The Choice for EU Theorists:
Establishing a Common Framework for Analysis

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Abstract
European Union (EU) studies have entered a highly creative phase, with a range of theoretical perspectives, seemingly quite highly differentiated from one another, competing for influence and 'space'. However, the questions remain: are EU studies developing theories which are truly competing theories? Or is it developing theories that do not compete so much as they aim to explain distinctly different 'pieces of the EU puzzle'? This paper responds directly to these two questions. It argues, first, that we generally lack theories that are true rivals; and, second, that leading models explain different outcomes at different levels in a clearly multi-level system of governance. The result is somewhat phony debates between compatible theories masquerading as rivals, and between 'comparative politics' and 'international relations' approaches. Above all, perhaps, we find middle range theories posing as 'meta-theories'. In the absence of a plausible meta-theory of EU governance, theorists must choose precisely which type of outcome they wish to explain.

There is no question that European Union (EU) studies have entered a dynamic, creative phase since the last ECSA conference. To an extent unseen since the Haas v. Hoffmann[1] debates of twenty years ago, the EU studies literature offers new, innovative and testable theoretical models. One of the seminal contributors to the early literature on European integration (alongside Haas and Hoffmann), Donald Puchala (1999: 318) has noted that what was once 'a rather subdued dialogue...concerning the nature and dynamics of European integration, has recently evolved into a full-scale, hard-fought debate'. Perhaps the flowering of this debate is a sign that EU studies has 'come of age' (see Begg and Peterson 1999: 1).

There seems little doubt that scholarly (and student) interest in the EU is growing. It is perhaps less clear that the upsurge in the quantity of scholarship on the EU – revealed not least in the proliferation of new journals – is being matched by higher quality scholarship. Let us hope so: deservedly or not, we remain the subjects of pot shots of non-EU specialists, particularly (it seems) comparativists:

> Although there is a large academic literature on the European Union, very little of it is theoretical: most consists largely of journalistic accounts of recent developments,

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[1] This debate did not end, as is often assumed, with the publication of Haas' (1975) notorious essay which declared the 'obsolescence' of integration theory. A fortunate few still remember the public duel between Haas and Hoffmann which took place at the Council for European Studies' conference of Europeanists in Washington DC in October 1980 (see Hoffman 1982).

descriptions of institutions, histories – or even propagandist tracts (Eatwell 1997: 245).[2]

One form of defense is to deploy concepts associated with study of comparative politics at the EU level.[3] There are two forces driving this type of analysis: first, the emergence of the EU as a polity in its own right (see Hooghe 1998); and, second, the reality that many comparativists can no longer make sense of their subject without addressing the role of the EU in national domestic settings. It may have been true, initially at least, that comparativists who became interested in the EU in the early 1990s found that they 'possessed few theoretical tools that appeared directly applicable' (Pierson 1998: 28). But over time, a range of conceptual tools have been refined and adapted to yield rich, penetrating explanations at the EU level. They include multi-level governance (Marks et al 1996; Hooghe and Marks 1997), variants of institutionalism (Garrett and Tsebelis 1996; Pollack 1997; Armstrong and Bulmer 1998; Sandholtz and Stone Sweet 1998), and policy networks (Rhodes, et al 1996; Peterson and Bomberg 1999).

Yet, the empire has struck back in the form of intergovernmentalist theory, firmly rooted in international relations (not comparative politics). The publication of Andrew Moravcsik's (1998) The Choice for Europe marks a watershed in the development of the literature on European integration, if for no other reason than because virtually every EU scholar has read it and pondered over it during the past year. Eschewing most of the conceptual tools of the comparativist (see Wallace 1999: 157), Moravcsik offers a compelling case for deploying a refined version of liberal intergovernmentalism (LI) to explain the 'grand bargains' which punctuate the EU's evolution. As Puchala (1999: 329) suggests,

> The Choice for Europe is not going to resolve the debate between institutionalists and intergovernmentalists. But this new contribution from the intergovernmentalist side will move the debate into a new phase, because hereafter alternative interpretations will have to be evaluated on the basis of evidence that compares in quality and credibility with Moravcsik's evidence.

Yet, the debate's main problem seems not to be the plausibility of evidence so much as the terms of the debate itself. A central argument of this paper is that the debate is a phony war in many respects. Whether or not it is the result of careerism and the imperative to establish 'exclusive protected zones of knowledge' (Cox 1999: 3) about EU

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[2] In the present author's own experience, this view is not atypical of comparativists. That said, it may be that Eatwell's (1997: 249) tendency to conflate scholars who study the EU with 'federalists' – and his put-down of both – is uniquely unrelenting: 'A [European] federation would need common policies in many areas, such as defence, but federalists normally try to deflect centralising "Big Brother" charges by claiming that they really support a devolution of power and "subsidiarity". Thus the great political myth of federalists – of a Europe leading to a world of peace – has tended to be pushed from centre stage. Even more problematically, the federalists today are too obsessed with the technocratic planning of new institutions, when the crucial need is to forge a wider cultural unity'.

[3] In fact, the present panel is billed as bringing together scholars who – if they agree on nothing else – subscribe to the 'return of comparative politics' as the way forward in understanding the EU.

politics, the result is largely complementary perspectives masquerading as incompatible rivals.

If there is one central tenet that now unites EU scholars it is that the Union is a polity that simultaneously operates at different levels. In Europe more than elsewhere the international, supranational, transnational, national, regional and sub-national are inextricably linked. Yet, compared to other multi-level polities, the EU is unique: different levels of governance are relatively clearly distinguished from one another, with their own resources and sources of legitimation. Each is driven by clearly different logics or rationale, and dominated by different types of actor.[4] Usually, 'competing' theoretical perspectives implicitly -- rarely explicitly -- seek to explain outcomes at one level. None does a very good job of explaining outcomes at all levels. As such, EU scholars must choose if they are to be credible. But the choice is not between rival 'meta-theories' of European integration or EU governance. Rather, it is about what, precisely, we are trying to explain, and at what level of analysis in a system of government which is clearly (and uniquely) multi-tiered.

The Case for a Portfolio[5]
Explaining the European Union – what it does, how it does it and with what effect – is one of the most daunting challenges facing political science as a discipline. Clearly, there are important differences between being an ordinary nation-state and an EU Member State. But there are also very stark differences between the EU itself and other polities, even ones that share some 'federal' characteristics with the EU. The EU clearly has less authoritative control over its citizens and territory compared to nation-states.[6] Not only does it lack a police force or army. It has no government: the EU's 'executive, legislative and judicial authority' do not, as Hix (1998b: 3) claims, constitute one. Nor does it have any 'opposition', in the traditional sense of the term. It is no wonder that many of the tools of comparative politics seem quite blunt when they are applied to the EU.

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[4] This view is at odds with Torreblanca's (1998: 134) assertion it is not 'easier with the EU than with any other political system to isolate the levels and sequences of the policy process...evidence suggests the opposite.' 'Sequence' in the EU's policy process (i.e. how and by whom the policy agenda is set, whether technical negotiations precede or follow political agreement, etc) certainly varies enormously. However, the EU has developed quite distinctive 'levels' of governance between which issues usually 'bounce' before they are resolved (see Peterson and Bomberg 1999). This paper also challenges Torreblanca's (1998: 134) view that theoretical debates about EU politics have 'shown a tendency for competing approaches to divide up the field and ignore each other'. While it is certainly true that theories (ostensibly 'competing' ones) have implicitly (rarely explicitly) 'divided up the field', advocates of them have hardly 'ignored each other', and indeed have tended to engage in somewhat contrived debates with one another. Generally, Torreblanca's (1998: 134) critique of efforts at 'theoretical convergence between the disciplines of comparative politics and international relations' is thoughtful; perceptive, and worth reflection.

[5] This section draws heavily on Peterson and Bomberg 1999: chapter 10.

