HOW NATION-STATES 'HIT' EUROPE

Ambiguity and Representation in the European Union

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Abstract

Most studies of the EU and its member-states are concerned with how processes of European integration 'hit' the member-states. This paper shifts emphasis from this 'top-down' towards a 'bottom-up' approach and asks whether and how differences in domestic institutional constellations shape the representational roles of member-state officials when carrying out representational tasks in the EU Council of Ministers. The paper's key objective is to build a conceptual framework that renders intelligible the domestic origins of representational roles among domestic officials attending EU institutions. For this we draw on theories of political representation, institutional theories and the literature on how member-states adapt to European integration. Our primary argument is that role perceptions are considerably conditioned by actors' domestic institutional embeddedness. This argument is substantiated by an illustrative comparison of Belgian and Swedish officials attending working groups within the Council of Ministers.

Introduction[1]

Contemporary studies under the heading 'Europeanisation' are basically concerned with how EU institutions and politics impact on the member-states (Börzel 1999; Green Cowles, Caporaso, and Risse 2001; Knill 2001). The main question is 'how Europe hits home' or the transformation of 'the domestic institutions of the Member States' (Börzel 1999: 574). This literature mainly concludes that we are not witnessing a fundamental change in the member-states' administrative structures and styles, legal rules and cultures, and collective identities (Anderson 2002; Goetz 2000; Olsen 2002). Most studies suggest that adaptation towards Europe is considerably mediated through and conditioned by existing domestic institutions, practices, cultures and traditions (e.g. Hanf and Soetendorp 1998; Harmsen 1999; Kassim, Peters, and Wright 2000; Knill 2001; Ladrech 1994).

Most 'Europeanisation' studies take national adaptation – in the form of institutional, procedural or policy transformation - as dependent variable and use the 'European pressure' as independent variable. This approach has generated quite robust knowledge about the persistence of domestic institutions. However, this 'top-down' approach has its limits, as it does not adequately improve our understanding of why member-states and their representatives behave quite differently at the European level. In general, we think that the 'Europeanisation' literature has been somewhat skewed towards the adaptation of member-states as recipients of the policy outputs generated by Euro-level processes (Kassim, Peters, and Wright 2000). This paper analyses how domestic institutional constellations feed into the EU institutions through domestic officials attending the Council of Ministers. In this sense, we shift from a 'top-down' approach towards a 'bottom-up' approach and ask how nation-states 'hit' Europe. We approach on the following question: how do domestic institutional structures shape role perceptions among domestic 'Eurocrats'? More in concrete, we look at

the domestic conditions that foster the adoption of supranational role perceptions among officials attending the Council working parties (CWPs).

One motivation for writing this paper was the puzzling – maybe contradicting - empirical observations made in our own empirical research. Beyers, for instance, observed a substantial correlation between trust in domestic policy co-ordination - organisational self-esteem- and the adoption of supranational role conceptions among domestic Belgian 'Eurocrats' (Beyers 2002; see also Dierickx and Beyers 1999). For three Scandinavian countries, Trondal demonstrates that the relation between domestic co-ordination and supranational roles is far from clear and straightforward (Trondal 2002). In trying to understand these different research outcomes, this paper suggests a generic, consistent and fine-grained analytical framework that explains 'supranationalism' beyond mere methodological artefacts. Systematic theorising on the effects of domestic institutional configurations on the adoption of individual role perceptions – supranational or intergovernmental – is largely missing in the literature.

As indicated above, the 'Europeanization' literature has been particularly focused on how Euro-level institutions matter with regard to domestic adaptation in various guises (Börzel 2002). Institutionalists have argued that the EU institutional infrastructure fosters new patterns of co-operation and conflict in Europe that cut across national political systems (Egeberg 2001). Rationalists claim that supranational institutions help to guarantee credible commitments among the member-states (Moravcsik 1999; Pollack 1997). One remaining and pertinent issue is how much control the member-states have on EU policy outputs. Intergovernmentalists, neo-functionalists and multi-level governance perspectives disagree on this (Börzel 1999: 574). Liberal-intergovernmentalism (LIG) argues that member-state executives ultimately control European politics. LIG approaches also presume that member-

states face uniform and exogenous economic challenges shaping their preferences (Dimitrova and Steunenberg 2000). Second, neo-functionalists (NF) believe that European integration creates new opportunity structures at the EU level. Various domestic actors such as sub-national authorities and interest groups increasingly bypass the national executives accompanying a loss of executive control over them. Finally, proponents of multi-level governance (MLG) argue that European integration increases mutual dependencies among all actors and that this leads to more co-operative forms of governance.

The similarity of these three accounts is that they all expect 'reduction of variance and disparities in administrative arrangements' (Olsen 2002: 1) towards either a strengthening (LIG), a weakening (NF) or a transformation of the nation-state institutions (MLG) (Börzel 1999). However, neither of these approaches renders intelligible how domestic institutions affect the EU institutions, decision-making processes and policy outputs. For instance, Pollack suggests that member-state 'control efficacy and credibility varies from issue to issue and over time', that it varies from 'agent to agent', but his account does not systematically capture the potential impact of varying domestic institutional configurations (Pollack 1997: 110 and 123-124). The same goes for Moravscik's LIG approach which explains policy outcomes at the EU level primarily by the distribution of preferences among the member-states (Caporaso 1999: 162; Moravcsik 1999; Wallace 1999: 157).

