distance between member states is used as a proxy for the likelihood of a country-bias.

Because the European and left-right positions of Commissioners vary across proposals, Figures 3a and 3b exemplify the averaged risk of a governmental country-bias for these dimensions, while the dimensions of the key domains cover about 80% of all legislative activities. In the statistical analysis, however, each Commissioner will be identified by the proposal of the respective DG in the two versions of the two-dimensional policy spaces. In Figures 3, we see that the risk of a(n) (unweighted) country-bias varies over time and across policy domains. When the EU began the internal market program in the mid-1980s, the risk was particularly high in this domain but decreased until the end of this process in 1992. At

this time, the German Commissioner Martin Bangemann was responsible for the internal market program. After the completion of the common market, there remains some variation in this risk over time. Another picture can be found in agricultural politics, where the risk of a country-bias increased from almost 20% to 45% between 1989 and 1993 when the Irish Commissioner MacSharry headed the DG for agricultural affairs. Afterwards, this domain was led by the Luxembourg Commissioner Rene Streichen – a country that is notably less dependent on the primary sector than Ireland. In the area of common rules, the Italian Commissioner Mario Monti had the most extreme position in the beginning of the 2000, although trade should have prompted less concern about a country-biased Commissioner.[18] Whether these risks matter and how they determine the legislative process will be shown in the parametric event-history analysis, which also controls for the most important institutional reforms during the period under study, the time between the Single European Act (1987) and the Maastricht treaty (1993), and the period between the Maastricht (1993) and the Amsterdam (1999) treaties.

Examining the Process: An Event History-Analysis

For the analysis of the Council's monitoring processes, this study uses event history analysis as the appropriate technique for duration analysis. Logit and probit models do not allow for censored observations to be used in estimating parameters, and thus introduce biases resulting from the deletion of such observations. Event history analysis allows to study the process of legislation - data on the number, timing, and sequence of "events" for some sample within a given continuous time period of observation. In this study, the event is the adoption of a

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[18] The weighted version by parliamentary seats of coalition partners indicates a similar trend in these domains with a peak around 1990. Compared to non-weighted version, common rules should yield lower concerns about the risk of a country-bias, while the risk increases in internal market policies in the mid-1990s and in trade at the end of the 1990s.

Commission proposal which changes the value of the discrete random variable, $Y(t)$, that is defined over some time interval and that has a countable number of exhaustive and mutually exclusive values. In this case, $Y(t)$ denotes the status of a Commission proposal and can have one of two values, "pending decision" (the origin state) or "decided" (the destination state). By adopting a Commission proposal, this case moves from its origin state to the destination state. Failure event accordingly means that the adoption of the proposal did not occur.

Event history analysis uses a method of estimation that allows censored observations to be used in estimating parameters, and thus avoids biases that result from deleting such observations. The duration of an episode can be represented by a non-negative continuous stochastic variable T.[19] To test whether member states scrutinize Commission proposal in the legislative process, this study uses the time lag between a Commission proposal and a Council decision. This value can range between 1 and an infinite number of days. The suggestion is that member states need more time to scrutinize Commission proposals when the risk of a country-biased proposal increases. Figures 4 show the distribution of the duration of Commission proposals for both samples. Most proposals are decided within the first 150 days, but there are still many proposals, which are adopted after two or three years. This picture also exists for controversial B-item legislation.

The main independent variables are member state preference heterogeneity and the distance between the mean of the member states and the Commissioner as the likelihood for a county-bias. Note that the mean of the member state preferences has also been the best predictor for EU legislative outcomes which comes close to their bargaining solution (Achen 2006). Other variables, such as the voting rule of the Council and the participation of the EP, may also matter for the duration of Commission proposals and are thus taken into account. In

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[19] Note that the underlying time dimension (process time) is not historical time, but a relative time axis (duration) where all episodes start at time zero. Information about when an episode occurred in historical time may be included via covariates (see below).

sensitive areas, the EU still requires unanimity of member states. This indicates that their level of interest for legislative proposals – and thus their efforts to scrutinize the country-bias of Commission proposals – might be higher under the unanimity rule.

Another argument can be made about the EP because MEPs voting behavior is aligned to EU political parties rather than to their countries of origin (Hix and Lord 1997, Raunio 1997, Kreppel 2002, Hix et al. 2005). The EP might thus have a similar incentive to avoid a country-bias of Commission proposals. This suggests that additional parliamentary participation under cooperation and codecision procedure will increase the duration of the legislative process. Moreover, the usage of an instrument and the location of the status quo might provide further insight into the analysis. Directives offer member states more discretionary power in the implementation stage – an effect which should reduce their efforts to control Commission proposals and therefore save time. A similar effect can be expected from the location of the status quo because the modification of existing legislation should reduce the risk of a country-bias due to the higher level of information and expertise of the member states.

To analyze how the duration of staying in a specific state is influenced by these covariates, it is convention to specify first the pattern of time-dependence by assuming a hazard rate function (there are models in which rates change monotonically, such as Gamma, Gompertz, Weibull, while in others they change non-monotonically, e.g. inverse Gaussian, log-logistic, sickle). The second step in model formulation is to specify how the covariates affect the hazard rate function, which is estimated using the maximum likelihood (ML) method. A popular alternative to this parametric approach is to estimate a so-called semi-parametric or Cox model, in which the hazard rate is a function of an unspecified baseline rate and a vector of covariates (Zorn 2007). This model assumes that hazard rates for different values of covariates are proportional. A necessary condition for the proportional hazard assumption to be met is that the hazard functions for two categories of a covariate do not

cross. A quick inspection of the data shows that the proportional hazard assumption is violated for EU decision making between 1984 and 2002.[20]

The parametric approach assumes some specific parametric distribution of T and then makes this distribution dependent on covariates by linking them to the parameters of the distribution. Hence, while a large number of different parameterizations have been proposed in the literature, there are no established criteria for deciding what the appropriate specification is. The general rule is to choose a functional form that approximates the hypothesized shape of the hazard function. The simplest parametric hazard rate model is the exponential model, which assumes that the hazard rate is a time-invariant constant. A quick inspection of Figures 4 shows that this assumption is possibly violated for EU decision making between 1984 and 2002. These figures suggest that it is appropriate to estimate a model in which rates change non-monotonically, and the log-logistic model is often proposed when the hazard rate has a non-monotonic pattern. The model is estimated using the maximum likelihood method. Table 3 summarizes the findings in terms of the effect of a variable on the hazard rate.

Table 3 lists the findings where the coefficient of a variable indicates the direction of the effect on the hazard rate. The models distinguish between the operationalization of the Commissioners' preferences (according to the instrumental view of current governmental or party preferences or to the role perspective on the party preferences at their time of nomination) and a weighted version which considers the size of the coalition partners by their seats in parliament. The overall sample concerns all Commission initiatives, while the other reduces the sample to controversial B-point legislation. All models include the institutional variables of previous duration studies, such as qualified majority versus unanimous decision

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[20] The Grambsch/Therneau-test also shows that when estimating a Cox model with interaction effects between covariates and process time, the coefficients of the interaction variables were non-zero and highly significant, indicating a clear violation of the proportionality assumption.

making in the Council (Rule), whether the EP participated under codecision and cooperation procedure or not (Parliam), whether it proposed to change existing legislation or not (Amend), and whether it used a directly applicable instrument (regulation, decision) or a directive which offers more discretionary power to the member states (Instrument). Furthermore, these analyses present two-dimensional preference indicators, controlling for core subdomains in terms of interaction effects, and it also controls for the time before and after the accessions before 1985 and in the mid-1990s. To test the second corollary hypothesis on the Commissioner's reaction, it also checks whether the Commission modified the proposal or not (Resubmit).

According to these results, the findings are neither changed by different views on the Commissioners' background nor the weight of the coalition partners: in all models, the heterogeneity of member states (Heterogen) is a very important effect on the process of all legislation: the more heterogeneous member states are, the longer is the duration of the process. In most policy areas, such as internal market, common rules and often in agricultural politics, this effect is even reinforced, while the findings on trade should be interpreted cautiously due to large changes of z-values. Under B-point legislation this effect of preference heterogeneity is even more pronounced confirming the hypothesis that the time spent on scrutinizing and amending Commissioners' proposals is a positive function of the divergence in member state preferences. For all cases and independent from the conceptualization of Commissioners' preferences, another very important factor is the bias-risk of a Commissioner (Bias), but the Commission can almost reverse this effect when modifying its initial proposal (Resubmit). This result indicates that Commissioners do not have perfect foresight in legislative decision making. They significantly attempt to pursue the interests of their home country, but when member states signal to amend their proposal, they prefer to resubmit a modified version.

Heterogeneity (Heterogen) matters more strongly for controversial B-item cases, while bias and the Commission's reaction are insignificant for this subsample. Additionally, the Council's decision rule (Rule) is significant for these controversial proposals and indicates that using qualified majority voting lengthens the decision-making process. On the one hand, these results for controversial proposals seem to reject the hypotheses on Council decision rule and country-bias. On closer inspection, however, heterogeneity unsurprisingly dominates controversial proposals and member states stretch the deliberation phase when they are threatened by being outvoted under qualified majority voting. This prolongs the decision-making process and increases the likelihood for intense scrutiny by member states, which prevents a Commissioner from trying to pursue the goals of her home country. Consequently, resubmission is also obsolete for this subsample. This is also supported by results for instrument where directives offer more discretionary power to the member states but are insignificant for B-item legislation.