[6] The difference drawn here may seem an abstract one, but it is one with practical implications as seen in (relatively low) rates of compliance with Community directives. In the EU, more than in most nation-states, compliance – along with almost everything else – is negotiable (see Peterson and Bomberg 1999).

That does not prevent brave attempts being made to apply them. Such attempts are usually justified by claims that the EU now features 'a complex and pluralistic political process, not firmly under the control of national governments and not explicable in terms of simple diplomatic bargaining' (Pierson 1998: 28). In the late 1990s, more than ever before, the EU is the scene of pitched battles about the content of policy in sectors where the Union enjoys competence. EU policy debates are not only or even mostly about how much competence the Union should enjoy. There is far more to EU politics than just how 'actors align themselves on a continuum between "more" or "less" integration' (Hix 1998b: 2). EU politics seem to be getting livelier, more inclusive and less strictly technical, as revealed by recent policy debates on genetically-modified organisms (GMOs) in food, power limits on motorbikes, and 'European content' in television broadcasting (Peterson and Bomberg 1999: 78-9; 116-7; 204-5).

To be sure, debates about what kind of polity the EU should be continue to permeate 'day-to-day' decision-making in the European Union. But what makes EU policy-making so complex (and fascinating) is the simultaneous existence of multiple cleavages – pro-/anti-integrationist, intergovernmental, institutional, and sectoral – that make battle lines in most policy debates impossible to draw neatly. Whether the 'left-right' dimension in EU politics is becoming more or less salient[7], it probably matters enough to make the EU politics more like 'normal politics' in national domestic settings than ever before. But there is little evidence to sustain the view that this cleavage is primary, and thus that '[t]he EU is no different from other systems' in this regard (Hix 1998b: 3; see also Torreblanca 1998). The EU is different insofar as political alignments corresponding broadly to left and right are overlaid – and frequently overridden – by other cleavages.

Here we come to grips with what, above all else, makes EU governance so difficult to theorise about: EU politics is a battle in which a variety of different cleavages usually can be identified on any particular issue. To an unusual extent, most key actors in EU politics simultaneously possess multiple interests or identities: national and supranational, sectoral and institutional, political and technical. Their actions may be motivated by different rationalities at different times. It is devilishly difficult to predict how key actors will align themselves on any given issue or which battle along which cleavage will matter most in determining outcomes.

The one time in EU governance when we might expect key actors to line up across a clear continuum from 'more' to 'less integration' is when EU Member States elect to amend the Union's founding treaties in intergovernmental conferences (IGCs). In this context, Moravcsik's (1998: 1) 'long wave' perspective on European integration – for all its virtues – reveals the pitfalls of relying on the Community's past to predict the Union's future: it leads him to suggest that so-called 'grand bargains', which Treaty revisions inevitably are, 'punctuate EC history at a rate of roughly once per decade'. Following agreement on the Treaty of Amsterdam in 1997, the EU's Treaties had been revised three times in just over 10 years, with another IGC apparently in the offing (by 2000, if representatives of the incoming Finnish Presidency may be believed). If the pro-

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[7] One suspects that this cleavage may actually be diminishing in importance, as evidence by the search of the Schröder and Blair governments for a new 'third way' between traditional left and right visions of politics and policy.

versus anti-integrationist cleavage was ever going to dominate day-to-day EU policy-making, it seems as if its dominance would be most assured after 1987 and up to the present.

But there is little evidence to sustain this view. Not only does Moravcsik (1998) offer compelling evidence to suggest that economic interests, not strategic visions of the EU's vocation, are the most important determinant of national preferences when grand bargains are negotiated. Meanwhile, the 'everyday' level of EU policy-making has become routinised to the point where it often proceeds to a negotiated solution even in the absence of clear rules about how competencies are divided between Member States and the EU institutions, or between the latter.[8] In fact, it may be plausible to suggest that when the 'shadow' of an IGC overhangs day-to-day negotiations, it may even encourage consensus when the rules are not conducive to negotiating one.[9]

The more general point is that the EU is both an established polity in its own right in which the content of policy is highly contested, as well as an experimental exercise in international cooperation in which the type and degree of cooperation is contested. As such, any viable 'meta-theory' of EU politics faces the daunting task of describing, explaining and predicting both EU polity-building and policy-making (see Torreblanca 1998). Moravcsik is explicit (most of the time, anyway) in insisting that he is only concerned with explaining 'grand bargains', which amend the EU's Treaties or change the way they operate. At this level of governance, intergovernmentalist theory offers the most convincing explanations (most of the time, anyway). Meanwhile, Moravcsik (1998: 8) is happy to concede that 'everday legislative process within the Treaty involves pooling of sovereignty in majority voting arrangements and substantial delegation to supranational officials. Here there is much variation'. LI is not offered as a theory of everyday policy-making.[10]

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[8] The point is amply illustrated by the fact that 5 years after the European Court of Justice's ruling that the Uruguay Round was a 'mixed agreement', which thus required the Commission, Council and Member States to share responsibility for negotiating agreements on 'new' trade issues (such as services and intellectual property rights), there was still no agreed code of conduct defining who represented the EU in such negotiations. In the view of one Commission official (and trade policy expert), 'there has been no agreement on a formal Code of Conduct following the Court's Opinion 1/94. In practice, however, there have been no concrete problems so far. Things move on as they did before the Opinion, during the Uruguay Round. Even in areas of "mixed competence", it is the Commission that takes the floor in the WTO on behalf of "the Community and its Member States". Of course, the Commission must be very careful to express a consensus point of view in relations with third countries. But that is nothing new!'. Personal correspondence with Youri Devuyst, 6 January 1999.

[9] Consider, for example, a senior Swedish diplomat's comment in 1996:
> It all works surprisingly well with rules that are obviously not constructed or designed to deal with the current situation...But it is partly on the basis that everyone assumes that it is a temporary situation anyhow....I have seen several cases at the Council, at the ministerial level, where people explicitly refer to this and say 'listen, we are in a difficult situation here. We know these rules are not really made for this situation but we cannot address this now because that is an IGC sort of issue. So let's try to be reasonable' (quoted in Peterson and Bomberg 1998: 46).

[10] Or is it? Moravcsik (1999a: 179) often strains against the shackles of his self-imposed limits, suggesting (usually in footnotes) that 'it remains an open question to what extent the pattern of national preferences (while mitigated by institutional constraints) remains a, perhaps the, decisive factor in daily decision-

Offering an alternative 'long wave' perspective on European integration, Puchala (1972; 1999) shows a remarkable consistency in his insights over a long period of time. His classic 'blind men and elephants' article bears revisiting. It reminds us of the perils of 'different researchers... looking at different parts, dimensions or manifestations of the same phenomenon', and then claiming 'that their parts were in fact whole beasts, or that their parts were the most important ones, the others being of marginal interest' (Puchala 1972: 267-8). More than 25 years later, it is hardly surprising there remains no theory which explains everything. Moreover, 'elaborating some version of a unified theory' is 'probably a mistake' (Puchala 1999: 330).

However, a 'unified' or meta-theory is not the same as a framework or portfolio of different middle-range theories, in which both boundaries and links between both different theories and levels of governance are clearly specified. At first glance, it appears that developing a portfolio of different theories is to defy Puchala's (1972) contention that 'attempts to juxtapose or combine the conventional frameworks for analytical purposes by and large yield no more than artificial, untidy results' (see also Puchala 1970). Yet, on the contrary, such an endeavor seems to be encouraged by his more recent urgings to 'define and delimit what institutionalism and intergovernmentalism, as well as other approaches, respectively do explain and what they do not explain' (Puchala 1999: 330).[11] This paper is an effort to do just that.