This paper should not be read as a rejection of the LIG, NF or the MLG approaches; rather it should be regarded as supplementary to them. We contend that there does not exist one single grand theory encompassing all aspects of European policy-making; neither do we need one. We think that it is crucial to develop a sound theoretical, methodological and empirical dialogue, and our efforts should be evaluated in this light (Jupille, Caporaso, and Checkel

2002). Our research question is general and not *sui generis* and the proposed approach is middle-range. It builds on the positivist assumption that it is possible to generate knowledge by outlining operational and competing hypotheses based on substantive middle-range arguments. We suggest eight operational hypotheses on the adoption of supranational roles. These hypotheses are then substantiated by selected empirical observations from Belgium and Sweden. Admittedly for the moment, this evidence is included for illustrative purposes.

Our main argument is that representational roles of member-state representatives are not only a matter of exogenous contingencies but also the result of domestic institutional configurations (Hammond 1996: 128-129). Put differently, the practices of member-state representatives are endogenous to institutional configurations at the domestic level. For the sake of brevity and given the lack of attention in the literature, this paper is primarily focused on the role of domestic institutions at the *decision-making stage* in the EU system, and more particularly the representation of member-state bureaucrats in the CWPs.

Our argument is sequenced as follows. The subsequent section defines member-state officials as 'representatives' by introducing two models of representation, the imperative model and the liberal model. The next section introduces the notion of representational ambiguity. We then suggest eight generic conditions under which domestic officials are likely to adopt a supranational role perception. These conditions are, H1) vertically specialised administrative structures, H2) horizontally sector specialised administrative structures, H3) federal polities, H4) a large number of veto-points, H5) competing veto points, H6) a large number of domestic actors involved in co-ordination, H7) a weak co-ordinating power of the domestic Ministry of Foreign Affairs, and H8) distrust in the domestic polity accompanied by high trust

in the EU. In a final section we illustrate how these hypotheses play out in two EU member-states, Belgium and Sweden.

Two models of representation

Representation refers to a method through which policy inputs are indirectly converged to policy outputs. It is indirect in the sense that one actor act on behalf of others. Acting on behalf of others may be concrete (spokesman), demographic (sharing basic demographic characteristics), or symbolic (sharing identities, loyalties or roles) (Birch 1972). It encompasses the gathering and exchange of information, the elaboration of alternative ideas, and the assessment of external consequences for broader societal segments. In democratic polities representation is also conceived as the process through which some actors get elected (e.g. parliamentarians) or appointed (e.g. bureaucrats) in order to realise more or less precisely defined goals. But representation should not be restricted to the mere procedural aspect of elections or appointments. More broadly it implies that representatives embody something – a constituency, an interest, an idea, specialised knowledge, a demographic characteristic, an identity – that has to be made present. Representation thus means the paradox of 'making present *in some sense* … something which is nevertheless *not* present literally or in fact' (Pitkin 1972: 8-9, original emphasis). Successful representation emerges if those representing make present what is not yet present. Representation can be studied from two perspectives. First, it is formalistic when based on formal authorisation of someone to act on behalf of others, as for example in parliamentary elections or in formal appointments of civil servants. Second, representation can be seen as symbolic or as something that is embodied in behavioural norms and habits considered appropriate. Successful representation in the symbolic sense 'exist in the minds of [the civil servants]' (Saalfeld and Müller 1997: 9).

Although both perspectives do not exclude each other, this paper emphasises the symbolic side of representation.

We depart from the assumption that actors operate under the condition of bounded rationality, i.e. their computational abilities are limited and their access to information is restricted (Hammond 1996: 118-119). Under such conditions actors tend to evoke role perceptions that enable them to prioritise particular aspects of policy-problems (and de-emphasising others) or being responsive to some problems (and remain less sensitive to others). By role perceptions we mean those norms, rules, expectations and prescriptions of appropriate behaviour perceived *by those* carrying out representational tasks. Before dealing with the substantive content of representational roles – supranational and intergovernmental - two models of representation can be distinguished (Trondal and Veggeland 2003; Wahlke et al. 1962).

First, the imperative model stresses that actors act under clear guidance of instructions defined by political superiors. In the case of the EU, this means that domestic officials in CWPs act on the basis of instructions defined at the national level. Autonomy and discretion is restricted. Officials are supposed to act loyally to their political leaders. This model implies that bureaucrats act primarily under the leadership of domestic politicians and that other actors – such as mobilised societal interests, European institutions, and the mass media – do not directly influence them. The antipode to the imperative model is the liberal model of representation. Here, the autonomy of the bureaucrat is extensive, almost infinite; he acts as independent expert and his interventions are assumed to be unbiased by mobilised interests or political woes. In this model true representation is considered to emerge only '(..) when the representative has the leeway to evoke role perceptions which *may* deviate from the 'government representative' role' (Trondal and Veggeland 2003: 62). This discretion includes

the possibility to pay attention to external actors such as interest groups, European institutions and the media. The liberty to act entails his capacity to decide on the basis of 'unbiased opinion, mature judgement, and enlightened conscience' (Burke quoted by Wahlke et al. 1962: 270). The liberal model reflects optimism as far as analytic rationalism and scientific judgement are concerned. Importantly, this model stresses that 'weak links may exist between representatives and those they represent', read 'national governments' (Trondal and Veggeland 2003: 61).

These two models of representation entail substantial differences regarding the trade-offs between expertise-based decision-making, neutrality and political loyalty. According to the imperative model domestic officials are neutral and loyal representatives of elected politicians and thereby domestically accountable. A bureaucrat is a delegate instructed by politicians and, concomitantly, he does not interfere in political conflicts or grant access to societal actors who may mobilise specific constituencies. Political conflicts are to be solved and settled by politicians, not by bureaucrats. Therefore, the relations between bureaucrats and politicians are organised in a way that maximises the procedural control of politicians over bureaucrats. As politicians instruct and mandate bureaucrats the linkages between elected and non-elected officials are extensive and well elaborated, while bureaucratic networks criss-crossing ministries, agencies and interest groups are less well developed.

