

Freedom of Manoeuvre in the EU



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Abstract

This research try's to find out in which way freedom of manoeuvre in the European Union is influenced by the average salience in a particular issue and the restrictiveness of a policy. Freedom of manoeuvre means the freedom a member state has to adapt a policy to the national context. The average salience is the importance given to a policy by the member states. We found enough support to conclude that there is a relation between the restrictiveness of a policy and the amount of freedom given to a member state and a relation between the restrictiveness of a policy and the amount of salience added to the policy.

1. Introduction

The European Union is a large supranational organization that at this moment consists of 27 member states. The European Union in its current form was founded in 1993 with the 'convention of Maastricht'. However, different components of the European Union already existed before its founding in its predecessors.

The EU consists of several institutions that participate in the legislative process, which are the European Parliament, The Council of the EU and the European Commission. The European Commission is the daily management of the EU, the 'government' one might say. It executes laws, is the representative of the EU and also possesses the power to submit proposals for legislations.

The European Parliament is the representative of the people. It consists of 785 chosen members who have as main occupation to control the European Commission. In addition, they can also to submit enactments. The member states form an intriguing category, because they both depute the members of the Council of the EU, but they also form the countries that have to implement policies that that same Council helps to form. This could lead to mixed interests, because the member states might have a positive gesture towards the EU, but at the same time don't want too much interference because they have a skeptical rank and file to satisfy.

The EU is the subject of much controversy in the past decades. Opinions differ severely about the size that is desirable for the union and about the competencies that it should have. The Dutch referendum about the European constitution worked as a motive for the

debate about the European Union to really emerge as the polemic monster it is. Tired and perhaps a bit cynical from the arguments from both protagonist and antagonists, the public decided on the 1st of June 2005 to vote against the constitution and the national government decided, after France didn't ratify 3 days earlier, to not ratify the first draft of the European constitution.

The question is why the Dutch didn't or the French wanted a European constitution. The main reason was that every country has its own culture. Each country has different ways to form policies and different ways to interpret these policies. So why should we accept policies from a giant bureaucratic government like the European Union when a certain policy is not made to measure. Why should we accept that an Italian or a Frenchman decides what is good for us? The problem is that we don't know in which way a member state has a certain freedom in which way it wants to implement a policy and which conditions are responsible for this freedom if its there. Research towards this question would give a lot of answers to citizen which are doubtful towards the European constitution and would help national governments to decide whether a European constitution would affect the independence of a national government and a national culture. So, to link this social aspects to our research question: we believe that the legitimacy of the European Union for one lies in the freedom it grants to member states, so each country can take into account their own specific culture and doesn't have to let the EU undermine their national values. With the term 'freedom of manoeuvre' we refer to the idea that a member state has a say in a part of the implementation process. It doesn't, for example, blindly has to follow instructions concerning a policy, but it may choose itself in which way a policy is implemented. In this research we will systematically map the freedom that is granted to the member states and take a close look at the conditions that affect the level of the freedom that is granted. If the freedom of manoeuvre differs among policies for various reasons, the general impression of the EU might change for both member states and their inhabitants. Perhaps if the populations of the member states knew about this freedom that is granted to their national governments, and if they knew that this freedom warrants the national identity and preserves the cultural identity of member states, they would have voted differently on the 1st of June.

Put differently, perhaps the mainstream view of the EU as a rigid bureaucratic and tightly commanding institution would alter.

Now that we've stated that we're going to look at freedom of manoeuvre, the question that logically comes in mind is what factors influence this freedom of manoeuvre. After all, you can't start describing and mapping a concept before you have substantially explained what factors have an influence on this. We have chosen two main points of interest concerning the variance in the freedom of manoeuvre that is granted to member states. We're going to look at both 'saliency' and the 'type of policy' as factors that influence variation in freedom of manoeuvre. The concept of saliency describes the importance member states grant to particular issues. This has nothing to do with their political preferences (liberal or conservative, etc), but quite simply how important they perceive the issue is. It isn't hard to imagine that a country that thrives on a flourishing agriculture, grants more importance to policies that concern agricultural allowances than, for instance, policies that concern immigration. All the member states have these kinds of preferences for certain policies about certain subjects. We believe that the average saliency on a certain policy affects the level of freedom of manoeuvre that is granted. Besides from 'saliency', we're also looking at the different kind of policies that the EU discusses. Some policies are more restrictive than others. There are, for example, policies that merely outline some guidelines. Also, there are policies that are as strict as laws; they leave little room for interpretation. We think that these differences between policy types have an influence on the freedom of manoeuvre that is granted.