What Kind of Portfolio?
The first step in constructing a portfolio which 'pitches' leading theories at their appropriate level of explanation and combines their insights is to reduce every move the EU makes down to its lowest common denominator: the individual decision. If we focus on decisions as the most basic building blocks of governance,[12] we come to grips with one of the most fundamental questions facing all EU researchers: the extent to which 'decisions are atomised or path-dependent' (Torreblanca 1998: 150). If we specify different conceptual categories of EU decision, we satisfy Sharpf's (1999: 167) insistence that 'care [must be] taken to theorize the distinction between... different classes of decision, and the reasons why and how that distinction should make a difference' (see also Caporaso 1998: 11).

The EU makes three basic types of decision.[13] First, 'history-making' decisions is now a frequently used shorthand term in the EU literature for the major decisions which determine how and how much the EU changes.[14] They preoccupy the highest political

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making'. EU studies still lacks systematic test cases of LI at anywhere other than the 'super-systemic' level of decision-making (although Moravcsik 1999b is a potentially important step forward in this regard).

[11] Emphasis in original.

[12] 'Decisions' are choices or solutions that end some uncertainty or reduce contention. 'Governance' is the imposition of overall direction or control on the allocation of valued resources.

[13] This section brutally summarises Peterson 1995; Peterson and Bomberg 1999: 10-28.

[14] Recent examples include Jönsson et al 1998: 319 cf.; Morvacsik 1998: 1; Caporaso 1999: 162; Wallace 1999: 155; Webber 1999: 45.

levels in Europe; that is, national cabinets and Prime Ministers. As such, they usually are negotiated outcomes of intergovernmental bargaining.

Second, 'policy-setting' decisions determine what the EU does. They are taken when the EU reaches a 'policy decision point'[15] (Richardson 1996: 282) and actually chooses a policy – a course of action (or inaction) -- in the Union's defined field of competence. Most policy-setting decisions emerge after bargaining between the EU's institutions, in a system of shared (more than separated) powers.

Third, 'policy-shaping' decisions determine the policy options on which the EU deliberates. Many policy-shaping decisions are taken far upstream from the 'policy decision point', often long before formal policy proposals are even tabled. They concern the details of policy options and preoccupy a diverse range of mostly apolitical and policy-specialised actors.

Thus, we end up with three distinct levels of analysis.[16] They correspond (usually) with individual, distinct levels of EU governance that assume primary responsibility for each kind of decision.[17] Table 1 (below) specifies the dominant actors at each level. First, most decisions which make history are taken at the 'super-systemic' level, which itself transcends everyday governance. It yields decisions that change the nature of the EU as a political system. The dominant actors are the EU's Member States – meeting as the European Council or as negotiators in intergovernmental conferences (IGCs) – although sometimes (if rarely) the European Court of Justice hands down decisions which 'make history'. Second, the 'systemic' level incorporates what might be termed the 'political system of the EU' (see Hix forthcoming) in which powers are shared between institutions including, increasingly, the European Parliament (EP). Third, the sub-systemic level is where much of the 'everyday' governing of the EU takes place, with various types of committee usually bringing together a diverse collection of 'stake-holders' who have interests in a given sector of policy.

Most of the remainder of the paper considers theory and practice at each level of governance. The conclusion offers some ideas on how both levels of governance and theoretical insights might be linked using the framework.

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[15] Emphasis in original.

[16] The specification of levels of analysis is a longstanding preoccupation of international relations scholarship, which usually classifies different explanations of interstate behaviour into one of three categories: systemic, 'domestic politics', and individual leadership explanations. Moravcsik's (1993: 34) recent and perceptive treatment argues that 'The number of levels and their relative utility is neither preordained nor arbitrary, but can and should vary according to the analytic purpose at hand'. On difference between levels of analysis and 'tiers of governance', see Peterson 1995: 89.

[17] If there is one feature of EU decision-making that the framework proposed here does not incorporate very well, it is the propensity for initiatives to 'jump' between the systemic and sub-systemic levels before policy is 'set'. The blurring of the technical and the political in EU decision-making makes a clear distinction between levels of governance problematic. Still, most of the time the types of decision specified in table 1 are taken at the levels of governance specified, with the specified dominant actors dominating.

TABLE 1 – MULTI-LEVEL EU DECISION-MAKING

LEVEL	Decision Type	Dominant Actors	Example
Super-systemic	history-making	European Council; governments in IGCs; European Court of Justice	endorse White Paper on internal market
Systemic	policy-setting	Council; COREPER; European Parliament (under 'co-decision')	agree Directives to create an internal market for motorbikes
Sub-systemic	policy-shaping	Commission; Council working groups; EP Committees	propose that that all motorbikes licensed in the EU must observe power limits

Source: Peterson and Bomberg 1999: 5.

History-Making Decisions

If it was ever in doubt that EU governance at the 'super-systemic' level is primarily intergovernmental and elite-controlled, Moravcsik's (1998) *The Choice for Europe* certainly provides more convincing evidence for this view than we have ever had before. The argument that domestic economic preferences primarily determine the choices of national elites when grand bargains are struck is compelling. The more recent case of the Amsterdam Treaty (see Moravcsik and Nicolaïdis 1999) reinforces a point echoed by close study of most history-making decisions: the EU's supranational institutions may influence choices at the margins, but they rarely are important players at this level of analysis.

Of course, the ECJ has been primarily responsible for some of the most transformative 'history-making decisions'. Ostensibly working on the basis of legal rationality, the Court often couches highly political judgments in apparently apolitical terms. Some such judgments – *Cassis de Dijon*, Factortame, etc. – have clearly and dramatically changed the nature of EU governance. Approaching the EU from an international relations (IR) paradigm, intergovernmentalists have tended to miss the importance of the ECJ because '[a]n international organization, almost by definition, does not have a court that exercises judicial review in the sphere of constitutional law as opposed to international law' (Sbragia 1993: 34).

Generally, however, decision-making at the super-systemic level is far less institutionalised than at other levels of EU governance. The balanced representation of territorial and non-territorial interests, which is a salient and institutionalised feature of the EU as a political system, is virtually absent from the super-systemic level (see Sbragia 1993). As Moravcsik (1998) insists, the EU's Member States face real choices about how they want the Union to work. The European Council is the most supple, unconstrained source of agency in EU decision-making (see Peterson and Bomberg 1999: 258-60). It has the weight to surmount technical roadblocks to institutional change -- and thus, often, policy reforms -- when change is needed. The European Council's authority

cannot be challenged by any other decision-making body at any other level of EU governance (except, in rare cases, by the ECJ).

Still, the role of the Court in pushing integration forward through history-making legal decisions boosts neofunctionalism. Its advocates 'argue that in the march toward European Union, as community building gathered speed, the issues before the court have become more politically salient' (Mattli and Slaughter 1995: 189; see also Burley and Mattli 1993). Certainly, we can identify quasi-constitutional decisions to integrate which have provoked further, related acts of integration through a process of 'spill over' (Haas 1964, 1968; Lindberg and Scheingold 1970, 1971).

As such, we might conclude that we do have theories that truly compete with one another. At first glance, LI and neofunctionalism have distinct and inconsistent microfoundations, and offer rival explanations for the same outcomes at the same level of governance. However, even here it seems that LI and neofunctionalism offer mainly compatible, and certainly overlapping, rather than competing 'truths'.[18] Following Sbragia (1993), we might conclude that LI is our best theory for explaining the process of bargaining at the super-systemic level. Meanwhile, neofunctionalism (usually) helps explain how the structural context of EU decision-making changes and, particularly, how it constrains intergovernmental bargains.

This view is echoed by Pierson (1998), who qualifies LI's image of near-total Member State control yet concedes the 'strong institutional position' of national actors. It might be argued that Pierson's historical institutionalist model truly competes with Moravcsik's LI. Yet, historical institutionalist work on the EU tends to subsume neofunctionalist precepts, while conceding the power of national preferences at the super-systemic level, in a way that highlights the important degree of overlap between the two theories.[19]

Basic differences do exist between the respective teleologies of historical institutionalism and neofunctionalism. Institutionalism's strongest suit is its ability to explain continuity, via the concept of path dependence. Neofunctionalism does a far better job of explaining change, via the concept of spillover. In other words, neofunctionalism continues to generate predictions about both how 'high political' negotiations may be shaped from below by transnational political action, and what the range of issues will be which are negotiated at any given time at the super-systemic level.