In the liberal model of representation bureaucrats play the role of independent expert. They act relatively autonomously and disregard 'politics'. According to the liberal model politicians have less outspoken preferences regarding the precise nature of policy outcomes. They have a high diffuse trust in bureaucrats and demand that decision-making reflect objective and complete information about policy outcomes and policy consequences. Direct

political control is less developed and less consequential, whereas (interdepartmental) networks and even segments among expert-bureaucrats, parliamentarians and sector interest groups are dense. Since expertise and scientific knowledge are basic ingredients in public policy-making, the delegates grant access to those societal actors that are able to improve the expertise of the bureaucrat. In sum, the liberal model pictures civil servants as trustees who take into account the knowledge and interests made available from several actors when making decisions. They may thereby bypass the domestic political leadership in day-to-day decision-making, also when attending CWP meetings.

A model of ambiguous representation in the European Union

The liberal and imperative models of representation build on the dichotomous distinction between politics and administration. In the imperative model the role of civil servants is one of the subservient bureaucrat not intervolved in the messy world of politics. In the liberal model the bureaucrat acts independently from his political masters. His role is that of the analytic bureaucrat. However, in contemporary political systems the distinction between politics and administration is seldom neatly circumscribed. Organisations and decision-making entails several ambiguities (March and Olsen 1979: 12). In this section, we outline a model of representational ambiguity by looking more closely to political representation in the Council of Ministers (Olsen 1988: 162). First, we take a brief look at the Council infrastructure. Then, we introduce the concept of ambiguous representation where actors are embedded in multiple institutional settings accompanying multiple roles, potential role conflicts and thus more ambiguous forms of representation.

Policy-making in the Council of Ministers is often portrayed as sequenced in three stages (Hayes-Renshaw and Wallace 1997). First, the committees specialize in obtaining information

about a policy and try to hammer out a first compromise. Then COREPER (I, II or SCA) further refines the Commission proposal and reports the ministers (in A or B points). Finally, the Council of Ministers decides. This sequential model portrays the Council as a Euro-level game sliced into one bureaucratic (the CWPs and COREPER) and one political level (the Ministers). The latter ultimately decides over the former. This depiction of the Council of Ministers fits into a dichotomous conception of bureaucracy and politics.

The imperative model of representation supports the sequential model of the Council by considering the role of bureaucrats as that of carrying out instructions made by the domestic political leadership. Bureaucrats see themselves as representatives of the domestic government from which they receive instructions. The ministerial level rubber-stamps decisions bureaucrats have made on the basis of political instructions established beforehand within the member-states. EU policy-making is seen as an act of aggregating and balancing member-state interests and not as the act of reaching common European good. Bureaucrats do not act autonomously from domestic politics; they are controlled by the instructions received from the domestic leadership. On the other hand, the liberal model of representation pictures the Council as less sequential and hierarchically nested, and more segmented, transnational, sectorally interconnected and hierarchically de-coupled. As politicians delegate policy-making responsibilities to bureaucrats they may easily loose control over the bureaucrats. National ministers are conceived as rubber-stamping decisions made *autonomously* by bureaucrats.[2] Bureaucrats do not consider themselves as representatives of domestic governments or as being instructed and controlled by the domestic political leadership. Weak control by domestic principals makes it easier for them to see Europe as an autonomous a political level at which policy solutions should relate to a common European good.

Neither the imperative nor the liberal models of representation explicate the *conditions* under which different representational roles emerge among member-state representatives. Instead of drawing a clear-cut line between what constitutes legitimate and illegitimate, successful and unsuccessful forms or representation, as the liberal and imperative models do, we propose a model of ambiguous representation. The basic idea is that the content of representation is not always given beforehand. Given the various institutional settings under which bureaucrats operate it is likely that their representational roles vary accordingly.

Ambiguous representation takes into account that actors are embedded in multiple institutional settings. Accordingly, the emergence of supranational or intergovernmental roles is not only a matter of organisational contingencies at the EU-level. Bureaucrats are faced with at least dual allegiances; they are national officials working part-time at the European level. Multiple embeddedness implies dilemmas regarding what authority actors actually possess, whose interests are represented and how conflicting views are reconciled. The practice of representation thus becomes uncertain. Bureaucrats are instructed to re-present their member-state, to take care of the functional domain to which they belong, and to consider the views expressed by other member-states' representatives. Multiple institutional embeddedness implies that several *rules* govern officials and affect their choice of roles (March and Olsen 1979: 15). We hereby argue that supranationalism, as measured at the level of individual civil servants, is fostered by rule (institutional) complexity, multiplicity and uncertainty.[3] Because political superiors, i.e. domestic politicians, are not directly involved in EU-committees, information asymmetries may emerge between them and the participating officials. In this situation it is difficult for politicians to elaborate detailed negotiation instructions and, therefore, the bureaucrat has the leeway to act with some degree of autonomy.

This paper focuses on domestic politico-administrative institutional contingencies that trigger supranational roles among civil servants. In the following, eight hypotheses are suggested that explicate domestic conditions under which bureaucrats are likely to evoke supranational role perceptions. We organise the discussion under three headings; 1) political and administrative vertical and horizontal specialisation, 2) veto-points, and 3) policy co-ordination and trust in domestic and European institutions.