Last, but not least, we believe that there also exists an interaction effect between saliency and the different policy types. It could be the case that if saliency is higher, the effect between policy types and freedom of manoeuvre alters. The explanation could be that when member states grant a policy a lot of 'importance' (saliency), it matters less how restrictive a policy is, because they will grant more freedom anyway because they want their countries to have some control during the implementation process.

All these considerations find their place in a more formalised research question:

In which way is freedom of manoeuvre influenced by the average saliency in a particular issue and the restrictiveness of a policy type.

In the following section we are going to take a look at the most prestigious literature that exists about 'freedom of manoeuvre'. We will take a look at specific EU related articles, but also give an outline at a more general theoretical level.

2. Literature review on freedom of manoeuvre

2.1 Freedom of Manoeuvre

A good way to try to explain freedom of manoeuvre is by the principal-agent theory. The principal-agent is tributary to the work of Weber, the classic sociologist, who first introduced the concept of 'new institutionalism' that focuses on the way the principal and the agent interact and on the way they affect society. The principal-agent theory argues in a quite similar manner; it also looks at the institutions as actors and at the way they interact.

The principal-agent theory, put simply, looks at the way in which a principal (for reasons we will describe below) delegates authority to an agent, and in what way the agent deals with this new found authority (for reasons we'll also describe below). The theory has evolved, and keeps on doing so, from a very simple explanatory line of thought, to a mature theory. The sociological view is the view that is most extensive, also incorporating aspects of culture, and showing a better understanding of situations with multiple agents and multiple principals. (Kiser, 1999). Seeing as this is not our main interest here, we limit ourselves to the preceding remark.

Before we continue to explain the theory, we will give a very general example of the theory, just to show how broadly applicable it is and how it elegantly describes and explains the actions of the principal and the agent. Consider for example, the case of a car dealer and a customer. The customer wants to buy a new car. He wants, for understandable reasons, to resolve his problem, of buying this new car but he lacks the knowledge to do so (this is one reason for delegation of power; the absence of knowledge), so he delegates some of his control to the car dealer (the agent in this case), who will give the customer some suggestions of which car he should buy. The car dealer has a certain power because he can give a good suggestion or he can try to get rid of a used damaged car (Akerlof,

1970). In this example, the principal doesn't withhold any information that is relevant to the agent, and the agent in his turn has as only interest the wellbeing of the principal. Not surprisingly, the truth is less fairytale-like. For example, the principal will not always be able to 'bear' the costs that involve the monitoring of the agent. To return to our example: the agent lacks the knowledge to know if the principal is making reasonable decisions (Jost, 1996). The principal knows this, and therefore can, if he chooses to, abuse his power over the principal, or simply be lazy, make easy decisions and choose the way of the least resilience. In the literature, this phenomenon is called 'asymmetry of information'. Another outcome of this dilemma is, because the principal's knowledge of the power of the agent, he doesn't tell the whole story, to protect his control. In our example this would mean that the customer doesn't tell the car dealer all of his needs, or lies about other subjects, to not grant the car dealer total control over which cars are on the buyers list.

Analogous to this dilemma of both the actors, there also is the issue of the information flow, not in the normative terms as described above, but more in quantitative terms. To use our thesis again, the customer and the car dealer probably only have one meeting, which makes it practically impossible for the customer (the principal) to monitor the behaviour of the car dealer (the agent) in the exact way that he wants (Brock, 1996). In this case, we logically assume that the interest of the agent and the principal by and large overlap (the best car for the customer). However, in other cases, the principals and agents may have very different interests, which leads to less information shared, and leads to a more problematic interaction.