In more detail, Figures 5 and 6 illustrate the predicted probabilities of the important preference variables for failure event (not adopted) which support the view of a principal agent relationship between member state heterogeneity and bias of Commission proposals (using the governmental model with unweighted partners). According to figures 5, large distances in the member states' preferences particularly affect the hazard rate until the first 2,000 days where most of Commission proposals are decided. Around 2,000 days the probability for adoption is the lowest in case of large heterogeneity of member states. Lower distances do not have the same impact on the hazard rates but they continuously matter for the duration of the legislative process. Compared to the complete sample, the subsample of important legislation shows a more pronounced relationship between heterogeneity and controversial legislation in figure 5b: while low and middle differences do not much affect the duration, large distances especially matter until about 1,200 days, with a decreasing but still important effect after this time. In figures 6, the bias of a Commissioner also affects the

legislative process in the expected direction: the higher the risk of a country-bias, the higher the hazard rate of Commission proposals, which last about 1,800 days in the legislative process. Unsurprisingly, bias only affects a very small sample of controversial proposals which are longer than about 2,000 days in the legislative process. These figures also demonstrate that the effects of the major variables, heterogeneity and bias, are independent from the type of preferences used.

Preferences, Country-bias and the Control of Commissioners

This study proposed and analyzed another view of the inter-institutional interaction between Commissioners, member states and the EP. With respect to the legislative process, it drew the attention to the duration of Commission proposals and investigated whether the time spent on scrutinizing and amending these proposals is a positive function of member state preference heterogeneity and the risk of biased drafting by the Commissioner respectively a negative function of resubmitted proposals, which is also determined by the informational level of the actors involved. Compared to conventional veto player analysis, this informational perspective might also provide a better understanding of the effects of other institutional characteristics, such as parliamentary participation, legislative instrument and type.

The econometric findings strongly support the view that member states respond to the inherent risk of biased Commissioners in accordance with their heterogeneity and an increase in the distance of the Commissioner's country preference to the mean of the member states: the higher the likelihood for a Commissioner's bias and the more heterogeneous member states are, the more time they invest in monitoring the proposal. Similarly, Commissioners can resubmit their proposal which reduces the length of the process. For controversial legislation this effect is even more pronounced, while the risk of a Commissioner's bias and the Commissioner's reaction are insignificant for this subsample. Member states also stretch the deliberation phase of controversial legislation when they are threatened by being outvoted.

Controversies prolong the decision-making process and increase the likelihood for intense scrutiny by member states, which prevents a Commissioner from trying to pursue the goals of her home country. Consequently, resubmission is also obsolete for this subsample. This is confirmed by results for instrument.

Compared to previous studies on the decision making process, testing these hypotheses required measuring of actors' preferences which vary over time and across sectors. This study also presented a new approach for measuring the preferences of member state governments and Commissioners using party manifestos and a new coding scheme for constructing a sector-specific two-dimensional policy space. Admittedly, the findings rely on the assumption that member states' and Commissioners' preferences are embedded in the party systems of their country of origin – an assumption that can hardly be verified for the entire history of EU legislative activities. Note, however, that using different assumptions on Commissioners' party preferences – whether the follow a particular party or a coalition government – does not change the results.

Under this assumption, the statistical results provide strong support for the existence of an inter-institutional principal agent-problem and the response indicated by a committee system. The duration of the legislative process is a function of the risk of a country-bias and the heterogeneity of member state preferences. Moreover, the resubmission of a proposal shortens the duration of the legislative process. This activity of the Commission in reaction to the Council not only confirms the hypothesized problem, but it also indicates the limited foresight of the following process. Other factors, such as parliamentary participation and the Council's voting rule are less important for determining the duration of this process, and their effect also depends on the type of legislation. This does not mean that these institutional variables do not play a role in explaining the EU legislative process. However, if member states have divergent preferences and if the bias of a Commissioner is high, it does not significantly matter which voting rule they use or whether they share power with the EP.

In the event of controversial legislation, heterogeneity almost exclusively matters for the length of the process, which also changes the expected sign of Council decision rule and makes Commission activities insignificant. Unsurprisingly, controversial proposals are dominated by member state heterogeneity, which raises the level of attention and scrutiny. Consequently, Commissioners abstain from attempting to pursue the goals of their home country, making obsolete the resubmission of their proposal. At first sight, these results seem only to confirm our common understanding that the level of heterogeneity matters for decision making. On closer inspection, however, the findings may change our understanding of the interplay between the Commission and the member states in EU legislative politics. They suggest a link between the Commissioners' appointment with member state preferences and the outcome of the legislative process.

The statistical analysis shows that the country-origin of Commissioners is (one of) the most important explanatory factor(s) in regular legislation, and that the heterogeneity of member states is crucial for explaining the legislative process. However, in particular the subsample findings on controversial proposals provide evidence that the member states are aware of this problem, and that they have established an effective monitoring system in order to counter-balance the inherent risk of biased proposals. If a proposal is indicated of being controversial, Commissioners seem to abstain from pursuing the risk of their home country. This suggests that the member states can effectively achieve the goal of European integration and do not waste their time, in particular in the case of country-biased Commissioners.

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Table 1: Commissioners' Characteristics: Party Affiliation, Location and European Attitude

Country	Party affiliation		Centrist Position		European Attitude	
	mean	sd	mean	sd	mean	sd
Austria (1)	3		1		1	
Belgium (4)	1	0	2	0	1.3	0.6
Denmark (4)	1	0	1	0	3	0.8
Finland (1)	2		1		1	
France (9)	2.2	0.9	1.4	0.5	1.9	0.7
Germany (8)	2.1	0.8	1.6	0.5	2.1	0.8
Greece (6)	2	1.5	1.3	0.5	2.2	0.4
Ireland (6)	2.4	1.7	1.4	0.5	2.8	1.3
Italy (9)	2	0.8			1.8	0.7
Luxembourg (6)	1.5	1.2	1.2	0.4	1.7	0.5
Netherlands (3)	2.3	0.6	1	0	2	1.7
Portugal (3)	1.7	1.2	1.7	0.6	1	0
Sweden (2)	1	0	1	0	2	0
Spain (5)	1.4	0.5	1.2	0.4	2.2	0.8
UK (8)	2.1	0.6	1.2	0.5	2.5	1.1

Party Affiliation: 1=very strong, 2=strong, 3=average, 4=weak, 5=very weak; Centrist Position: 1= yes, 2=no; European attitude: 1=very integrationist, 2=integrationist, 3=average, 4=nationalist, 5=very nationalist; mean= average; sd=standard deviation.

Table 2: Descriptive Statistics

		All cases	%	B-Items	%
Adopted	0 (= pending or withdrawn)	513	6.4	29	2.4
	1 (= yes)	7514	93.6	1172	97.6
Rule	0 (= unanimity)	2621	32.7	321	26.7
	1 (= qualified majority)	5176	64.5	855	71.2
Parliament	1 (= participates)	864	10.8	142	11.8
	0 (= no)	6947	86.5	1035	86.2
Instrument	0 (= directive)	1030	12.8	229	19.1
	1 (= regulation or decision)	6997	87.2	972	80.9
Amend	0 (= no)	5299	66	826	68.8
	1 (= yes)	2728	34	375	31.2
Resubmit	0 (= no)	6824	85	879	73.2
	1 (= yes)	1203	15	322	26.8
Agricultural Sector	0 (= no)	5082	63.3	488	40.6
	1 (=yes)	2945	36.7	713	59.4
Trade Sector	0 (= no)	5910	73.6	1116	92.9
	1 (=yes)	2117	26.4	85	7.1
Internal Market	0 (= no)	7500	93.4	1153	96
	1 (=yes)	527	6.6	48	4
Common Rules	0 (= no)	7363	91.7	1107	92.2
	1 (=yes)	664	8.3	94	7.8
1.1.1984-31.12.1985	1 (= yes)	990	12.3	161	13.4
	0 (= later)	7037	87.7	1040	86.6
1.1.1986-31.12.1994	1 (= yes)	4511	56.2	707	58.9
	0 (= before or later)	3516	43.8	494	41.1
1.1.1995-	1 (= yes)	2526	31.5	333	27.7
	0 (= before)	5501	68.5	868	72.3

Table 3: Results

Commissioner with governmental preferences (unweighted)

	All cases	p	B points	p
Rule	-0.071	0.283	-0.253*	0.069
Parliam	0.11	0.109	0.05	0.757
Amend	0.198***	0.001	0.707***	0
Resubmit	0.426***	0	0.015	0.925
Instrument	-0.167**	0.019	0.117	0.356
Conflict	-0.697***	0.001	-3.151***	0.001
Bias	-0.44***	0.001	-0.082	0.8
Internal Mark	-0.453	0.495	-2.458	0.612
Trade	0.174**	0.013	44.186***	0
Agriculture	0.02**	0.013	2.632***	0.004
Common Rule	-0.336	0.208	-4.917	0.205
1986-1994	0.045	0.66	2.645***	0.007
>1995	-0.467***	0	-0.418	0.252
Constant	7.973***	0	8.343***	0
N	7797		1176	
Log-Likelihood	-4222		-219	