The conditional emergence of supranational roles

Political and administrative vertical and horizontal specialisation

The first set of hypotheses concerns the *immediate* institutional environment embedding the individual bureaucrat. Role perceptions are likely to be moulded by those institutions that are primary and immediate to the officials (Egeberg 2001). The primary structure in which a bureaucrat is embedded includes those formal and informal structures that organise the attention of bureaucrat in daily practise. We apply two generic organisational dimensions that are relevant at the politico-administrative level: the degree of horizontal specialisation and the degree of vertical specialisation.

Government institutions may be horizontally specialised or non-specialised. A collegial form of governments is an example of a non-specialised structure (e.g. the German *Kollegialprinzip*), while a ministerial form of government stressing ministerial autonomy exemplifies a specialised structure (e.g. the German *Ressortprinzip*). Second, we consider the vertical specialisation of domestic bureaucracies. A vertically specialised structure is characterised by a clear-cut barrier between political control and professional autonomy. In vertically de-specialised structures, on the other hand, political signals and preferences are

transported all the way from the political leadership to the lower echelons of the administration (and vice versa).

The first hypothesis is that representational roles are related to the bureaucrat's *vertical* organisational location.

H1: Bureaucrats used to vertically specialised organisational structures are more likely to adopt a supranational role than those used to vertically non-specialised structures.

A vertically non-specialised structure strengthens the potential for control and steering of the bureaucrat, thereby reducing the likelihood that the latter evokes supranational roles. Under conditions of strong political control the bureaucrat is less likely to act autonomously in the CWPs. In contrast, a vertically specialised model of organisation grants more leeway to the bureaucrat. This structure enhances the possibility that the bureaucrat does not act under strict control by and guidance from political superiors. Political control of the committee participants is likely to be *post hoc,* not *ex post,* for instance when the dossier has reached the ministerial level in the Council (or the implementation stage).

With respect to *horizontal* specialisation domestic administrative systems are to a varying degree organised according to the principle of purpose/sector and territory (Gulick 1937). This leads to our second hypothesis:

H2: Bureaucrats from sectoral ministries are more likely to adopt a supranational role than are diplomats from the Foreign Office and the Permanent Representation.

Bureaucrats attached to the Foreign Office in the capitals (FO) and diplomats at the Permanent Representations (PR) in Brussels are more used to think in territorial terms as they

represent a whole country and not only a specific policy sector. The Council infrastructure is largely compatible with the organisational principles these officials are used to. As these officials become primarily involved in Council decision-making during the later stages of COREPER-deliberations, they are - compared to bureaucrats at the lower echelons of working groups - likely to consider issues in terms of national interests. The working group level is organised more according to the principle of purpose/sector, i.e. bureaucrats from similar sectors meet each other in the same working groups. In this sense, bureaucrats from sectoral ministries are more likely to transcend territorially intergovernmental thinking and adopt supranational role perceptions.

With respect to *vertical* specialisation domestic political systems are to a varying degree organised according to a federal and a unitary principle. The third hypothesis reads as follows: *H3: Bureaucrats from federal polities are more likely to adopt a supranational role than those coming from unitary polities.*

A unitary state reflects only marginally the territorial composition of its sub-territories. An administrative organisation specialised according to function or process is more prevalent for such states (Egeberg 2002: 10). By contrast, in a federal state the sub-territories are strongly organised into the federal level (Burges 2002: 268). Consequently, federal bureaucrats that become involved in EU-level processes have to consider more explicitly sub-territorial considerations than civil servants from unitary states.

Bureaucrats from unitary states are used to apply non-territorial or functional representational roles while bureaucrats from federal states are more accustomed to think in territorial terms. For this reason, experiences with the Council of Ministers pose different challenges for

bureaucrats originating from different state traditions. Taking into account that the Council is mainly organised according to a territorial principle (Egeberg and Trondal 1999), bureaucrats from unitary states – compared to bureaucrats from federal states - are more *challenged* by the organisational principles of the CWPs. The territorial structure of the Council stimulates bureaucrats from unitary states to start re-thinking in terms of 'national' positions (instead of functional representation they are accustomed to) and so they are increasingly likely to adopt a territorial and intergovernmental role. Although bureaucrats from federal polities are used to evoke territorial roles, they have a less unitary conception of sovereignty. European federal polities are characterised by sophisticated and complex institutional mechanisms that help to accommodate territorial lines of conflict. For this reason, bureaucrats with federal origins are less likely to consider territorial conflicts as zero-sum games and they are more used to share sovereignty across territorial levels (Hooghe and Marks 2001: 151). Federal bureaucrats are less challenged by the intergovernmental dynamics in the Council than are officials from unitary states. Consequently, they more easily de-couple from their domestic territorial affiliation and adopt supranational role perceptions.

Veto-points

Veto-points are interdependent actors whose agreement is necessary for reaching a stable policy outcome. The more veto-points in a politico-administrative system, the more difficult it is to adopt a central co-ordinated national EU-position reflecting all individual preferences of the different veto-points. Therefore, bureaucratic autonomy and discretion is potentially large in systems with many veto-points and especially when the different veto points represent conflicting preferences (Hammond 1996: 143; see also Tsebelis and Yataganas 2002). Accordingly, national representatives receive few detailed instructions from the domestic political leadership and have more discretion at the EU level to develop supranational roles.

This leads to the fourth hypothesis:

H4: The larger the number of veto-points, the more bureaucrats adopt a supranational role.

It is not only the amount of veto-points that relates to supranationalism. We also argue that the competitive relations between veto-points matters:

H5: The more competitive relations exist between veto-points, the more domestic bureaucrats adopt a supranational role.