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[18] Witness, for example, Moravcsik's refusal in The Choice for Europe to attempt an 'ultimate showdown' with neofunctionalism (Caporaso 1999: 163). Instead of refuting neofunctionalism, Moravcsik (1999a: 175) urges that 'we should dismember it, either appropriating or challenging selective hypotheses'. The portfolio presented in this paper appropriates neofunctionalist hypotheses about the structural context in which intergovernmental bargaining occurs at the super-systemic level.

[19] It is no doubt important to investigate whether and how much institutions matter at the highest political level in EU politics: do they shape and constrain actors' behaviour, regardless of whether they shape actor preferences (or not)? Are 'history-making', grand bargains – especially ones with significant redistributive effects – ad hoc and episodic? Or are they now an 'institutionalised' feature of EU bargaining? I have benefitted from extended and stimulating discussions with Simon Bulmer and Mark Pollack about these issues.

But LI remains our best theory for describing, explaining, and predicting the results of these negotiations.[20]

The broader and more crucial point is that LI and neofunctionalism are mostly compatible theories of super-systemic decision-making. In a fundamental sense, both are theories of international relations, in that they seek to explain how and why sovereign states compete and cooperate. Both theories characterise regional integration as a fundamentally elite-driven process. The context in which intergovernmental bargains are struck may change over time in ways which constrain governments and which are predicted by neofunctionalism. But governments strive to retain control over 'super-systemic' decision-making.

Thus, for example, calls for direct election of the Commission President (Hix 1998a: 35), or even input from the EP in the choice of candidate (Peterson and Bomberg 1999: 40) are just as sensible as they are unlikely to be adopted anytime soon. Following the resignation of the Santer Commission in 1999, the choice of Romano Prodi as its new President was abetted by Prodi's earlier lobbying, which he described as 'campaigning in the most appropriate way for this sort of institutional post...not a campaign among the masses, but one made of contacts with decision-making elites and meetings with executives'.[21] By far the most important cleavages when history-making decisions have to be made are intergovernmental ones.[22]

A recent decision-making episode at this level illustrates even more clearly, perhaps, that the cleavages that usually preoccupy students of comparative politics do not matter much at the super-systemic level. The debate on Agenda 2000, which required settlement before eastern enlargement could proceed, had almost

> nothing to do with the traditional politics of left and right, as some might wish to think. Nor is it about integration vs. national sovereignty, although elements of both complicate the equation. Rather, it is a naked struggle between north and south, a cultural, religious, climatic and geographical divide which threatens to re-emerge and bring the affairs of the EU to a standstill (Peel 1999: 26).

Provided Ireland is considered an honorary southern state, and France is considered to look both ways, the north-south divide appears primary when history-making decisions are confronted in contemporary EU politics. Two interesting by-products are stubborn Spanish intransigence and (unprecedented) accusations that the Germans blatantly used their 1999 Presidency to pursue national ambitions. Still, the decision of the 1999 Berlin summit on a 7-year EU budget, with the Spanish and Germans both giving considerable ground to get a 'deal', validates neofunctionalist

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[20] Arguably, LI is the only genuinely developed, coherent, integrated theory we have of intergovernmental negotiation at the super-systemic level. Many readers of The Choice for Europe may well question the existence of any genuine 'supranational theory' of inter-state bargaining, or 'geopolitical' or 'federalist' theory of national preference formation. Most are likely to agree with Scharpf (1999: 165) that it is difficult to take LI's 'competitors quite as seriously as [Moravcsik] does'.

[21] Quoted in European Voice, 4-10 February 1999.

[22] There is even a plausible case to be made for the argument that the intergovernmental cleavages are the most important determinants of major legal decisions of the ECJ. It is remarkable that the Court has never struck down any directive passed by the Council (see Weiler 1999; see also Garrett 1995).

assumptions. The evolving structural context of the EU constrains national preferences, despite the absence of constraints that could be considered 'institutional'.

The North-South divide was also visible in the first clear case where the European Parliament alone and in a straight vote faced a choice that made history. When the EP voted on its motion of censure against the Commission in January 1999, the anti-Commission vote consisted of British Conservatives, Greens, Liberals, Nordics and – crucially – virtually all German MEPs (in a dramatic reversal of traditional German loyalty to the EU's institutions). The pro-Commission vote united most French and Irish MEPs, and nearly all of the Italians, Greeks, Spaniards and Portuguese delegations. They were joined by most (not all) British Labour MEPs, who reluctantly voted against their own party group's motion after being lobbied fiercely to do so by the Blair government.[23] The key point is that both of the largest party groups – the Socialists and Christian Democrats – basically split along north-south lines.

More generally, the EU remains essentially a system of international relations, as opposed to a polity, at the super-systemic level. As LI teaches, national positions and preferences are derived from domestic political imperatives far more than ideological or geopolitical ones. However, the machinery constructed to cement regional cooperation constrains choices. It may even increasingly narrow the parameters of choice over time, in line with neofunctionalist assumptions.

Systemic decision-making[24]

Traditionally, EU studies have been the domain mostly of international relations (and international economics) scholars. Perhaps it is little wonder that IR theories of EU politics have dominated. As Moravcsik (1992: 6) observes,

> A majority of international relations theorists recommend that the analyst give priority to international explanation and employ theories of domestic politics only as needed to explain anomalies. Yet only a limited set of real-world problems in international relations lend themselves to this sort of analysis.

Until recently, a persistent 'real-world' problem for EU studies has been the lack of a theory of the 'domestic politics' of the European Union, or one which could explain how it worked as a political system (as opposed to a system of 'international relations') in its own right.

At the systemic level, it is usually impossible for any major policy to be 'set' without the agreement of all three of the EU's major legislative institutions: the Council, Commission and EP.[25] Intergovernmental bargaining clearly matters at the systemic level, and plays a crucial part in determining outcomes. However, particularly given the increasing ubiquity of the co-decision procedure, the most important cleavage in most policy debates is increasingly inter-institutional, as opposed to intergovernmental.

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[23] This point was confirmed by presentations by 3 British Socialist MEPs (David Martin, Ken Collins, and Bill Miller) to the 29th Annual UACES Conference, University of Glasgow, 7-9 January 1999.

[24] This section draws heavily on Peterson and Bomberg 1999: 16-21.

[25] Of course, Member States do not hesitate to use litigation to challenge particularly controversial measures, such as the Working Time Directive or ban on cigarette advertising, and thus the 'agreement' of the ECJ is sometimes a further prerequisite.

As such, variants of institutionalist theory usually shed important light on how most policies are set in practice. For example, Garrett and Tsebelis' (1996: 269-70) 'rational choice institutionalism' eschews an exclusive intergovernmentalist focus on the Council of Ministers (see Bueno de Mesquita and Stokman 1996) and is based on the sound logic that '[o]ne can understand the legislative process in Europe only detailed institutional analysis of the interactions among [EU institutions], and in particular the sequencing of decisions'. As Puchala (1999) concludes, the 'historical institutionalism' deployed by Armstrong and Bulmer (1998) offers compelling explanations for 'everyday' decision-making concerning the freeing of the internal market.

Pollack (1997: 101) deploys his own variant of institutionalism, and it bears close study. It allows that 'the functions of supranational institutions may reflect not so much the preferences and intentions of their member state principals but rather the preferences, and autonomous agency, of the supranational institutions themselves'. Interestingly, this model starts with the assumption that the autonomy of the EU's institutions depends primarily on the extent to which they can free themselves from the control of the EU's Member States. As such, Pollack (1997: 101) concludes that in actual policy debates, the EP and ECJ enjoy greater autonomy than the Commission, and thus can be expected to impose a much firmer and independent institutional stamp on outcomes.