Commissioner with party preference at time of nomination (unweighted)

	All cases	p	B points	p
Rule	-0.09	0.155	-0.171	0.162
Parliam	0.089	0.196	0.028	0.851
Amend	0.195***	0.001	0.671***	0
Resubmit	0.423***	0	-0.001	0.977
Instrument	-0.163**	0.024	0.129	0.35
Conflict	-0.674***	0.001	-4.1***	0
Bias	-0.108*	0.05	-0.393*	0.156
Internal Mark	-0.455	0.53	-2.811	0.347
Trade	0.175**	0.014	207.444***	0
Agriculture	-0.018**	0.023	3.805***	0.001
Common Rule	-0.318	0.202	-5.29	0.263
1986-1994	0.076	0.535	2.53***	0.009
>1995	-0.446***	0	-0.73*	0.118
Constant	7.91***	0	9.183***	0
N	7797		1176	
Log-Likelihood	-4226		-217	

Commissioner with current party preference (unweighted)

	All cases	p	B points	p
Rule	-0.094	0.155	-0.201	0.162
Parliam	0.089	0.196	0.031	0.851
Amend	0.196***	0.001	0.725***	0
Resubmit	0.428***	0	0.004	0.977
Instrument	-0.161**	0.024	0.118	0.35
Conflict	-0.68***	0.001	-3.762***	0
Bias	-0.128**	0.05	-0.268	0.156
Internal Mark	-0.455	0.53	-2.541	0.347
Trade	0.183**	0.014	-2514.222***	0
Agriculture	-0.015**	0.023	3.534***	0.001
Common Rule	-0.312	0.202	-5.16	0.263
1986-1994	0.063	0.535	2.536***	0.009
>1995	-0.439***	0	-0.616	0.118
Constant	7.917***	0	8.895***	0
N	7797		1176	
Log-Likelihood	-4226		-218	

Commissioner with governmental preferences (weighted)

	All cases	p	B points	p
Rule	-0.071	0.274	-0.253*	0.051
Parliam	0.11	0.114	0.05	0.984
Amend	0.198***	0.001	0.707***	0
Resubmit	0.426***	0	0.015	0.733
Instrument	-0.167**	0.023	0.117	0.351
Conflict	-0.697***	0.01	-3.151***	0.024
Bias	-0.44***	0.015	-0.082	0.902
Internal Mark	-0.453	0.863	-2.458	0.589
Trade	0.174**	0.004	44.186***	0
Agriculture	0.02**	0.039	2.632***	0.007
Common Rule	-0.336	0.5	-4.917	0.048
1986-1994	0.045	0.766	2.645***	0.025
>1995	-0.467***	0	-0.418	0.076
Constant	7.973***	0	8.343***	0
N	7797		1176	
Log-Likelihood	-4222		-219	

Commissioner with party preference at time of nomination (weighted)

	All cases	p	B points	p
Rule	-0.09	0.164	-0.171	0.086
Parliam	0.089	0.176	0.028	0.93
Amend	0.195***	0.001	0.671***	0
Resubmit	0.423***	0	-0.001	0.746
Instrument	-0.163**	0.029	0.129	0.328
Conflict	-0.674***	0.017	-4.1***	0.015
Bias	-0.108*	0.22	-0.393*	0.357
Internal Mark	-0.455	0.988	-2.811	0.413
Trade	0.175**	0.005	207.444***	1
Agriculture	-0.018**	0.088	3.805***	0.008
Common Rule	-0.318	0.532	-5.29	0.065
1986-1994	0.076	0.641	2.53***	0.13
>1995	-0.446***	0	-0.73*	0.051
Constant	7.91***	0	9.183***	0
N	7797		1176	
Log-Likelihood	-4226		-217	

Commissioner with current party preference (weighted)

	All cases	p	B points	p
Rule	-0.092	0.164	-0.274*	0.086
Parliam	0.093	0.176	-0.016	0.93
Amend	0.206***	0.001	0.856***	0
Resubmit	0.432***	0	0.057	0.746
Instrument	-0.155**	0.029	0.141	0.328
Conflict	-0.47**	0.017	-2.015**	0.015
Bias	-0.095	0.22	-0.225	0.357
Internal Mark	-0.465	0.988	-1.082	0.413
Trade	0.409***	0.005	-0.613	1
Agriculture	0.003*	0.088	4.04***	0.008
Common Rule	-0.298	0.532	-4.143*	0.065
1986-1994	0.051	0.641	1.141	0.13
>1995	-0.458***	0	-1.088*	0.051
Constant	7.846***	0	8.645***	0
N	7797		1176	
Log-Likelihood	-4227		-225	

Figure 1a: Number of Proposals and Decisions per Year
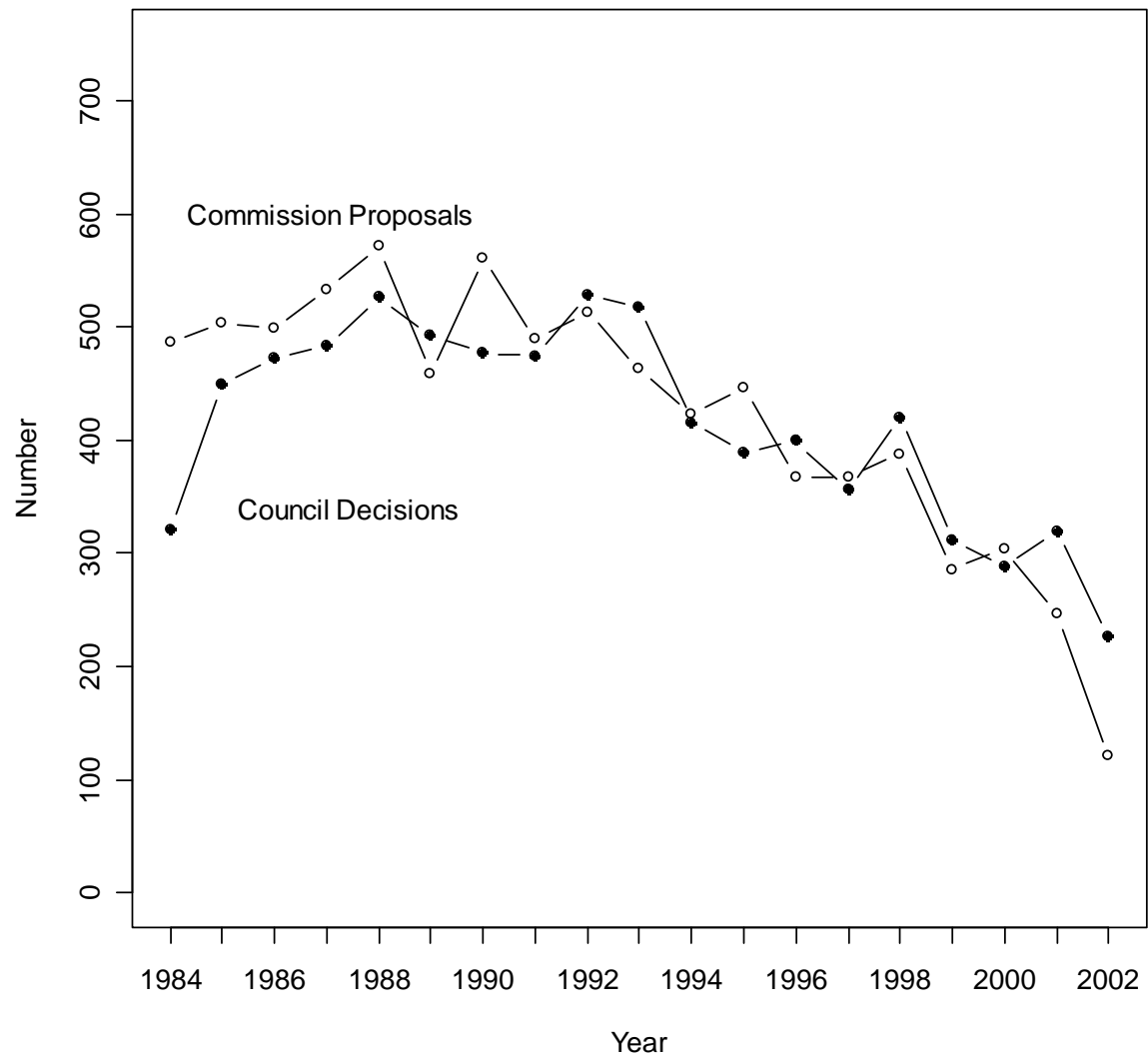All Cases