In the literature, federalism is usually equated with multiple veto-points. Although a federal structure often entails many veto-points, the concept of veto-points is a more generic feature of organisations.[4] Important is to what extent different jurisdictions are competing for policy competencies. In the context of federal system, Börzel has distinguished between competitive regionalism and co-operative federalism (Börzel 1999). In competitive regionalism sub-national units are striving to increase their political competencies and seek to preserve their political prerogatives vis-à-vis the federal level. Under co-operative federalism sub-national units prefer to co-operate with the federal level and do not compete for political competencies. In competitive situations much political energy is directed towards conflicts regarding the domestic re-distribution of powers and less energy is spent on challenges coming from outside. As a result, instructions of bureaucrats tend to be less detailed and comprehensive. The Council of Ministers poses a challenge for such systems as it expects domestic civil servants to present a single national view (Börzel 1999).

The number of veto-points and especially the competitiveness of the relations between veto-points relate to how the domestic level connects to the EU level. When there are few veto-

points and a co-operative atmosphere exists, bureaucrats are less likely to deviate from or resist policy instructions. This is different under the condition of many different veto-point embodying conflicting preferences. Under such conditions actors more easily bypass or ignore central co-ordination devices, try to become a player of their own right at the EU-level or to use central co-ordination mechanisms as a tool to defend sub-national interests instead of creating a common national position. As there are many veto-points, bureaucrats have many alternative opportunities or access points to realise their goals. Bureaucrats may move to other domestic (or European) actors or networks, and they may mobilise alternative coalitions (both at the domestic and the EU level) in order to realise particular goals. This discretion also implies that it is relatively easy to ignore some relevant actors.[5] It also means that the bureaucrat has more leeway in the development of his own 'instructions'. Accordingly, the distinction between instruction giver and instruction taker becomes less clear-cut. Because a rich and competitive veto-point system is less able to create policy guidelines in short time-spans, existing domestic instructions tend to be less well conceived. In creating their own instructions, bureaucrats may seek 'inspiration' elsewhere. They may tend to use the committee structure at the EU-level not for defending pre-established national policy guidelines, but for searching common European solutions for problems they have no 'national' answer to.

Policy co-ordination and trust in domestic and European institutions

Co-ordination is often seen as something positive. It suggests efficiency, fewer conflicts, rationality and co-operation. However, one may equally argue that there is more pressure to co-ordinate because there is an overall level of *distrust* in government (Kassim, Peters, and Wright 2000: 1-2). In order to present a single national position, divisions, fragmentation and

incoherence has to be overcome. We suggest three hypotheses on policy co-ordination and trust.

H6: The greater number of actors involved in domestic co-ordination, the more ambiguous the instructions, and the more likely that a supranational role is adopted.

This argument runs parallel to the concept of veto-points. Arguably, the greater the number of actors involved in co-ordination the more likely it accompanies imperfect and ambiguous instructions. We argue that the sheer number of actors and institutions involved in co-ordination multiplies the number of problems, solutions and world-views put on the table. 'Hierarchy refers to the dominance of the single bureaucracy [or single actor] in the deliberation and handling of regulations; in a co-ordinated mode of [action] bureaucrats share [power] with other groups and institutions' (Page 2001: 141). Thus, the greater the number of actors involved in domestic co-ordination, the more diverse, ambiguous and conflicting instructions are likely to result. Such ambiguous instructions are conducive to actors evoking roles that deviate from the national role. The lack of one hierarchically supreme domestic co-ordinating institution thus increases the likelihood that civil servants loose sight of the nation-state as *the* central locus of loyalty.

Moreover, supranationalism may also be causally related to what ministry being in charge of the domestic co-ordination of EU dossiers. Hypothesis seven reads as follows:

H7: The less domestic co-ordination is steered by the Foreign Office, the more likely that a supranational role is adopted.

Suggestively, cross-sectoral ministries like the FO with a territorial integrating function reduce the actors' leeway to act independently (cf. H2). If the FO dominates domestic co-ordination, civil servants are likely to evoke intergovernmental representational roles. Note, however, that this hypothesis is conditioned by the fact that no other external actors co-ordinate together with the FO and so that the number of actors involved in domestic co-ordination remains limited (H6).

Finally, overall trust in domestic and EU institutions is important for understanding the role perceptions evoked by civil servants. Trust concerns the extent to which the relation between an instructor and an instructed is featured by a mutual belief that the relation is not used for purposes that may damage one of the parties (e.g. cheating, betrayal...) (March and Olsen 1995: 58).

H8: The more the domestic political environment is featured by distrust in the domestic polity and a high trust in the EU, the more likely bureaucrats will adopt a supranational role.

Many veto-points *may* necessitate extensive coordination mechanisms. Also low levels of trust are likely to correlate with an elaborate co-ordination system. However, the number of veto-points in itself does not always coincide with a low level of trust or extensive co-ordination mechanisms. If there are few veto-points accompanied by an overall level of distrust in the EU and a high trust in domestic institutions, one may need extensive and elaborate domestic screening mechanisms at the domestic level. In order to be able to participate in EU policy-making processes one needs to build domestic support for every issue on the agenda. When an actor does not trust the EU level, he or she is tempted to control it by investing heavily in policy preparation and co-ordination. For this reason, member-states with fewer veto-points but a high level of distrust towards the EU often have equally extensive co-

ordination mechanisms as member-states with high levels of trust in the EU and many domestic veto-points. In contrast, when there is lot of trust in the EU, there is less need for extensive and elaborate control or screening mechanisms targeted at bureaucrats (Kassim, Peters, and Wright 2000: 1-2). Trust situations make actors more likely to deliberate than to control, i.e. they start acting in an other regarding way that maximises collective utilities (Eriksen and Fossum 2000; March and Olsen 1995: 169).