To illustrate the point, the dramatic battle of institutions pitting the Commission v. EP – played out in the vote of censure against the Santer Commission– was the endgame of a long, inter-institutional struggle over the setting of the EU's budget. The small majority by which the EP initially voted not to drop its 'nuclear weapon' and sack the entire Commission, and Santer's own hack-handed handling of the affair, effectively destroyed the President's own chances of being re-appointed even before the college resigned en masse. Santer's (1999) subsequent comment stating that he 'unreservedly welcome[d] the Parliament's action as a sign that democracy is coming of age at the European level' beggars belief.[26]

Yet, the introduction of the co-decision procedure, and its extension in the Amsterdam Treaty, has moved the EU measurably closer to being a parliamentary democracy. Where it applies – particularly the internal market -- the EP has fought and won many victories vis-à-vis the Council on matters of policy detail. The result has often been to make EU policy more consumer- or environment-friendly (see Peterson and Bomberg 1999). But the perceived need amongst MEPs to defend and extend the EP's own institutional prerogatives carries enormous weight given that the EP maximises its influence under co-decision only when it collectively judges how far it can push the Council. Institutional cleavages usually rule, often trumping intergovernmental ones.

That does not mean that other cleavages do not matter. The European Parliament usually splits along party group lines in key votes (see Brzinski 1995). Yet, party group cohesion – although far higher than in, say, the US Congress – remains lower than in most national European parliaments. Moreover, those who argue for integrating a 'left-right dimension' into EU politics and policy-making would, logically, point to the EP as a primary forum for battles in which such a split is visible. Their case is certainly weakened by a quick scan of the manifestos of the three largest EP political groups (the Socialists, Christian Democrats and Liberals) in advance of the 1999 EP elections. All

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[26] Previously, Santer had publically expressed his interest in re-appointment (see Peterson 1999: 61).

predictably cite unemployment as Europe's most urgent problem. All favour the Euro, reform of national tax and pension systems, greater transparency in EU decision-making, CAP and structural funds reform, and a stronger Common Foreign and Security Policy.[27] Above all, all demand that further powers be transferred to the EP in the name of 'European democracy'.

The lack of any clear left-right dimension in EU politics, even where it would – intuitively – be strongest is further manifest in differences within party groups than are sharper than differences between them. Witness, for example, the divide separating French and German Socialists on one hand and British Socialists on the other. The former tend to be fiercely pro-European and sceptical about liberal economic policy solutions. British Labour MEPs are often more pro-market than pro-EU. The solution, as so often in EU politics, is highest common rhetoric and lowest common substance (Edwards and Wiesalla 1998: 2). Witness the Party of European Socialists' (PES) manifesto pledge during the 1999 EP election campaign to say 'yes to a market economy but no to a market society'.

The point is that it is at the systemic level that the many different cleavages to which EU politics give rise tend to intersect. At this level, the EU's institutions usually provide order and aggregation. Take, for example, the persistent pro- v. anti-integrationist cleavage. Institutionalist theory helps explain why the setting of precedents is so fiercely contested at the EU's systemic level. At the heart of most NI analyses is the concept of 'path dependency', or the notion that '[o]nce an historical choice is made, it both precludes and facilitates others. Political change follows a branching model. Once a particular fork is chosen, it is very difficult to get back on the rejected path' (Krasner 1984: 225). Since the EU's Treaties are so vague, everyday policy-making becomes a forum for inter-institutional bickering about which institution should have competence to do what. For example, the first few years of the existence of the Common Foreign and Security Policy (CFSP) featured almost daily squabbles about whether EU joint actions should be funded from the Union's central budget or from ad hoc intergovernmental contributions (see Peterson 1998: 6-7). 'Integrationists' – Italy, the Benelux states – generally favoured the former; anti-integrationists – primarily the UK – the latter. But the battle became, in key respects, an inter-institutional one between the Council (particularly its General Secretariat) fighting against 'central budget creep', with the Commission and EP regaling against the hamstringing of the CFSP by 'petty' disputes about who should pay for what.

Path dependency in actual policy outcomes is a product of the need for agreement in EU politics between so many different institutions and decision-makers, including many beyond Brussels or Strasbourg. A common result is that it becomes achingly difficult to 'set' policy in the first place. Yet, sometimes it seems even harder to change policy, even when it has outlived its usefulness.

Changing the EU's institutions seems harder still: unanimity is required at the super-systemic level for most major institutional changes. However, the frequency of Treaty reforms in the past 15 years reveals that, paradoxically, it is often easier to alter the EU's institutions at the super-systemic level than to alter EU policy at the systemic

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[27] One MEP suggested that if the covers of the three manifestos were swapped, a lot of members would not be able to tell the difference. See European Voice, 28 January-3 February 1999, p.10.

level. In most policy sectors, the EU continues to trundle along on a well-trod policy path. Policy sectors are highly compartmentalised, with each having its own 'dedicated' Council, Commissioner, Directorate-General and EP Committee. The EU seems a classic case of a 'differentiated polity', or one 'characterized by functional and institutional specialization and the fragmentation of policies and politics' (Rhodes 1997: 7). Part of the explanation for EU policies that persist little or unchanged is that political institutions are 'sticky', and tend to change more slowly than governments or the preferences of policy-makers. As such, transforming stubbornly-entrenched policies may be easier through 'grand bargains' to alter institutions at the super-systemic level than by persuasion in policy debates at the systemic level (see Peterson and Bomberg 1999: 257-61).

Are there competing alternatives to institutionalist theories of systemic decision-making? Bueno de Mesquita and Stokman (1994: 67) apply a series of formal mathematic models to systemic decision-making which, they claim, are 'as simple as possible and as complex as necessary'. Yet, while these models appear to have considerable predictive power, they rely on a radical disfigurement of the EU's policy process: for example, the EP is assigned no weight at all in determining the 1989 auto emissions directive (see Peterson and Bomberg 1999: 190-1). Sandholtz and Stone Sweet's (1998) model of 'supranational governance' is, in many respects, a 'fresh theory' of how the EU sets policy. But it explains outcomes in some sectors far better than in others (see Puchala 1999) and in any event relies heavily on precepts borrowed from institutionalist theory (see Sandholtz and Stone Sweet 1998: 16-24). Golub's (1996) case study of the 1994 packaging waste directive gives considerable succor to advocates of a intergovernmentalist or 'state-centric' model of systemic decision-making. However, the outcome of the directive seems equally amenable to explanation using other models (see Peterson and Bomberg 1999: 196-7). In any event, we lack any fully-developed 'state-centric' model of EU policy-setting.

Arguably, we also lack a fully developed institutionalist theory of systemic decision-making. What institutionalism really offers is a set of assumptions or a 'method for deriving analytical insights' (Armstrong and Bulmer 1998: 61), rather than a proper theory. Yet, the EU clearly has evolved into a system characterised by a continuous set of pitched battles for institutional ascendance, particularly at the systemic level. Developing institutionalist theories is our most promising avenue to making sense of this level of governance.[28]

Sub-systemic decision-making
The dramatic events of early 1999 in Brussels – culminating in the mass resignation of the Commission – illustrated one point above all others: the EU is an extremely protean system at its deepest recesses. The appointment of a 'caretaker Commission' to keep EU

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[28] The rationale is not only because the inter-institutional cleavage is most pronounced at this level of decision-making. Following Torreblanca (1998: 135-6), synthesising rational choice and historical institutionalist models seems to offer considerable scope for 'extremely fruitful results' at a level of governance where different kinds of cleavage (i.e. intergovernmental and left-right) often intersect. These approaches also have the virtues of 'ask[ing] questions about actors and institutions which cut across international relations and comparative politics' (Torreblanca 1998: 135) at a level of decision-making where explanations usually must span the gap between these two kinds of approaches.

business from grinding to a halt altogether precluded the tabling of any new major legislation until a new Commission under Prodi could be nominated and confirmed. However, even in normal times the Commission's formal monopoly over the EU's legislative agenda is only a formal one. In fact, it is a resource which the Commission may use in bargaining over the shape and content of the EU's legislative agenda. Like most everything else in EU governance, the Union's legislative agenda is negotiated between an extremely diverse collection of policy stake-holders (see Zito 1995; Peterson and Bomberg 1999).