Figure 1b: Number of Proposals and Decisions per Year
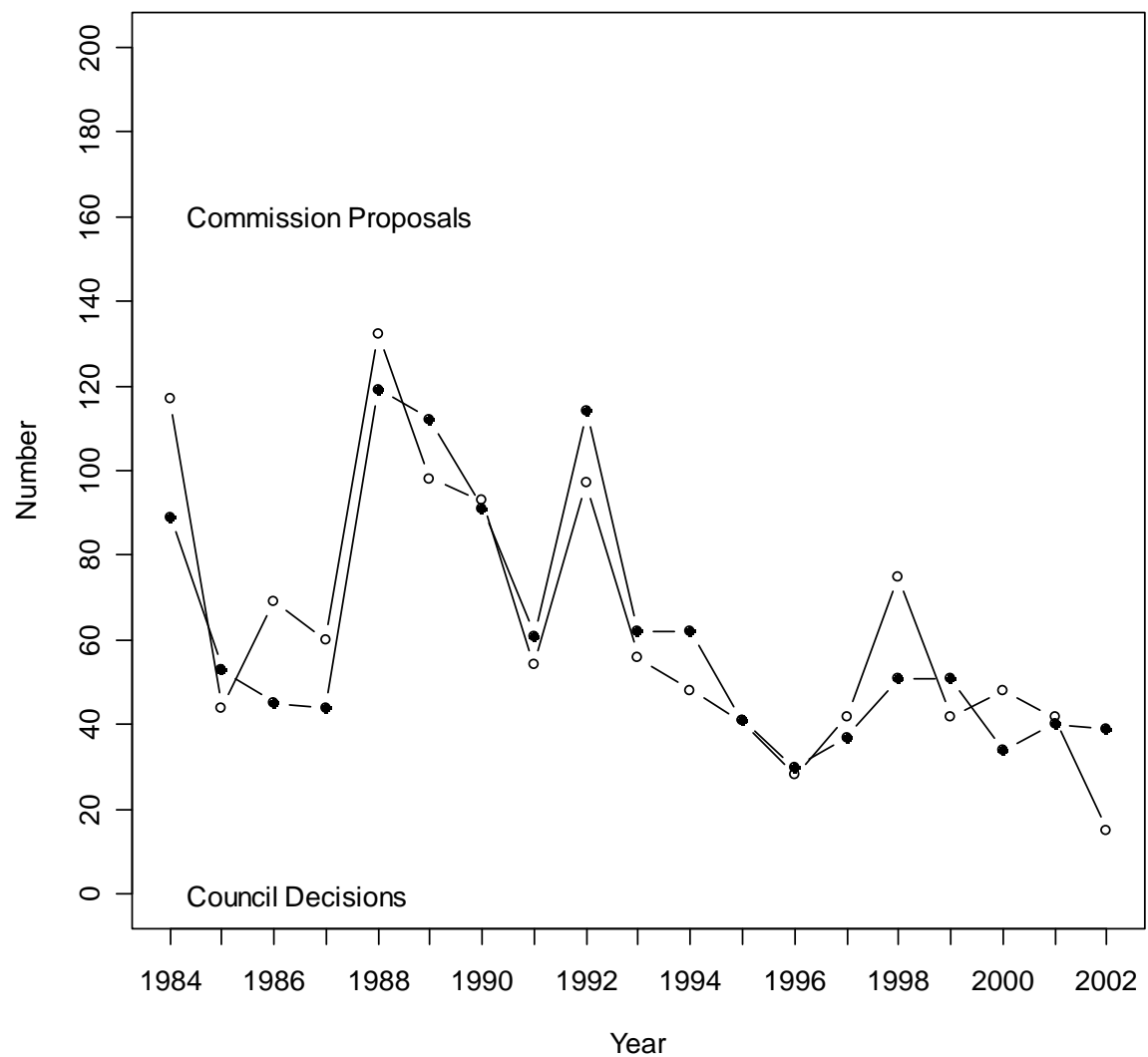B Points

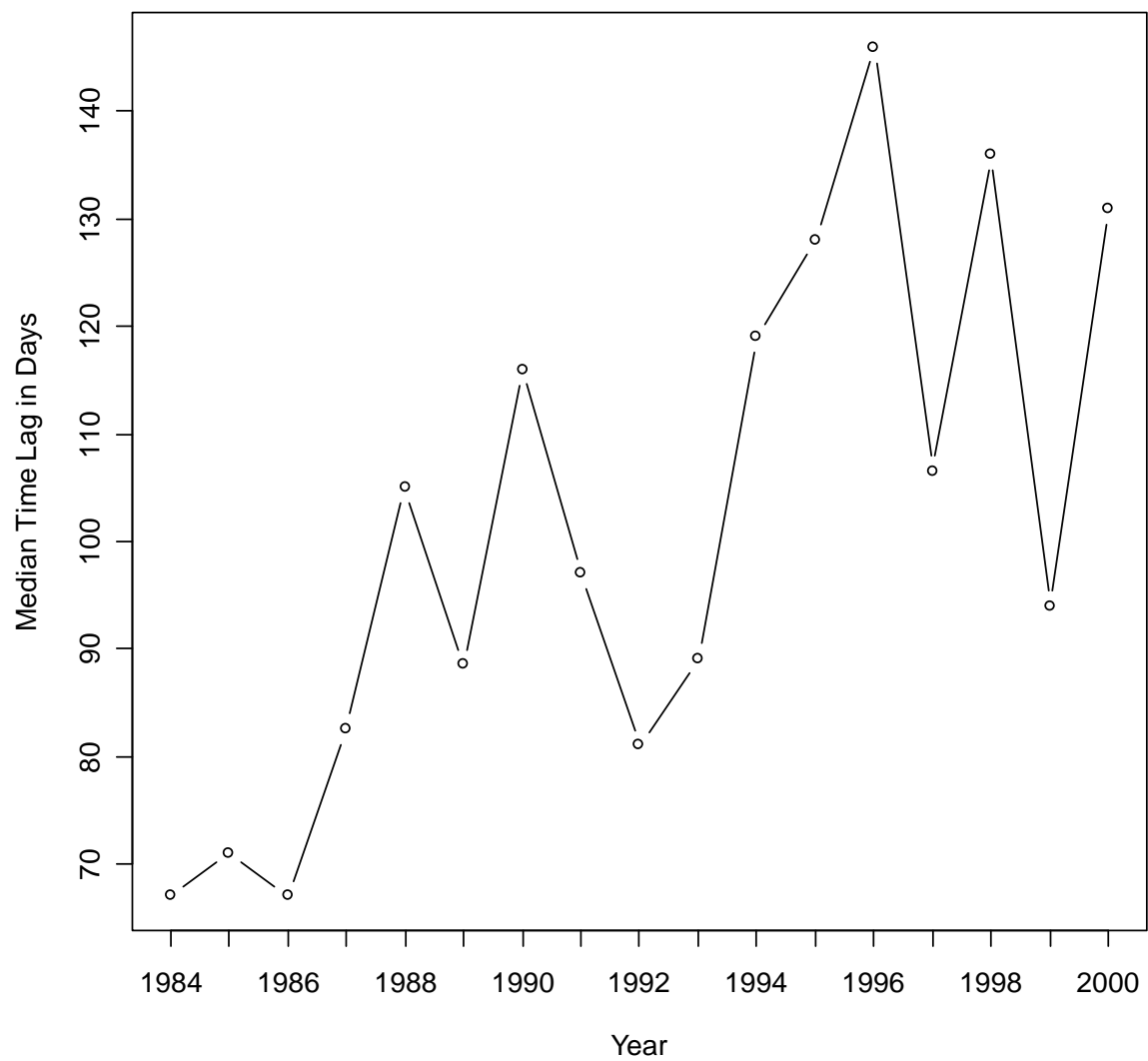Figure 2a: Median Proposal-Decision Time Lag by Year
All Cases