2.2 Principals and Agents in the political context

One of the major authors on the subject that we like to discuss are David Epstein and O'Halloran (1994), who have written a lot about the principal-agent theory in the context of American politics. In one of their articles they describe the dilemma that is the cause of the whole principal-agent theory: The principal, in this case a policymaker, has to choose between whether or not to grant a lot of freedom. When he decides to grant a lot of freedom the agent (the implementer) can react when circumstances change and can keep the actions 'up-to-date', because the agent doesn't have to ask permission when

action is needed. Also, the agent withholds information from the field, which the principal isn't aware of. Giving a certain degree of freedom will allow the agent to take use this information when action is needed and therefore better decisions will be made. A disadvantage of this approach is that the actions has to be described vaguely, because of the lack of information of the field, so that the principal can't exactly outline his thoughts at the level of detail that is needed to implement the actions exactly the way he wanted. Also, the principal, when using this approach, doesn't have a lot of insight in the exact methods the agent uses for implementing the actions. The second method of implementing, is outlining the actions the principal wishes at a high level of detail, and thereby leaving less freedom to the agent. An advantage of this approach is that the principal exactly knows how the policy is translated to the real world. The disadvantage of this approach is that the agent can't react to changes in the environment. A major disadvantage is that the agent will be constrained and will not be able to respond the changes in the environment (Alter, 2008).

Summarizing, we can give a clear outline on the theory. We have an agent, and a principal. The principal wants to delegate some tasks to the agent, because of reasons like a gap in his own knowledge, or a lack of time to do things himself. The agent wants to fulfil this task, but also has his own interests, such as maintaining or gaining power, or accomplish his own goals (or just do nothing and be lazy). So, these interactions, and the differences between the agents and the principals agenda lead to different outcomes for different contexts.

2.3 Freedom of manoeuvre in the EU

Now we have explored the general assumptions of the principal agency theory and the application of it in the field of politics, it is time to look at it in the field that were really interested in, the EU. In the EU a slight problem arises, because the difference between the agents and the principals isn't as vivid as in the more straightforward problems presented above. The EU consists of the member states that have to implement its policies! To get round this problem, we'll mostly view the EU as the legislator (principle) and the member states as the implementer (agents). However, from time to time the

vagueness surrounding the different roles of the member states as both agents and principals will be so important, that we will reflect on this issue. Shortly said, the vagueness lies in the fact that the member states that participate in the council of the EU to make and formulate policies, are also the countries that are responsible for the implementation of the same policies!

An author that has written about delegation of policies to the EU is Fabio Franchino (2002). Leaning on the work of Majone he derives two major explanations to the question why member states delegate executive powers to the EU. The first explanation is because they, the governments of the member states, want to take advantage of principal experience and to reduce their workload. The second explanation is because they want to enhance the credibility of policy commitments; when more formal national power is delegated to the EU, the credibility of the institution is ascending.

Franchino (2002) points out an important point: you could also switch the roles of the agent and the principal, so that the members can be seen as the principals that decide to grant freedom to their abstract cooperation contract, the EU commission (the agent). The member states want to show that the European Union matters and therefore grant it important power, but they also, at the same time, don't want the European Union to decide everything at the more important subjects. This seems to suggest that the Council sometimes uses topics and policies that are not very important to the member states to win legitimacy.

In another article (Franchino, 2004) he builds forth on the assertions made in the one we have discussed above. The complex relationship of the agents and the principals becomes more luminous and comprehensible. Here, the principal/legislator is the Council of the EU, consisting of the member states. They can grant freedom to either the European Commission, or to the member states (in a way, themselves!).

Another view that again shifts the roles of agents and principals, takes into account the committees that try to influence the decision making in the EU. Committees are alliances that consist of interested parties that have benefit by a specific outcome of the decision

making process in the EU. Committees will either try to influence the Council or the Commission. The problem with the credibility of these committees consists of a mix of motives; committees don't only have an informational function, they also try to please their own rank and file. (Ballman, 2002)

After our review of the concept of freedom of manoeuvre, in the next we will elucidate the theoretical mechanisms that underlie our research question.