Clearly, a significant gap -- in terms of rationality, dominant actors, etc. – separates the systemic ('political') and sub-systemic ('technical') levels of EU decision-making. However, our knowledge of the murky depths of EU decision-making is limited. Patterns of influence are usually less clear and more variable than at other levels of decision-making. We lack 'hard sources' of the kind that Moravcsik (1998) admirably deploys in his study of history-making decisions: the sub-systemic level generates far fewer public documents (i.e Presidency Conclusions, ECJ legal judgments, or published Council votes) which give researchers a window into decision-making at other levels. Researchers usually must rely on some combination of personal interviews and/or participant observation.

Moreover, the range of conceptual tools available to scholars trying to make sense of sub-systemic decision-making is rather narrow. Obviously, we encounter different forms of bureaucratic politics (see Peters 1992), but still lack a developed, causal model of this genre which can explain outcomes. The diversity of stakeholders and complexity of EU bargaining diminishes the relevance of rational actor models: it is often impossible for actors to stockpile all the necessary information, process it in real time, and accurately calculate the probabilities for different likely outcomes in a process of policy-shaping that is often highly unpredictable. At the other end of theoretical spectrum, there may be mileage in applying the classic 'garbage can' model of decision-making at the EU level (Cohen et al 1972). In the EU more than most other systems, 'preferences are unstable and uncertain and the decision that something needs to be done often creates the preferences rather than vice versa' (Peters 1996: 70; see also Richardson 1996). But this logic is far more visible in some policy sectors (consumer policy) than others (agriculture).

If there is any consensus in the literature about how best to approach the EU's sub-systemic level, it is by deploying the concept of 'policy networks', whether as a purely descriptive tool (see Marks 1996; Pollack 1997) or as an explanatory model (see Pfetsch 1998; Peterson and Bomberg 1999). Borrowing from the extensive public policy and administration literature on network forms of governance, we can define policy networks as:

> structures of interdependence involving multiple organizations or parts thereof, where one unit is not merely the formal subordinate of the others in some larger hierarchical arrangement. [They] exhibit some structural stability but extend beyond formally established linkages and policy-legitimated ties. The notion of [policy] network excludes mere formal hierarchies and perfect markets, but it includes a very wide range of structures in between (O'Toole 1997: 45).

We remain at a relatively early stage in the development of an adequately theorised model of policy networks.[29] However, the literature on EU policy networks is maturing to the point where has begun to yield clear, testable hypotheses (see Jönsson et al 1998: 332-5), including:

- The more that the Council decides by qualified majority in any sector, the more important to outcomes will be sub-systemic level bargaining within policy networks.
- The 'newer' the EU's competence in any sector, the 'less insular and more permeable' are corresponding policy networks (Jönsson et al 1998: 333).
- The more non-EU actors must be engaged in negotiations in any policy sector, the more important the role of the Commission as 'ring-leader' of corresponding policy networks (see also Moravcsik 1999b).
- 'The more a network is knowledge-based and the less it rests on asymmetrical resource dependencies, the great the likelihood of non-conflictual negotiations' (Jönsson et al 1998: 335).

The ubiquity of networks at the EU's sub-systemic level primarily arises from four factors. First, the EU generally lacks hierarchy. It has no government and no opposition. The policy agenda itself is subject to negotiation since the EU lacks any political programme, such as a manifesto, 'Queen's speech', etc. Policy formulation is a process of bargaining between a diverse collection of actors within networks.

Second, the EU continues to lack formal institutions which can adequately 'manag[e] the policy dialogue' (Wallace 1997: 10). The EU depends fundamentally on its ability to forge consensus between an extremely wide variety of decision-makers before policies may be 'set'. Winning coalitions in EU governance are usually 'cross-cutting', particularly 'across national governments, the European Commission, the European Parliament and interest groups' (Torreblanca 1998: 148). Yet, most set piece occasions in EU decision-making -- meetings of the Council of Ministers, the EP's plenary sessions, 'conciliation committees' to settle Council-EP disputes -- do not permit much meaningful bargaining to take place. Instead, they

> tend to be formal and structured. Partly because of this they are often, in themselves, not very well equipped to produce the training, the concessions, and the compromises that are so often necessary to build majorities, create agreements, and further progress. As a result they have come to be supported by a vast network of informal and unstructured channels between EU actors (Nugent 1994: 298).

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[29] A step forward in this context is Moravcsik's (1999b: 283) notion of 'two-level networks', which hypothesises that successful supranational entrepreneurship results from the 'superior ability' of supranational actors 'to coordinate and manipulate information and ideas held by domestic social groups and government officials' (emphasis in original), 'and thus aggregate interests. Some caveats, however, are in order. First, Moravcsik remains primarily concerned with history-making decisions. Second, Moravcsik (1999b: 301) assumes that transactions costs are uniformly low in EU negotiations, when the evidence is that they are often very high in sub-systemic level. Third, Moravcsik (1999b: 302) curiously assumes 'greater hierarchy in everyday decision making' than at other levels of EU governance, when the evidence suggests that the EU's policy agenda is relatively open, usually negotiated and rarely controllable by any actor or set of them.

Third, the EU is a radically differentiated polity at the sub-systemic level. High 'fire walls' exist between finely-divided and often hermetic policy sectors. The Commission's services are sub-divided into narrower policy fields than are most national administrations.[30] Yet its formal rules of procedure require more inter-agency coordination than occurs in most national systems. Take, for example, the 1994 directive on packaging waste, which harmonised national policies on waste management of product packaging: no less than 16 different DGs were involved in formulating the proposal.[31] Thus the EU policy process cannot even start until agreement has been negotiated within a cluster of networked organizational units.

Fourth, in the EU more than most other systems of governance, implementation is, in practice, negotiated within policy networks. The EU's main legislative tool is the directive, which specifies policy goals but not means. As such, the actual content and impact of most legislation is determined to a considerable extent in exchanges between various types of official (national and supranational), together with interested groups and lobbyists, after the EU itself legislates. National administrations thus have incentives to engage with private actors, who 'have to be drawn into the policy networks because they provide necessary expertise and because effective implementation depends on their support' (Kohler-Koch 1997: 49). In other words, the EU seems reliant – perhaps uniquely -- on governance by networks both at the beginning and end of its policy process.

At first glance, the EU appears to foster mostly crowded, densely-populated policy networks. The EU is a massive polity that incorporates 15 sovereign Member States, 11 languages, 370 million citizens and a diverse range of political, administrative and economic traditions. As such, despite exceptions, most EU networks appear to be loosely-constituted equivalents of Heclo's (1978) 'issue networks'. Their structures and membership seem to vary each time a new issue arises on the policy agenda. Dominant coalitions do not seem to remain dominant in many sectors for very long. Most EU policy networks appear capable of collective action only with great difficulty.

Yet, in fact we encounter enormous variety between networks in different policy sectors, and sometimes even within them. For example, the birth of the Euro and expanded role of the EU in macroeconomic policy coordination has given rise to a diverse policy network. Key members include national treasury officials, central bankers, two Commissioners and their cabinets, and the Commission's DG II (Economic and Financial Affairs). Yet, the 'Euro-11' version of the Council, which brings together only representatives of states within the Euro-zone, has already spawned a far more integrated sub-group, or 'policy community'. The contrast between the two may be appreciated from number of individuals in the room when the different Councils, which sit at the apex of each network, meet: the Euro-11 Council meets with only 22 people in the room

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[30] For example, the Commission has 'dedicated' DGs (or 'service') for Fisheries (DG XIV), small firms (DG XXIII) and separate services for economic (DG I) and political (DG 1A) external affairs.