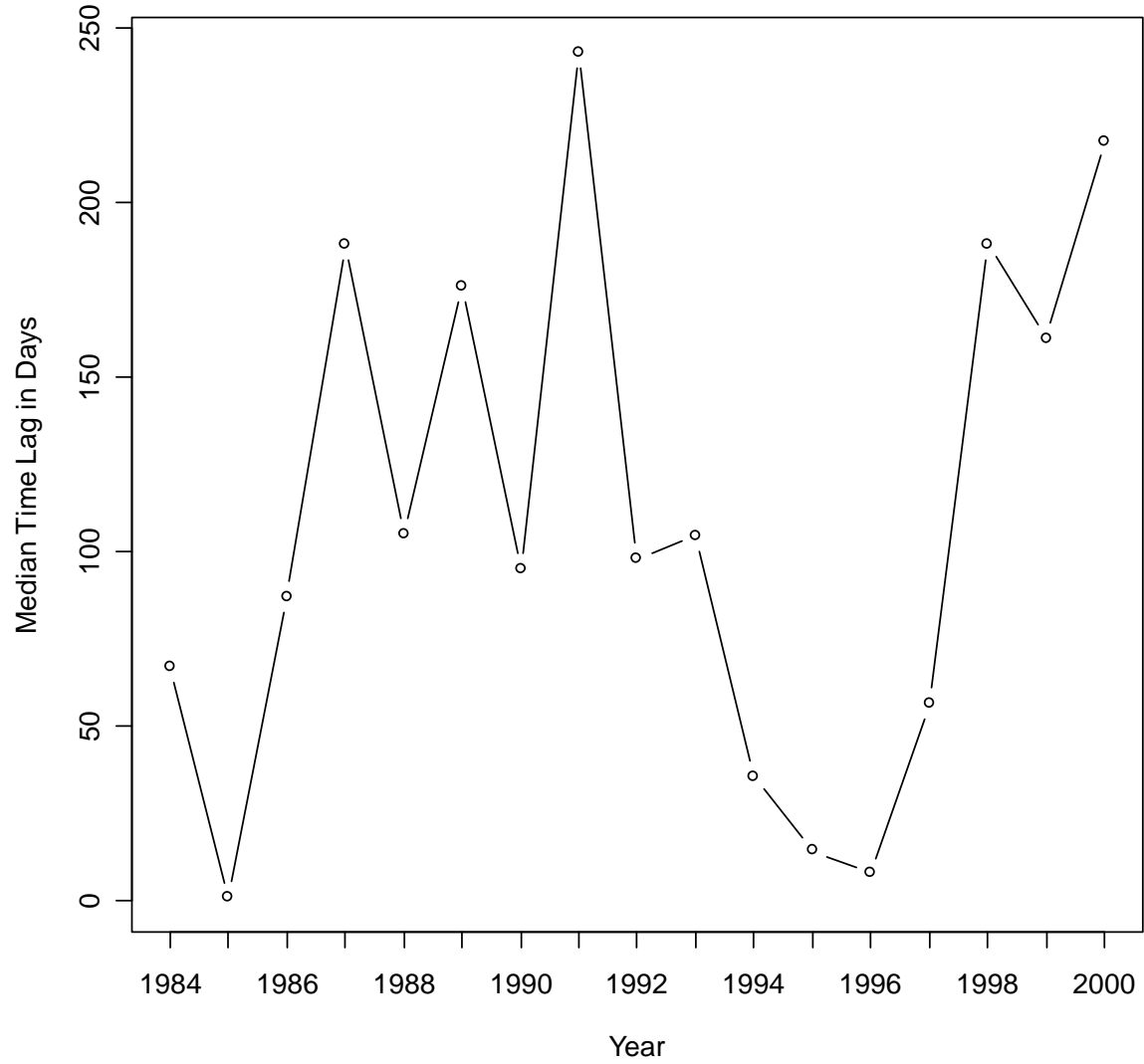Figure 2b: Median Proposal-Decision Time Lag by Year
B Points

Figure 3a: Risk of a Country-Bias of Commissioners by Policy Domain
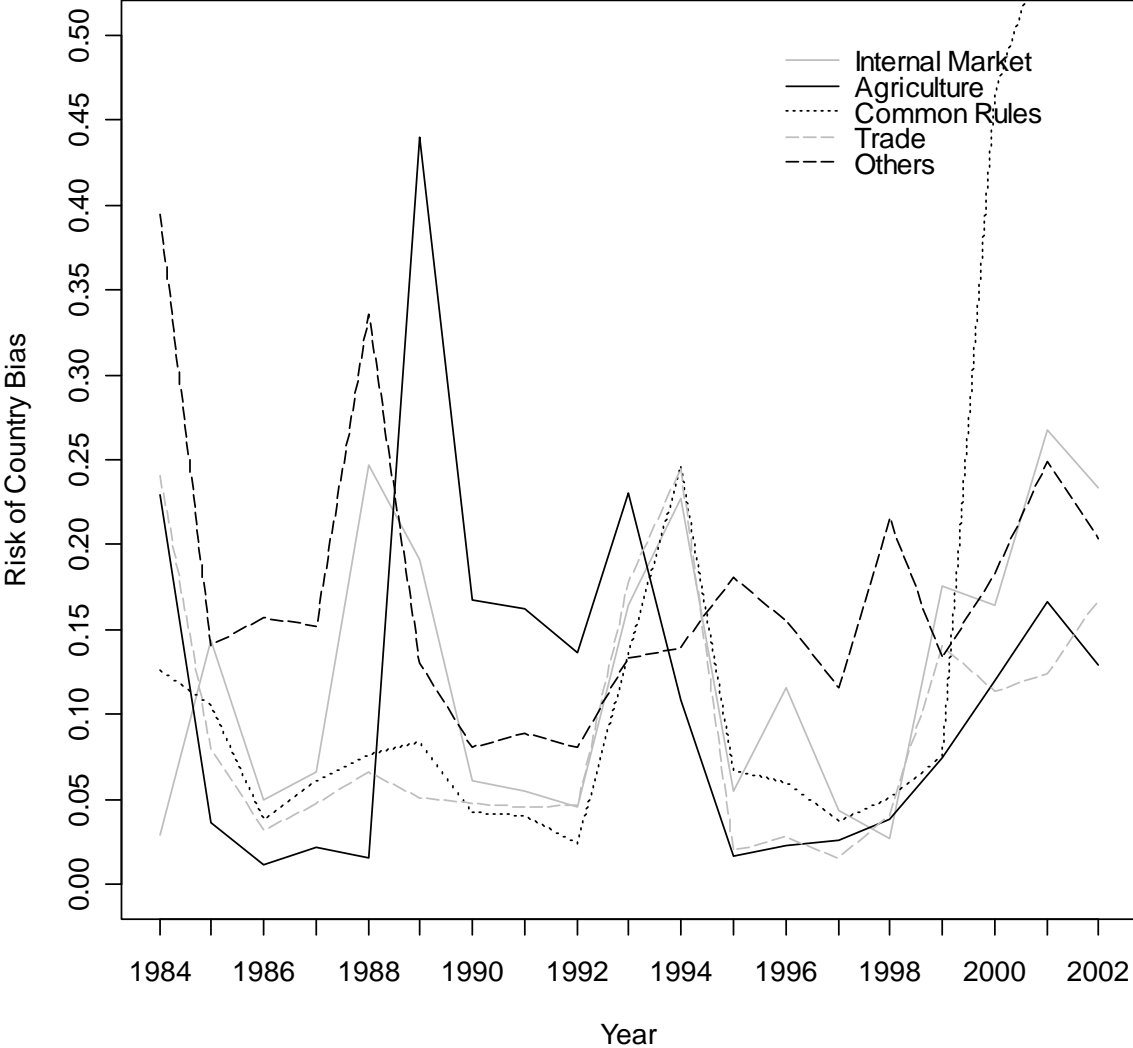All Cases