Comparative illustrations

We now turn to exemplify the eight hypotheses suggested above. For a more rigorous test, however, empirical data are not yet available. At best, the next section *illuminates* the validity of the suggested hypotheses. We hereby build partly on our own empirical research on EU committees and on empirical studies of the European adaptation in Belgium and Sweden. Our own studies include survey and interview data – both qualitative and quantitative - on Swedish and Belgian bureaucrats attached to domestic ministries and agencies and at the Permanent Representation in Brussels.

Comparing Belgium and Sweden is based on the 'most different systems design'. The bureaucrats of both member-states are exposed to similar EU institutions, the CWPs, but they differ considerably with respect to their domestic institutional environments. As we compare only two cases and use more than two indicators, our empirical efforts should be considered as an attempt to explore and interpret. The design does not allow us to arrive at conclusions of causal nature and external validity, as we do not cover all member-states. This calls for further research (Pennings, Keman, and Kleinnijenhuis 1999: 45-49) .

Table 1 about here

Our own research (see table 1) demonstrates that Swedish civil servants attending the CWPs perceive that they represent national interests and domestic constituencies (i.e. the Swedish political leadership and government). Fewer evoke a supranational orientation. The Belgian case is considerably different. Of course most Belgian bureaucrats believe that they should defend the national interests, however, more than seventy percent has supplemented this national role with a supranational one. In the Swedish data, officials with a supranational orientation were mostly located at the PR in Brussels and among those who interact intensively with fellow colleagues from other countries (Trondal 2002). Again the Belgian data show considerable differences. Although not many differences were observed between sectoral ministries and the FO or the Brussels' PR, it appeared that – in contrast to Sweden - bureaucrats of sectoral ministries more swiftly supplemented their national roles with supranational roles (Beyers 2002: 22 and 25).

There are considerable differences with respect to instructions. Most Swedish CWP participants act according to written and unwritten instructions and indicate that the political-administrative leadership governs them. In the Belgian case most bureaucrats say that they lack instructions, that they are often quite uncertain what viewpoint they should defend and that they enjoy much room of manoeuvre in the CWPs. Comparing both data-sets it appears that Swedish negotiators enjoy less freedom of manoeuvre in the CWPs. Put differently, Swedish bureaucrats attending the CWPs perceive their mandates as fairly imperative while Belgian bureaucrats seem to work with liberal mandates.

These observations suggest that the distinction between sectoral bureaucrats and the FO/PR does not fully explain different role orientations (hypothesis 2). As both countries represent

different state systems (hypothesis 3), specific institutional variables need further investigation. In sum, it appears that the Belgian supranationalism coincides with weak or under-specified instructions and that Swedish intergovernmentalism goes hand in hand with detailed instructions. Instead of attributing these differences to such vague attributes as political traditions and cultures,[6] the next three sections explore how the suggested hypotheses explain the above observations.

Vertical and horizontal specialisation

Vertically Sweden is organised as a unitary state with delegated powers to local municipalities and counties. Despite strong local democracy in Sweden, the power of regional and local authorities is delegated authority from the state level. Power is ultimately vested in the Parliament and delegated to sectoral ministries, agencies and state-owned companies at state level, and also to regional and local authorities.[7] The Swedish central administrative apparatus is composed of small ministries and many large semi-autonomous agencies organised beneath the ministry level. Hence, civil servants at the agency level have strong formal autonomy from the political leadership. Horizontally, the government system is collegial; the ministers make decisions jointly. The system is therefore horizontally integrated at the minister level but horizontally specialised according to sector and function at lower levels.

These observations are consistent with our hypothesis. Unitary and centralised states produce more intergovernmental representatives than federal states (hypotheses 1 and 3). Our finding that relatively few Swedish CWP participants evoke a supranational role reflects the collegial and horizontally integrated system of government at the minister level. Horizontal departmentalisation along sectoral lines below the ministry level, however, is conducive to strengthening non-territorial roles among the civil servants who participate in CWPs. But we

also argued that bureaucrats who originate from unitary states *and* who are used to functional autonomy tend to adopt intergovernmental role perceptions when attending the CWPs. The semi-autonomous status of the Swedish agencies and the more intergovernmental role perceptions among these officials partly fits into this picture.

Between 1985 and 1995 the unitary Belgian state was reformed from a unitary state into a federal state with far-reaching autonomy for its constituent parts. Few democracies have been reformed so dramatically during the last decades. During these state reforms, considerations regarding its effect on Belgian European politics were not, or only partially and afterwards, taken into account (Bursens 2002a: 16; Kerremans and Beyers 1998). Sub-national units act independent from the federal state and no hierarchy exists between the different levels. This implicates, for example, that a federal law or regulation cannot overrule sub-national laws or regulations (in contrast to Germany's *'Bundesrecht bricht Landesrecht'*). Within their field of competences sub-national units have exclusive and full powers including legislation and policy execution. And many competencies of the sub-national units are linked to the EU, including foreign policy and Treaty competencies (based on the principle *in foro interno, in for externo*).