3. Theory and hypothesis

In the following section we're going to focus on our hypothesis and the theory that backs it up. We will examine existing research and derive our own hypothesis based on that work.

3.1 Policy types

In our research we will look at the effect of different policy types on freedom of manoeuvre. We have made this choice simply because no other author has looked at this effect.

A distinguish in policy types is the functional policy taxonomy of Lowi (1964). He makes a distinction between distributive, redistributive and regulatory policies.

Distributive policies are the one that distribute a certain good or service towards people or organizations without regard of limited resources. These services can be healthcare or public transport. Redistributive policies do the same, but first take them away from someone or something else after which these good or services are distributed to people or organizations. A form of redistributive policy is an unemployment benefit paid by taxes. In this policy, money is redistributed from a big group of persons (tax payers) towards a small group of persons (the unemployed). Regulatory policies regulate certain goods or services to people or organizations. This involves a direct choice of who will be indulged and who deprived. A type of regulatory policy is the percentage of tax someone pays. If you earn more you pay more. Another form of regulatory policies are milk

quotas. A farmer is only allowed to produce a maximum of milk, so the milk production is regulated.

Hix (1999) makes another distinction between policy types. First of all there are regulatory policies. These are the rules on the free market of goods, services, capital and persons in the single market. Second there are expenditure policies which involve the transfer of resources through the EU budget. Third there are macroeconomic policies which pursue the exchange rate and the coordination of national taxes and employment policies. Another type of policy are citizen policies which are the rules which extend and protect the economic, political and social rights of EU citizens. The last type of policies are foreign policies which try to insure that the EU speaks with one voice on the world stage. We won't study the effect of all these policy types, but use just a few of these, and find out their effect on freedom of manoeuvre.

The European Union distinguishes 5 types of basic acts (www.europa.eu): directive, regulation, decision, recommendation and opinion, and states their effects. A directive lays down the results to be achieved but leaves it to the Member States to choose the measures to be taken. A regulation is like a European law and is directly applicable in all Member States and does not need to be transposed into domestic law. A decision includes both a decision addressed to specified recipients and a general decision. Decisions are binding on those to whom they are addressed. Because these 5 types do not fit in the previous definitions we assume that these 5 EU-types are taken for granted. In our research we will find out if there are differences between directive, regulatory and decision policies. As formulated by the EU, directives give the member states a certain freedom of how to obtain their goals and regulations won't lead necessarily into a change of a domestic law. Because a member state can define its own law we think that a directive policy is the least restrictive one. Regulations won't necessarily change a domestic law, but there are possibilities that domestic laws need to be changed to make regulations possible. Therefore we think that regulations are more restrictive because member states don't always have a choice if a domestic law needs a change. Decision policies are described as very restrictive, because they are binding and created on the EU level and implemented of above. Regulations and directives indeed are also restrictive, but they just aren't as detailed as decisions. Member states do not have any choice to

neglect these policies or interpret them differently. In our research we will find out if the assumptions are true. We can combine the differences in restrictiveness of policy types with the principle-agent theory. As we already assumed, we think that every type of policy has a certain degree of freedom given. This freedom can be described as the freedom given in the principle-agent problem. We assume that directives gain more freedom than regulations and decisions gain the smallest amount of freedom. This will lead towards the following hypothesis.

H1: Directive policies grant the most freedom followed by regulation policies and decision policies.