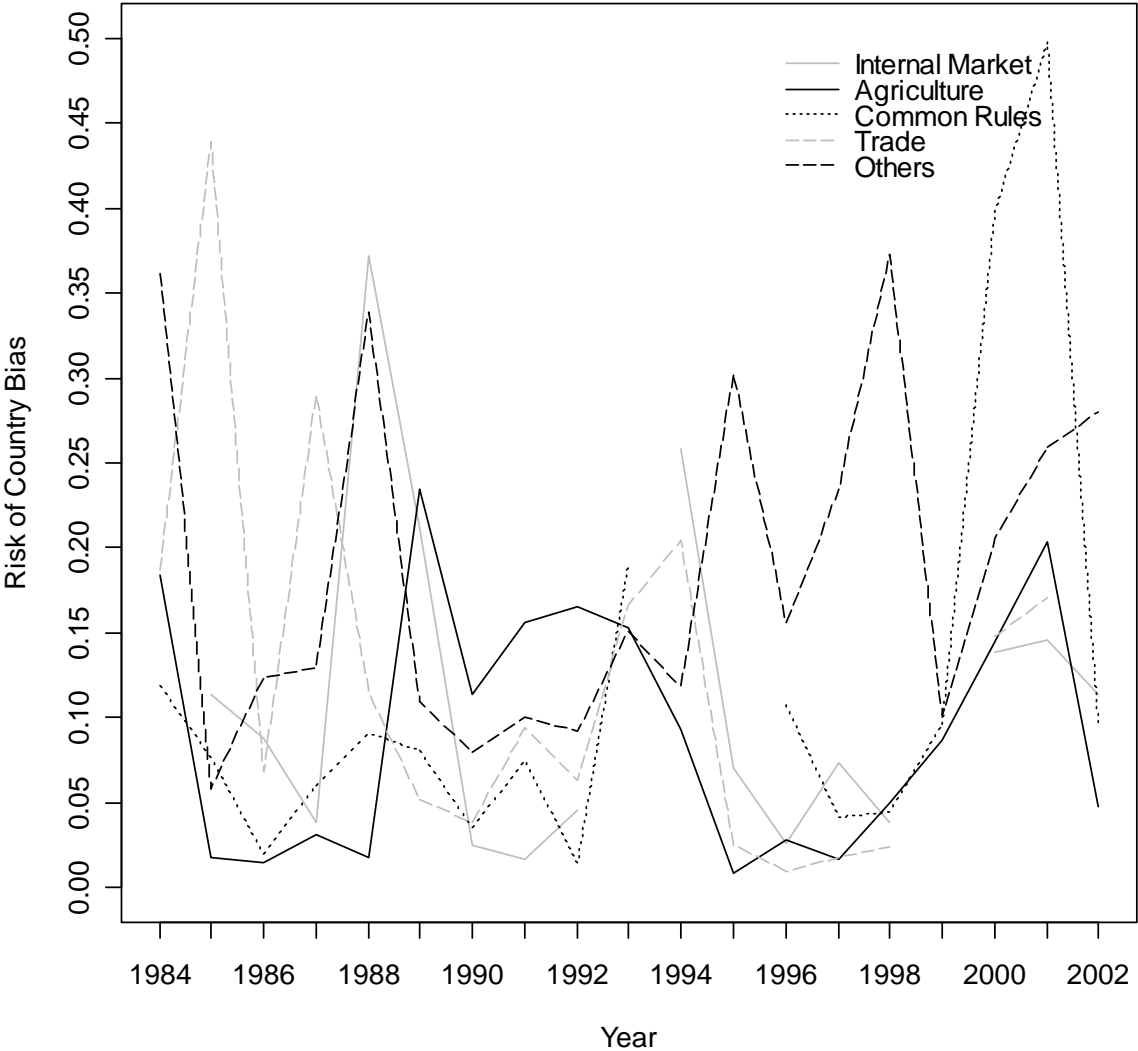Figure 3b: Risk of a Country-Bias of Commissioners by Policy Domain
B Points
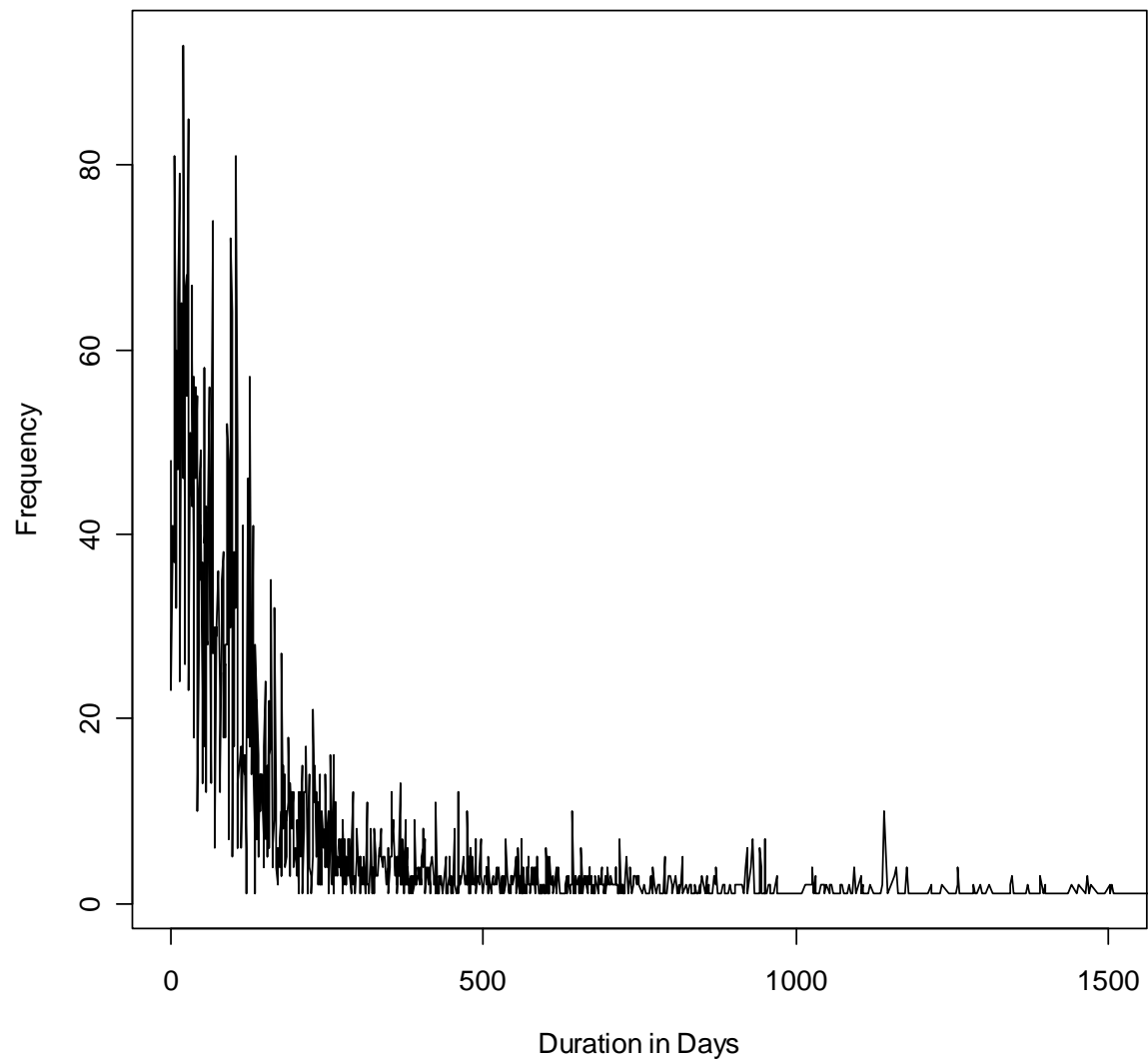
Figure 4a: Distribution of the Duration in Days
All Cases

Figure 4b: Distribution of the Duration in Days
B Points
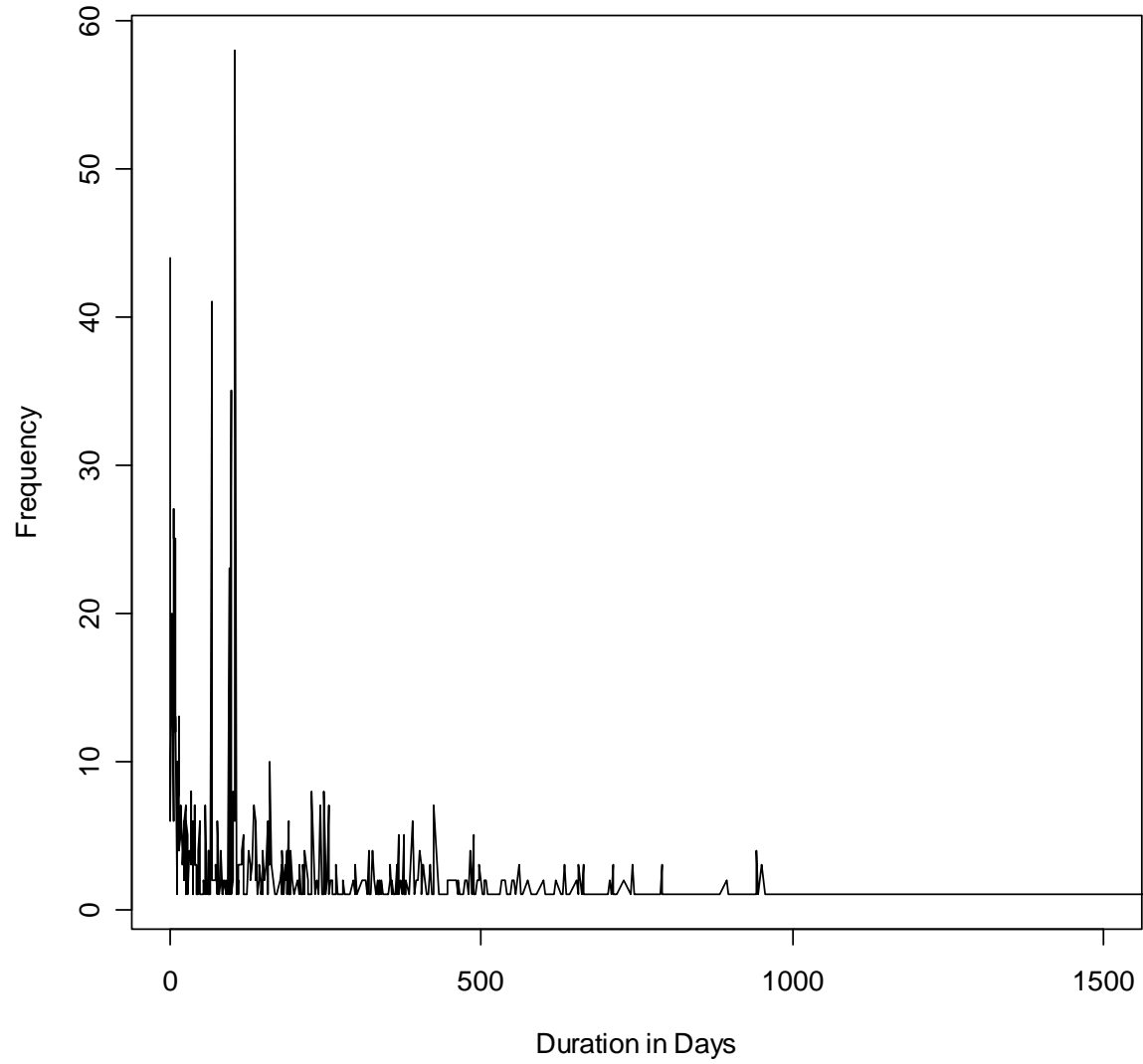
Figure 5a: Hazard Rates by Conflict Among Actors
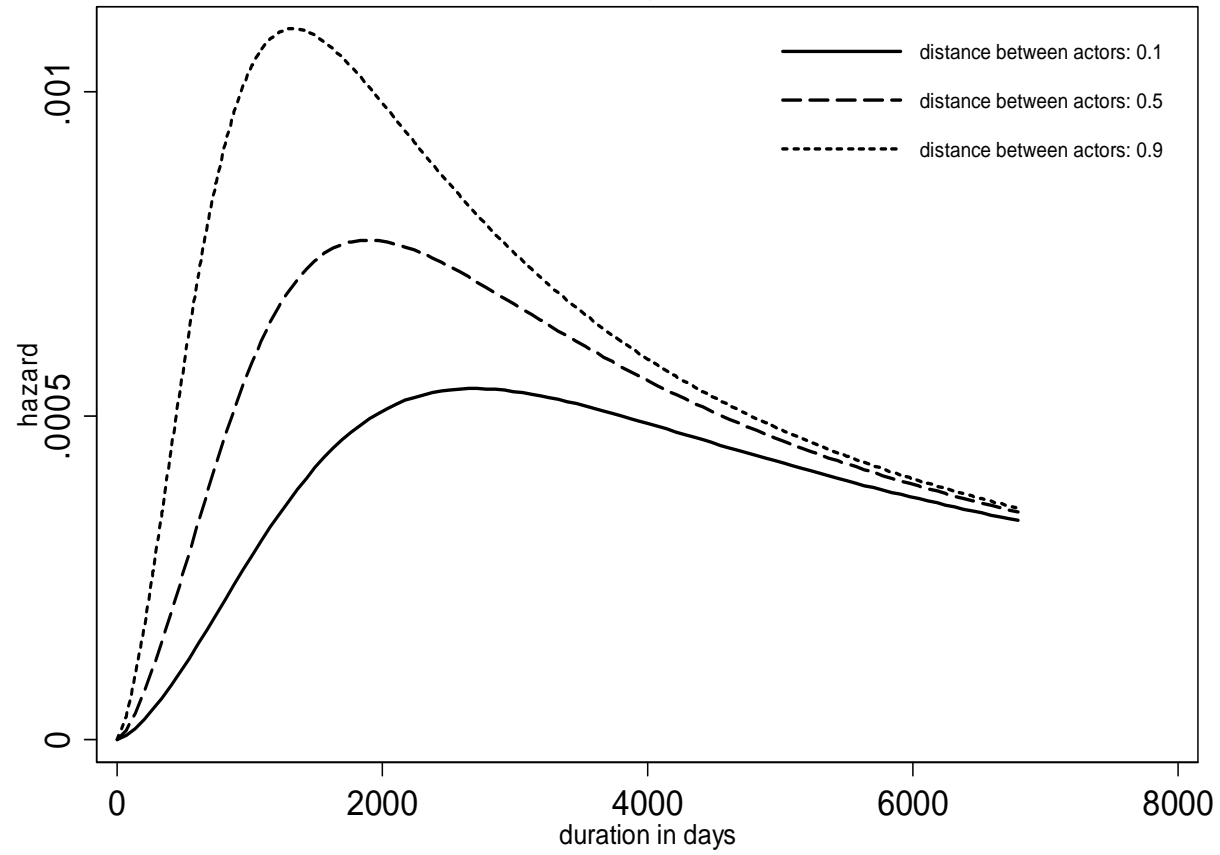(All Cases - Unweighted Preferences)