The strong vertical specialisation of federal systems makes political control less centralised and more fragmented than in the vertically integrated Swedish system. This leads to weak political instructions of civil servants in the former. One of the most robust findings of our research is that Belgian representatives have few clear instructions and that they therefore face difficulties in figuring out which positions they should defend at the EU-level. In the Belgian case this correlates considerably with supranational orientations (hypotheses 1 and 3). Vertical fragmentation is not offset by the fact that ministerial autonomy is not a fundamental principle. Within the different Belgian states – federal and sub-national – horizontal

specialisation and departmental autonomy exist, but it remains limited. In contrast to Sweden the process of vertical separation of large autonomous agencies from small ministries has not taken place to the same extent. At the sub-national and federal level a collegial mode of policy-making is also reflected in the Belgian co-ordination mechanism for EU policies. It is a very extensive systems involving most administrative stake-holders and decisions have to be taken by consensus (Kerremans 2000a and 2000b; Kerremans and Beyers 1996).

Veto-points

The Belgian polity has more veto-points than the Swedish, and relations between, especially the territorial, veto-points (the autonomous sub-national units and the federal level) are competitive. This is consistent with the hypothesised vague instructions and the adoption of supranational role perceptions among Belgian bureaucrats (hypotheses 4 and 5). Let us consider some of these veto-points somewhat more in detail.

An important feature of the Swedish system is the institutionalised remiss-system of corporative pluralism that integrates interest organisations into important aspects of policy-making. In this respect Sweden is not that different from the neo-corporatist tradition in Belgium. Important with regard to European policies, however, is that Swedish interest associations become already involved – although mostly in an informal way - during domestic EU policy co-ordination (Pedersen 2001), while in Belgium stakeholders are included at later stages, namely when EU policies have to be implemented (Bursens 2002b: 182-183). Secondly, Belgium has more political veto-points. The number of parties is two times larger and organised along the linguistic divide, cabinets contain more ministers and governing coalitions usually have more parties than in Sweden (Anderson 2002). Thirdly, Belgian federalism implicates that autonomous sub-national units and the federal level must reach

agreement on almost every point that will be discussed in the Council of Ministers. In addition, the centrifugal nature of Belgian federalism means that sub-national units are constantly striving to increase their autonomy and to protect their achievements. Bursens has labelled this 'vertical institutional jealousy' and Börzel names it 'competitive federalism' (Börzel 1999; Bursens 2002a and 2002b). Bursens argues that this diverts political attention away from Europe; it leads to weak European instructions and gives much discretion to bureaucrats. This situation contrasts with Sweden where the factual autonomy of functional agencies has been challenged by the Swedish EU membership and led to a re-emergence of national identifications and a plea for reforming the state apparatus towards a more vertically integrated model (Jacobsson 1999a and 1999b). Membership has strengthened the demand for Swedish integrated positions while the Belgium domestic reforms constrain the ability to create coherent positions.

Trust and co-ordination

Sweden has had less than a decade to adapt to the repercussions of the EU membership. The Belgian adaptation has been a more incremental lock-in process and has continued over several decades. Sweden became member after a referendum and a divisive public debate (Ekengren and Sundelius 1998). A similar public debate that divides the public opinion has not taken place in Belgium. Although Belgian political elites and opinion leaders strongly favour supranational integration, public opinion is more characterised by indifference instead of articulated support or opposition. As Bursens suggests, the pro-European stance among Belgian political elites is also rooted in domestic political circumstances (Bursens 2002a). Distrust in the federal level among Belgian regionalist politicians has inspired pleas for further state reforms, but it has also made the transfer of competencies to the EU level more easy to accept. On the other hand, pro-Belgian political leaders have also argued in favour of

the EU, because they believe that further European integration keeps the country together (Beyers and Kerremans 2001).

The Swedish political leadership is fairly active in domestic EU decision-making (Jacobsson, Laegreid, and Pedersen 2001: 254). The Swedish co-ordination system is based on the centralised British and French system with great emphasis on central control of domestic representatives (Kassim, Peters, and Wright 2000) and the input of the national legislature is modelled on the Danish model (Ekengren and Sundelius 1998: 136-137). The importance attached to the role of national parliaments relates to the Swedish belief that democratic legitimacy of the EU-system is ultimately based on democratic processes within the member-states. Belgian political elites emphasise more the European Parliament as a legitimate democratic institution guaranteeing democracy at the European level (Beyers and Kerremans 2001). This is reflected in differences regarding the way legislatures are involved in EU affairs. In comparing the Swedish parliament with the different Belgian legislatures, one observes a weak parliamentary involvement in Belgium and a moderate involvement in Sweden (Rauni and Wiberg 2000; Vandevivere 1999). For instance, the Belgian federal parliamentary committee on European Affairs meets on a monthly basis or less and does not issue instructions. The Swedish committee meets weekly and may issue instructions. To phrase it different, the Belgium political-administrative elite trust that a democratic and effective European governance system is possible. The Swedish political-administrative elite has more trust in domestic democratic government. We have argued that differences in trust correlate with domestic co-ordination mechanisms, and these factors may explain the different emergence of supranational roles among the Belgian and Swedish CWP participants (hypothesis 8).

In Sweden both horizontal and vertical co-ordination activities have increased after accession (Sundström 1999). The co-ordination role of the FO is increasingly supplemented by co-ordination responsibilities of the Prime Minister's Office (PMO) and by the sectoral co-ordinating activities of medium rank officials in sector ministries and agencies. The co-ordination of Swedish EU affairs is conducted through a small collegial inter-ministerial committee system (hypothesis 6). Moreover, the normal mode of co-ordinating EU dossiers is through informal personal contacts without written agendas and instructions. The strong national role orientation of these officials, however, is also the result of *ex post* co-ordination with affected ministries and agencies, interest groups and the PR in Brussels. All this reflects the fact that the centralised Swedish co-ordination system provide CWP representatives with fairly binding instructions and little room for supranationalism (Kassim, Peters, and Wright 2000: 323) (hypotheses 1, 2 and 7).