3.2 Saliency

After our discussion of the different policy types that exist and that have their influence on the freedom of manoeuvre, we will now look at the mechanism that underlies the relationship between 'saliency' and freedom of manoeuvre. Saliency is, to put it short, the emphasis that different member states place on certain topics and policies. Hence, saliency doesn't state anything about the opinion of a member state, but just states if a member state has a strong opinion at all. It isn't hard to understand that some countries will value more emphasis on topics about, for example, agriculture than others. If your country is more industry-driven than agriculture-driven, you might not have such a strong opinion on agricultural matters. The Netherlands, for example, have much less benefit from high EU allowances for farmers than a country like France, because France's countryside is much bigger and a more important source of income. We believe that these differences in emphasis have an effect on the freedom of manoeuvre that is granted to member states. When the average saliency is high or, to paraphrase the last sentence, when there is a variety of strong opinions on a topic, this could lead to much conflict about that issue, because all actors have a strong merit on seeing their own agenda accomplished (Netjes & Binnema, 2007). This presence of saliency leads to a situation in which every member state wants his own plan to be realised, because they feel the topic is so important. This leads to a formulation of a policy in a looser manner, because every member state wants to get freedom of manoeuvre for the implementation process. This

mechanism works the other way at well. When the opinions of the member on a certain topic aren't that strong (and so the salience is low), there is a less high incentive to gain freedom of manoeuvre, because the member states don't wish to have full control in the implementation process. Put differently, when the average salience between the agents is lower (there don't exist a lot of strong opinions), there will be a tighter formulation on a specific topic because the member states aren't trying to win some freedom of manoeuvre in order to let their own country implement a policy in it's own way. So, more freedom of manoeuvre will be granted than when the average salience is higher. (Lewis, 2000). For more clarity, you could also view a period in which 'high salience' occurs as a time of 'divided government'. Authors that use this terminology are Hubar and Shipan (2002), and they also argue that when a government is more divided (in our case the European Union), the freedom granted to the executive of a policy would be bigger than at times when the government isn't divided. Of course, when two member states both find a topic of high importance (high salience), this doesn't mean that they disagree and that conflict will occur. However, the work of Hubar and Shipan (2002) illustrates in which way a high amount of salience could work. Heritier (2001) disagrees with the view of the authors described above. She argues that even when policies lack a high salience, the outcomes of the implementation of the different member states may still differ a lot, because the policies are still formulated in such a way that leaves this room for the member states. Although both views are convincing, we favour the view expressed in the work by Hubar and Shipan (2002), because we think Heritier's view trivializes the importance of the Council of the EU (the organ where the deputies of the member states take place).

Another important mechanism is that when a member state places a lot of emphasis on a certain topic, it could be assumed that they have the knowledge and the private means to formulate the exact execution terms. Therefore, the delegate of such a member state has an incentive to formulate the position of its country strongly (Shavell, 1979). When more countries follow this strategy, the salience will be higher, and the freedom of manoeuvre granted larger, because every member states is convinced that their method of implementation is the best one. To put it in terms of the previously attended 'Principal – Agent Theory', the principal grants more freedom of manoeuvre, because the agent has

the know-how about the methods of implementation concerning the policy (Epstein & O'Halloran, 1994).

This review of the most important literature leads us to the following hypothesis:

H2: The more salience in a particular issue, the more freedom to member states is granted.

Besides the direct effect that both the different policy types and salience have on freedom of manoeuvre, we will also research if they have an influence on each other. We argue that if a policy type is more restrictive, the salience on a particular topic will be higher. When a policy type is more restrictive, there is more to lose for the different member states, which results in the situation where every member state has a strong opinion, with high salience as a result. So, every member state wants to put their own preferences in the final law, which could lead to a restrictive policy that still grants a lot of freedom because of the way that it contains the preferences from all the member states. Therefore, our third hypothesis is:

H3: The more restrictive a policy is, the higher salience is.