distance between actors: 0.1
distance between actors: 0.5
distance between actors: 0.9

Figure 5b: Hazard Rates by Conflict Among Actors - all cases
(B - Points - Unweighted Preferences)

distance between actors: 0.1
distance between actors: 0.5
distance between actors: 0.9

hazard

duration in days
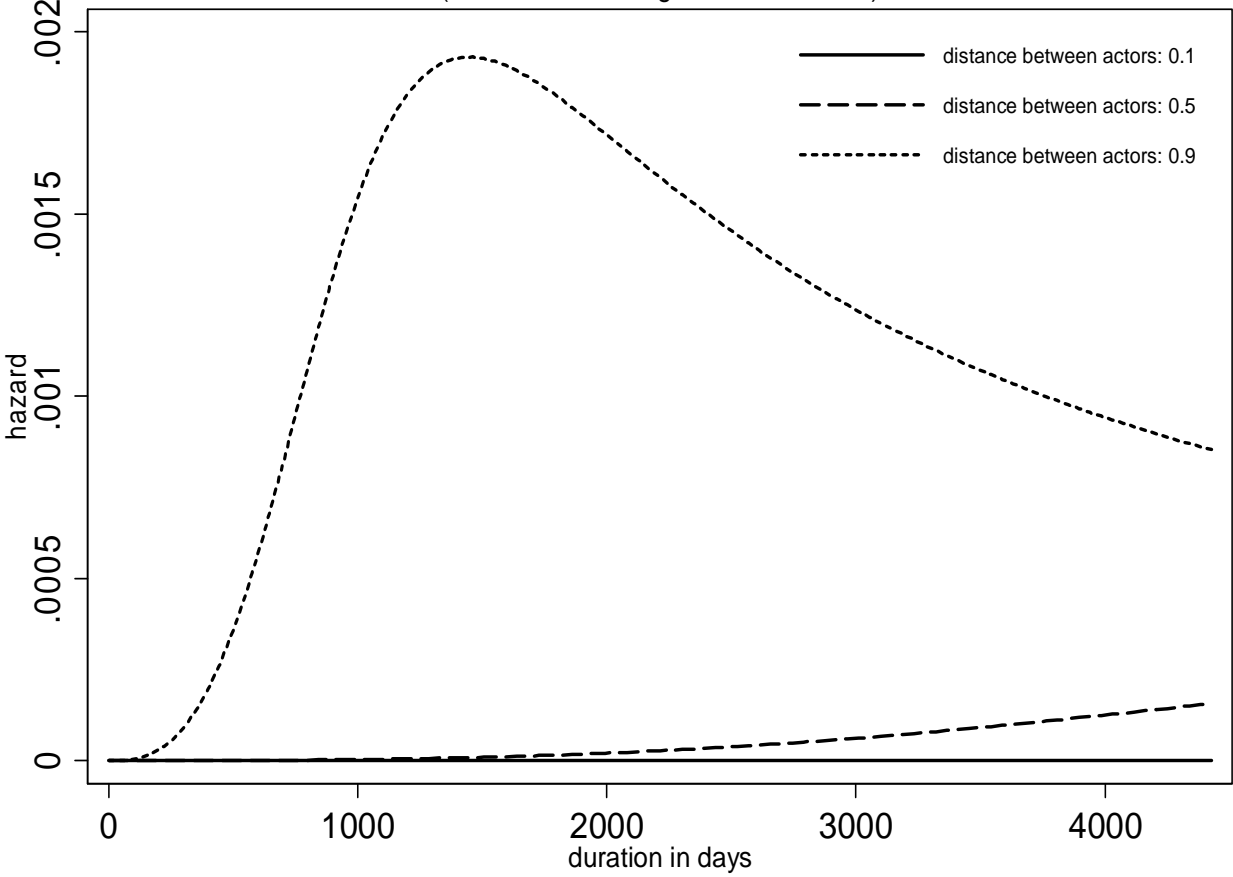
Figure 6a: Hazard Rates at Different Risks of a Country Bias
(All Cases - Unweighted Preferences)