[31] In the interest of encouraging less combative exchanges between DGs, most of which operate dogmatic 'anti-poaching' policies in their policy domaines, the Santer Commission instituted formal exchanges within the equivalent of cabinet sub-committees ('Groupes des Commissaires') as well as aptly named 'networks' of managers of DGs ('réseaux de Directeurs-Generales').

(minister plus 1 advisor), whereas ECOFIN (the Economic and Financial Council) is a gaggle of at least 100.

If there is a single, most important variable in determining collective action within policy networks, it is trust (see Hindmoor 1998). Even very loosely constituted issue networks can achieve collective action if there is high degree of trust amongst members. Lacking either hierarchies or a 'free market' for policy ideas in most sectors, transactions costs at the EU level are often high enough to threaten open exchange. But trust – especially fostered by repeated, iterated bargaining -- facilitates exchange.

More specifically, relatively high levels of trust are an important 'glue' which binds together 'advocacy coalitions' of like-minded actors with specific political purposes. Members of advocacy coalitions share 'core policy beliefs', and are likely to be capable of effective political action when their members interact repeatedly, exchange information easily, and unite in support of policies which will treat them fairly, if not all equally (Sabatier 1998: 116). It is clear that such coalitions are active in Brussels and that they compete to control EU policy networks.[32] For example, rarely-noticed and frequently important factors in policy debates are the political loyalties of (ostensibly) apolitical officials in the EU's institutions. Hooghe (1998: 5) notes that 'Commission officials take sides in struggles between "Euro-Marketeers" and "Euro-Socialists"', with the former supporting the EU as a neoliberal project and the latter seeking a distinct brand of 'European regulated capital'.

Such broad orientations may become a source of cleavages in sub-systemic decision-making. Take, for example, the behind-the-scenes machinations at the sub-systemic level that preceded the (failed) January 1999 EP vote of censure of the Commission for its handling of the Community's budget.[33] The bitter battle between the two largest Parliamentary groups, the PES and European People's Party (the EPP, a collection of Christian Democratic parties), was a highly unusual departure from their traditionally cosy, even incestuous relations with another (which, in normal times, cast doubt on the salience of the 'left-right' cleavage in EU politics) . The tabling of the motion by the PES was clearly intended to call the bluff of the Christian Democrats who (along with the Greens and Liberals) had refused to sign off on the Community's budget. It also sought to embarrass the (Christian Democrat) Commission President, Jacques Santer, who had cried 'back me or sack me' in response to claims of budgetary mismanagement by his Commission.

When the EPP swung behind the Liberal group's calls for the resignation of Commissioners Manuel Marín and Edith Cresson (both Socialists), the Socialists threatened to vote to sack the entire Commission if these two Socialists were singled out. Both the PES and EPP came away less-than-flattered by the scrap, and were 'saved' only by the extremely hard-hitting nature of the report of independent experts which provoked the Santer Commission's resignation. Besides the Liberals, the one group which seemed to gain the most was the Greens, who took a hard-line against fraud and were the conduit (via Green MEP Magda Aelvoet) for the publication of a leaked (and highly damaging)

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[32] On the analytical distinction between policy networks and advocacy coalitions, see Peterson 1995.

[33] I have benefitted from numerous discussions on this episode in EU decision-making with David Martin Member and Vice-President of the EP.

Commission dossier which catalogued irregularities in a range of EU programmes. Interestingly, in a sign of the salience of advocacy coalitions at the sub-systemic level, the Commission official responsible for leaking the dossier, Paul van Buitenen, was himself a card-carrying Green.[34] The point is that beneath the surface, bargaining between advocacy coalitions was an important determinant of the result of the EP's vote.

When a 'policy decision' point approaches, but clashes between rival advocacy coalitions causes impasse, the EU's natural propensity is to depoliticise issues and 'push' them back to the sub-systemic level for quiet resolution. A common ploy is to create purpose-built committees of members that have credibility with policy stake-holders and can coax collective action. A good example was the committee of independent experts created by the EP to settle its internal dispute over mismanagement within the Commission. Often, such committees – including the committee of independent 'nepotism-busters' -- are charged with designing new procedures for dealing with future conflicts, preferably by de-politicising them.

Yet, 'de-politicising' the sort of emotive issues – food safety, environmental protection, etc. -- that the EU increasingly embraces is rarely easy. Take, for example, the proposal of Emma Bonino, the Commissioner for consumer policy, for the creation of a special group of Commission officials (drawn from DGs XXIV (consumer policy), XI (environment), and I (external economic relations)) to establish new procedures for addressing public health concerns about specific consumer products. Bonino's plan followed in the wake of the Commission's refusal to consider a ban – backed by Bonino -- on the use of phthalates (a potentially harmful softening agent) in children's toys. Afterwards, groups such as Greenpeace bitterly complained that, 'No action is going to be taken until there are corpses on the table. The Commission is politically bankrupt in terms of consumer protection'.[35] Yet, Bonino's plan for a special group of Commission officials to design new procedures was itself attacked by the Toy Industries of Europe, which huffed, 'the Commission should have more scientists in scientific committees than at the moment'.[36]

Sometimes, however, depoliticisation works. Take the flap over accusations in 1996 that Israel was violating rules governing its EU Association Agreement by re-exporting Brazilian orange juice to the EU. At a time when the EU was seeking fervently to upgrade its role in the Middle East Peace Process (with the US distracted by a Presidential election), the Union wished to be assertive with Israel but without provoking a political row. The solution was to issue a detailed warning to the Israelis, but to

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[34] It is worth noting, first, that Van Buitenan reportedly tried to leak the report to the PES in the first instance but was rebuffed by the Socialist Group. He later expressed regret that he had then approached the Greens. Second, Van Buitnenan's reputation within the Commission (especially DG XX, Financial Control) was one of a (literally) religious zealot, who claimed he had acted 'as a loyal official and a Christian' in leaking the dossier (quoted in European Voice, 21-27 January 1999).

[35] Axel Singhofen of Greenpeace, quoted in Financial Times, 2 July 1998.

[36] Maurits Bruggink, Secretary of the Toy Industries of Europe, quoted in European Voice, 28 January-3 February 1999.

earmark the issue as a 'technical' one. The row was then settled at the official level within the EU-Israel Cooperation Committee (see Gomez 1999: 187-8).[37]

The EU's affinity for depoliticising issues by delegating responsibility for them to policy networks has theoretical implications. It may well be that most issues – even ones subject to 'everyday' decision-making -- are placed on the EU's policy agenda via the demands of its Member States, responding to domestic economic pressures (Moravcsik 1998). It is also plausible to suggest that '[t]here are simply no non-political issues in relations amongst states' (Puchala 1972: 274). As such, ministers frequently concern themselves with details which they would leave to 'experts' at the national level. Clearly, however, the relegation of controversial issues to discreet, technocratic sub-systemic bargaining within policy networks is an important way to keep EU active, forward-moving and free of the many shackles (i.e. multiple veto points, dispersed legislative powers, lack of resources) which encourage inertia.