At first sight, there are some similarities with Belgium. The federal FO remains a central actor and the role of the PMO has increased due to the growing importance of the European Council. However, most sectoral dossiers are rubber-stamped by the FO and the federal PMO does only occasionally become involved in sectoral policies (Kerremans 2000a). Some functional differentiation of co-ordination mechanisms has taken place in Sweden as well. The co-ordinating role of the sectoral ministries and agencies has grown while the role of the FO is increasingly pictured as that of a 'post box' (Sundström 1999: 52). Different parts of the Swedish bureaucratic machinery have established independent relationships towards different EU institutions bypassing overall co-ordination by the Swedish FO. The emergence of supranational roles among some Swedish bureaucrats may reflect this transnationalisation of the Swedish bureaucracy (Esmark 2001). But in the Belgian case, several analysts have observed that despite the specialised character of domestic co-ordination mechanisms and the

geographical proximity to Brussels, such direct networks with the EU institutions remain weak (Beyers 1997; Bursens 2002a). The Belgian domestic system is very extensive, it involves most sub-national and federal stakeholders and decisions have to be taken by consensus. For instance, an average co-ordination meeting at the federal FO can include 25 different governmental stakeholders (hypotheses 2, 4, 5 and 6).

Conclusions

Neither the liberal-intergovernmental, neo-functional or multilevel governance approaches render intelligible why and how domestic institutions affect EU institutions and EU policy processes. This paper has therefore suggested a middle-range approach on ambiguity and representation in the EU focusing how domestic institutions 'hit' the EU. Empirically, the paper departed by highlighting contradictory empirical observations in our own research concerning the degree of supranationalism among domestic civil servants. Our analysis has illuminated that Belgian civil servants are more supranationally oriented than Swedish officials considerably due to different domestic institutional constellations. To account for this conclusion, we have suggested a model of ambiguous representation that highlights eight conditions under which civil servants are likely to "go supranational". This model focuses on those primary institutions at the domestic level that mould representational roles, bearing in mind that EU institutions poses *additional* cues for supranationalism (Trondal 2002).

The empirical examples from the Belgian and Swedish cases suggest that these hypotheses merit attention. Nation-states 'hit' Europe in different ways and to different degrees depending on how they are institutionally organised. By studying domestic civil servants attending the CWPs we have been able to study this question at the micro-level. It seems that Belgian officials are strongly supranationally oriented because of, 1) the vertically and

horizontally (sector) specialised government apparatus (H1 and H2), 2) the federal state structure (H3), 3) the large number of competing veto-points (H4 and H5), 4) the great number of actors involved in domestic co-ordination challenging the role of the Foreign Ministry (H6 and H7), and 5) the lack of trust in domestic government accompanied by a high trust in the EU (H8). The Swedish case differs *more or less* strongly on all these variables. The empirical illustrations provided in this paper permit no definite test of the validity of the suggested hypotheses, but they indicate that the hypotheses merit further scholarly attention.

Our study supports the general insight that domestic institutions filter and mediate processes of European integration writ large. As governance levels increasingly interact, what happens at one level affects substantially what happens at other levels. Despite the complexity involved in processes of system integration and transformation in Europe, the converging and homogenising effects of EU institutions are filtered, edited and translated when faced with local idiosyncrasies.

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Notes

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[2] Various studies suggest that about 80% of Council decisions are made within these bureaucratic settings (Hayes-Renshaw and Wallace (1997); Van den Bos (1991); Wessels (1991); Westlake (1995)).

[3] Thanks to Jozef Betora for this point.

[4] For instance, a federal polity with a two party system (one government party and one opposition party) and a pluralist system of interest mediation might have less veto-points than a unitary polity with multiparty coalitions and a corporatist system of socio-economic policy-making.

[5] It is somewhat counterintuitive, but it seem to us that the existence of many veto-points (as in the Belgian case) may explain the lack of domestic consultations with domestic constituencies (politicians and interest groups) before they start negotiating in the Council.

[6] For example, 'Belgium has always been a pro-European member-state' or 'Sweden belongs traditionally to the Euro-sceptic group'.

[7] It is important to note that both countries – Belgium and Sweden - faces complex, inconsistent and contradictory reform pressures on the central administration. On the one hand, EU membership calls for a vertical integration of the politico-administrative system – particularly in relation to the Council of Ministers. On the other hand, New Public Management reforms force the civil service towards vertical disintegration, devolution and increased contractualism (see Christensen and Laegreid (2001)).

Tables

Table 1. Percentages of Belgian and Swedish bureaucrats who receive instructions, have freedom of manoeuvre and adopt supranational allegiances, by domestic institutions

	Agencies, sectoral ministries	Permanent Representation, Foreign Office
Instructions		
Sweden: I have clear instructions as to what positions to pursue (percentage saying 'always or very often')	67%	55%
Belgium: I always get very clear instructions from my ministry or my department as to what position I should take up (percentage saying 'agree' or 'completely agree')	27%	40%
Room of manoeuvre		
Sweden: I have great amount of freedom when participating in Council working groups (percentage saying 'always or very often')	19%	16%
Belgium: The mandate I receive does not leave me much room of manoeuvre (percentage saying 'disagree' or 'completely disagree'	79%	90%
Allegiance to Europe		
Sweden: Do you feel allegiance towards the European Union? (percentage saying 'to a very large extent' or 'to a fairly large extent')	27%	48%.
Belgium: Percentage favouring a strongly united Europe instead of maintaining the autonomy of the member-states.	61%	73%
	Swedish N = 26 Belgian N = 65	Swedish N = 20 Belgian N = 30