Figure 6b: Hazard Rates at Different Risks of a Country Bias
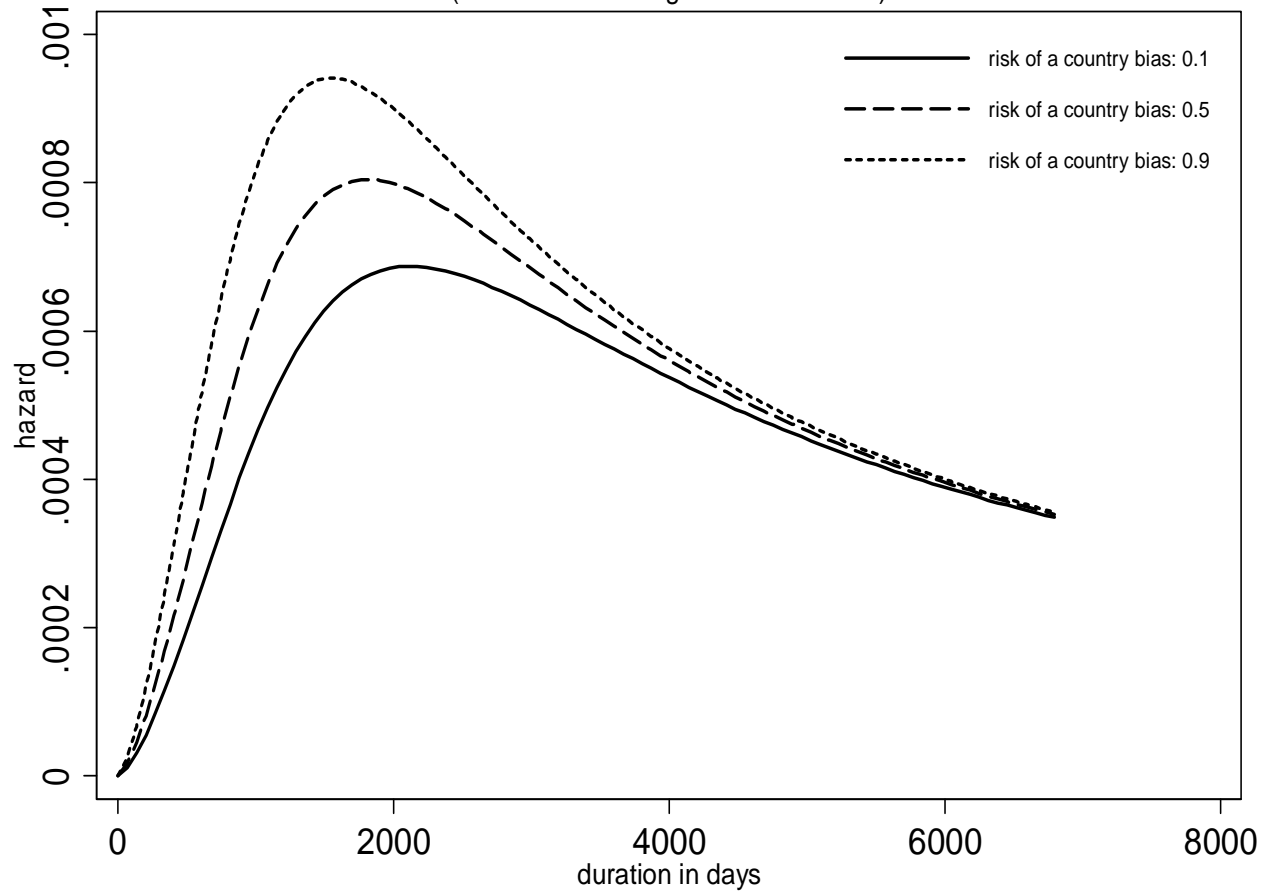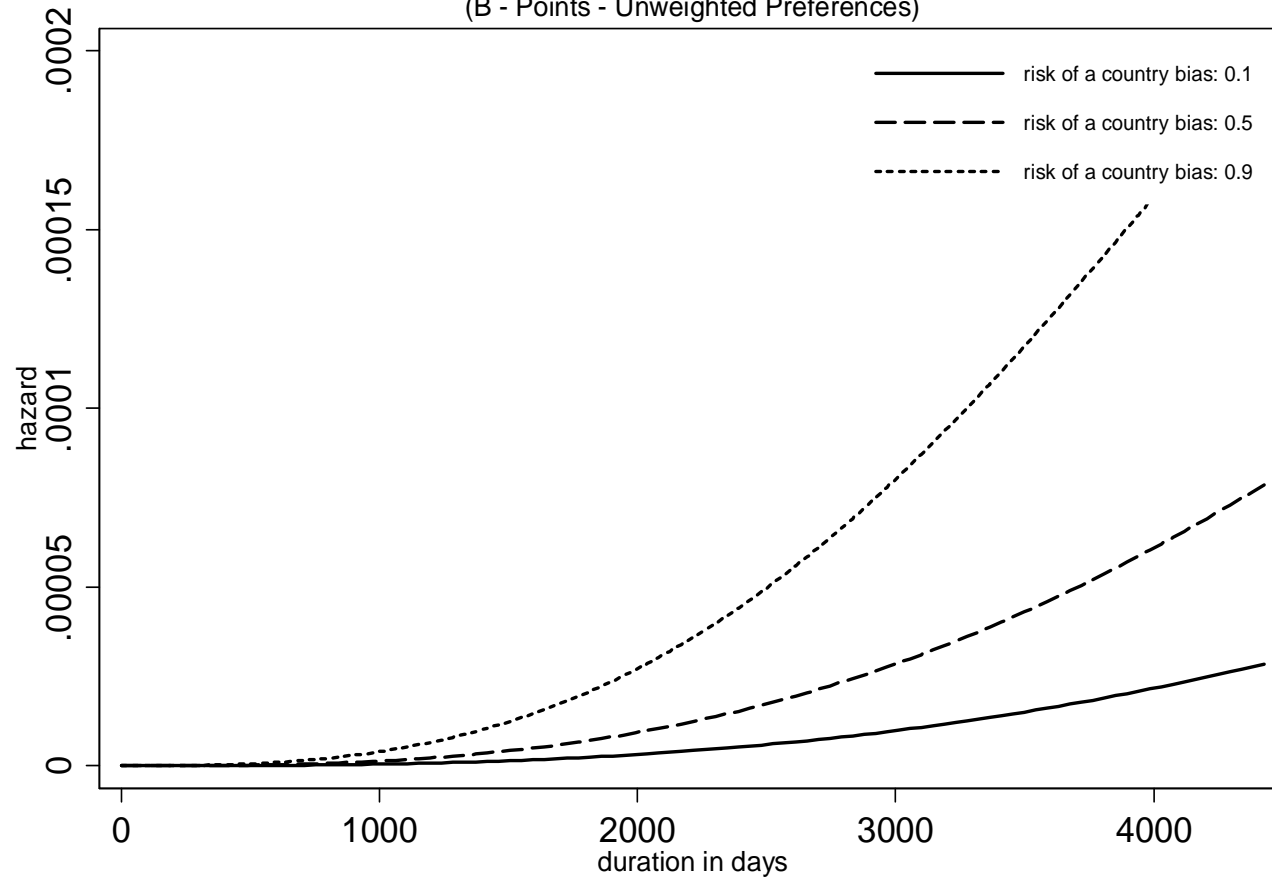(B - Points - Unweighted Preferences)

Appendix

Dimensions		Items
European Integration	Positive	*European Community:* Favorable mentions of European Community in general; desirability of expanding the European Community and/or of increasing its competence; desirability of the manifesto country joining (or remaining a member).
	Negative	*European Community:* Hostile mentions of the European Community; opposition to specific European policies which are preferred by European authorities; otherwise as European Integration but negative.

Internal Market	Positive	***Freedom and Human Rights:*** Favorable mentions of importance of personal freedom and civil rights; freedom from bureaucratic control; freedom of speech; freedom from coercion in the political and economic spheres; individualism in the manifesto country and in other countries.
		Decentralization: Support for federalism or devolution; more regional autonomy for policy or economy; support for keeping up local and regional customs and symbols; favorable mentions of special consideration for local areas; deference to local expertise.
		Free Enterprise: Favorable mentions of free enterprise capitalism; superiority of individual enterprise over state and control systems; favorable mentions of private property rights, personal enterprise and initiative; need for unhampered individual enterprises.
		Incentives: Need for wage and tax policies to induce enterprise; encouragement to start enterprises; need for financial and other incentives such as subsidies.
		Market Regulation: Need for regulations designed to make private enterprises work better; actions against monopolies and trusts, and in defense of consumer and small business; encouraging economic competition; social market economy.
		Economic Planning: Favorable mentions of long-standing economic planning of a consultative or indicative nature, need for government to create such a plan.
		Technology and Infrastructure: Importance of modernization of industry and methods of transport and communication; importance of science and technological developments in industry; need for training and research. This does not imply education in general

	Negative	**Nationalization:** Favorable mentions of government ownership, partial or complete, including government ownership of land.
Trade Politics	Positive	**Protectionism: Negative:** Support for the concept of free trade; otherwise as 406, but negative. **Productivity:** Need to encourage or facilitate greater production; need to take measures to aid this; appeal for greater production and importance of productivity to the economy; increasing foreign trade; the paradigm of growth.
	Negative	**Protectionism: Positive:** Favorable mentions of extension or maintenance of tariffs to protect internal markets; other domestic economic protectionism such as quota restrictions. **Anti-Growth Economy:** Favorable mentions of anti-growth politics and steady state economy; ecologism; "Green politics"; sustainable development.
Common Rules	Positive	**Centralization:** Opposition to political decision making at lower political levels; support for more centralization in political and administrative procedures; otherwise as Decentralization, but negative. **Governmental and Administrative Efficiency:** Need for efficiency and economy in government and administration; cutting down civil service; improving governmental procedures; general appeal to make the process of government and administration cheaper and more effective. **Political Accountability:** Favorable mentions to strong governments, including government stability.

	Negative	**Decentralization:** Support for federalism or devolution; more regional autonomy for policy or economy; support for keeping up local and regional customs and symbols; favorable mentions of special consideration for local areas; deference to local expertise. **Political Corruption:** Need to eliminate corruption, and associated abuse, in political and public life.
Agricultural Politics	Positive	**Controlled Economy:** General need for direct government control of economy; control over prices, wages, rents, etc; state intervention into the economic system. **Agriculture and Farmers** Support for agriculture and farmers; any policy aimed specifically at benefiting these. Agriculture and Farmers)
	Negative	

Percentages out of fifty-six categories grouped into seven major policy areas. Because of the different length of documents, the number of (quasi-) sentences in each category is standardized taking the total number of (quasi-) sentences in the respective documents as a base. In the data set each of these categories is a variable that represents the percentage.