More generally, what happens in between the time it is determined that the EU must take action and the time it actually does take action? In most cases, the parameters for EU action are narrowed significantly in negotiations between policy specialists – primarily national and EU officials and lobbyists – who seek to shape policy options in the interests of their sector. When we can identify the key players in different EU policy networks, assess their relative stability and permeability, and map patterns of resource dependence, we should be able to go a long way towards predicting EU policy outcomes. Few would deny that policy network analysis is 'an indispensable part of any political scientist's toolkit' (Rhodes et al 1996: 385) for reclaiming EU sub-systemic decision-making from the darkness.[38]

Conclusion
The central argument of this paper is that the first step in theorising about EU governance is to choose precisely what it is that we are seeking to explain. Otherwise, we risk over-stretching the explanatory potential of middle-range theories, particularly as the EU resists (perhaps uniquely) 'meta-theorising'. We also end up fighting phony wars with advocates of 'rival' theories, when different theories are often 'pitched' at different levels of analysis and thus are ostensibly seeking to explain different outcomes.

A second step is to try to develop causal links between outcomes at different levels of governance. To do so, we need to go beyond initial choices about what is

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[37] See also Torreblanca's (1998: 143) exhaustively-researched case study of the negotiations of EU Association Agreements with Poland, Hungary and Czechosolovokia, in which the highly sensitive issue of Agreements' implications for the Spanish steel industry was defused by delegating to the Commission and COREPER. The result was 'no winners and losers and there was no political visibility. Thus subterfuge had averted politicisation'.

[38] Consider, for example, the EP-sanctioned Independent Committee of Expert's investigation into fraud, nepotism, etc. Its investigation of the 'Med' programmes (to promote cooperation with Mediterranean countries) found 'a network of firms controlling the implementation of a policy, which was set up by external consultants on the initiative of the Commission' (EP 1999: 39), and to which the Commission had effectively delegated its executive power. In the case of the Leonardo programme (to promote pan-European educational exchanges), a consultant was paid 2677 ECU per day as a consultant for his 'networking know-how' (EP 1999: 75).

important to explain, and make linkages between explanations at different levels of analysis. The goal would be a synthesis of the insights that emerge from different theoretical models. Surely, seeking this kind of synthesis is more productive than continuing to fight 'phony' theoretical wars. Creating it would advance our understanding of the EU and help us escape from what Caporaso (1999: 161) calls our 'self-constructed theoretical ghetto'.[39]

This paper offers no such synthesis, but it does propose alternative paths towards establishing one. One involves specifying the conditions which allow successful advocacy coalitions to shift the EU's policy agenda from the 'bottom-up'. Two fundamental features of EU governance now seem well-established. First, the role of ideas – especially new, experimental, potentially innovative ones -- matters more in EU governance than in other more established and less experimental systems (see Cram 1997). Second, that the EU's agenda is unusually open, given the existence of 'a number of points of access, of a large number of influential policy advocates, and of a wide range of policy options that have been legitimated in one or more of the constituent political systems' (Peters 1996: 62). These factors were clearly crucial in, say, the successful effort by a coalition of Commission officials, Socialist party activists and trades unions to convince Member States to accept (first) the Social Charter and (then) the Maastricht Treaty's social protocol to 'flank' the 1992 project. A similar story can be told about the effort by an advocacy coalition of environmentalists to push for the Treaty revisions that transformed the EU from a purely economic union with no mention of environmental protection to the main regulator of environmental protection in Europe. The point is that we need theory which can generate testable hypotheses about how and why coalitions can effectively transform EU governance by transcending not only national divisions but also levels of EU governance (see, in this context, Moravcsik 1999b).

Second, shifting to a 'top-down' perspective, we need to investigate how and how much history-making decisions transform sub-systemic decision-making. Take, for example, the gradual embrace of co-decision to the point where it has become something like the template decision rule in EU governance. The effect has been to grant MEPs – especially committee chairs and rapporteurs on specific policy initiatives – membership cards to policy networks which preside over sectors where co-decision applies. Both the Commission and Council are clearly more engaged with MEPs in pre-legislative, sub-systemic bargaining than was the case before 1993.

Still, most policy networks are, by nature, technocratic, exclusive and jealous of their grip on the policy agenda (see Rhodes 1997: 9-10). They thus tend to be a force for continuity more than change. We need cases that test the extent to which EU policy networks may be controlled 'from above', especially when governments put their minds to doing so.

A third, final and related avenue of investigation concerns the possibility that the EU 'strengthens the state'. We may be able to agree, as sub-discipline, that the EU is a

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[39] This effort might seek to replicate the 'emerging synthesis' of international, American and comparative politics approaches that is characteristic of recent scholarship on globalisation and international political economy (Milner 1998). Moravcsik (1999b: 271) moves in this direction by drawing on 'bargaining theory and theories of comparative and American politics', while Caporaso (1999: 161) similarly urges a synthesis of approaches from 'international relations, comparative politics, and political economy'. Revealingly, neither seems very concerned to integrate policy analysis.

unique form of 'multi-level governance' with a complex separation of powers: between its Member States and institutions, between its institutions, and between levels of governance. One thesis is that the EU constitutes a kind of hyper-Madisonianism which dilutes the power of most types of coalitions (or 'factions' to use Madison's term) because they are unable to coordinate their activities across levels of governance. Yet, there is one kind of actor which is powerful at all levels: the EU's Member States and their representatives (see Grande 1996). The EU may well strengthen the state, even at the deepest recesses of sub-systemic governance.

It does not follow, however, that intergovernmentalism qualifies as an adequate 'meta-theory' of EU governance. Intergovernmentalist theory tends to assume monolithic state interests, but does not specify how national agents are mobilised or coordinated between institutions or levels of governance. We have anecdotal evidence to suggest that some Member States (particularly France) are skilled at mobilising their nationals to pursue collective action not only at different levels of governance, but also within the EU's institutions. The frequent nationally partisan affiliation of Commissioners and their cabinets is no longer much-disputed, and occasionally is laid bare for all to see.[40] Yet, liberal intergovernmentalism assumes a rigid dichotomy between the interests and behaviour of EU Member States and the EU's institutions. As such LI tells us both more and less than we might expect when we apply it to 'everyday' EU decision-making.

Ultimately, we have little concrete evidence to suggest that intergovernmentalism explains or predicts outcomes of anything besides history-making decisions. Moravcsik's (1998) Choice for Europe is an instant classic in that it does a better job of explaining the high politics of EU decision-making than any other recent work. But its focus is decidedly not on the everyday practice of agreeing EU policy: it is on the grand bargains that do not occur everyday.[41] Understanding less dramatic EU policy outcomes means engaging in policy analysis: the 'activity of creating knowledge of and in the policy-making process...investigat(ing) the causes, consequences and performance of public policies and programmes' (Dunn 1994: 1). Until we have far more theory-based investigations of actual policy, there is an awful lot about EU governance that will remain only dimly understood.

As a final point, the sad passing in the past year of Susan Strange – a perceptive student of EU governance – should remind us to reflect, as she did incessantly in her work, about the relationship between the theoretical and the empirical. Theory can be a guide to framing an investigation (see Strange 1988; 1998), but theory must always be based on 'something concrete' and developed 'on the basis of something real that [we] know intimately' (Cox 1999: 3). As a sub-discipline, EU studies often seems to generate

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[40] Witness, for example, the claim by members of the Blair government that 'our (British) Commissioners are blameless' following the publications of the independent experts report and collective resignation of the Santer Commission in March 1999. See Cook and Blair quotes in Financial Times, 18 and 20-21 March 1999.

[41] Confusingly, in stressing the virtues of his own book's (impressive) methodological rigour, Moravcsik (1998: 81) asserts that 'nearly all studies of EC policy-making...rely almost exclusively on evidence drawn from secondary and soft primary sources to support controversial attributions of cause or motivation'. Whether or not the assertion is true, it is difficult to see how The Choice for Europe qualifies as a study of 'EC policy-making', as opposed to 'polity-building'.

more theory than detailed case studies. We need more actual testing of theory, probably less abstract theorising, and certainly more cases that generate genuine data. The problem, of course, is that data about EU governance are difficult to gather. Furthermore, 'data are inconvenient. They interfere with one's theory' (Heinz et al 1993: xiii). But we need more actual data as grist for our theoretical mills.

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