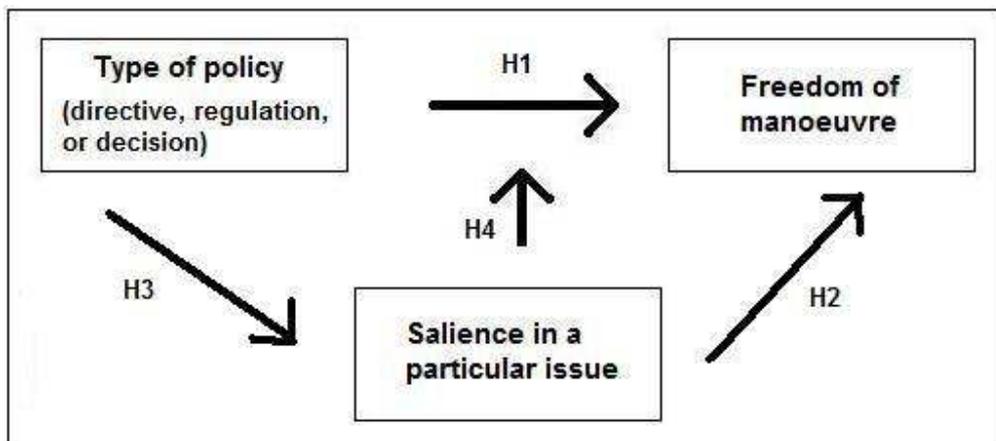
Our last hypothesis comes from the reasoning that salience might have an interaction effect on the relation between policy type and freedom of manoeuvre. We think that when the salience in a discussion about a new to be implemented policy is high, the direct effect of the level of restrictiveness of a policy on freedom of manoeuvre will be smaller. This could be the case, because when a certain topic draws a lot of salience, it doesn't matter what kind of policy type it is molded into. No matter how restricting (or not restricting) a policy type is, the salience (and hence the emphasis) is so high that that transcends the effect of the policy type involved. For example, if the gross of the member states places a lot of emphasis on a topic concerning the European economic market, then salience is high. Because they find this issue so important, they will mind less what policy type is involved; no matter how restrictive or not restrictive that type is, they still want their own agenda to be realized. So, with higher salience, the effect of the

restrictiveness of a policy on freedom of manoeuvre will be smaller. Our fourth hypothesis therefore is:

H4: The higher salience is, the smaller is the direct effect of the restrictiveness of a policy on freedom of manoeuvre.

All our hypotheses are illustrated by figure 1.

figure 1: path diagram



4. Research Design

In our research we're examining the influence that multiple variables have on freedom of manoeuvre. Following from our literature study this research of course will focus on the dynamics of the European Union. Here we will provide an outlook of the variables we're going to use and we will describe them.

We want to know the effect of the type of policy on the freedom of manoeuvre granted to the member states of the EU, and we also want to know if this relationship alters when we take the measured salience up in the equation. In addition, we are going to find out if there exists an effect of salience on freedom of manoeuvre. So, we both are measuring a direct effect of 'salience' on 'freedom of manoeuvre' and we use the variable 'salience' as a moderator variable; one that may or may not have the ability to change the relation at

issue. We expect, as came forward in the previous sections, that this variable will have an effect on freedom of manoeuvre. But, for the sake of completeness, we must take into account the possibility that our assumptions were faulty.

We're using a data set about the EU that collects a lot of data on a range of topics discussed in the Council of the European Union, for example about agriculture or European economics. The dataset, made by Torenvlied & Thomson (2007), has information about whether or not the member states showed interest in the topic treated; what they voted; what the policy they voted was about; what importance they granted to the policy they voted about (salience); what type of policy they voted about; and how much freedom of manoeuvre it had as a result. It reports about a number of policies, that mostly take place between may 2004 and December 2005. The legislative acts were selected on the criteria of at least some political importance and controversy. The information about whether or not there was some controversy and political significance was derived from a series of interviews. Usually these informants were participants of the legislative act in question. This choice was made to keep the information close to the source of interest. The main unique feature that separates this dataset from competing ones, lies in the variable salience. This variable contains information on the importance that member states place on specific policies (salience). For instance, if a proposition on an agricultural topic is in hand, France might find that topic of more interest than a topic concerning the environment. This dataset maps these differences between member states, and therefore is unique and highly suitable for our research goals. (Torenvlied & Thomson, 2007).

4.1 Measurement of the dependent variable

We're going to measure the dependent variable, freedom of manoeuvre, in the same way that Franchino did it in his article. (Franchino 2004). Franchino uses a slightly different terminology, naming freedom of manoeuvre 'discretion'. This is however only a matter of different choice of words; it's not a real essential and substantive difference. Franchino comes to his variable by reading the content of the policies (for the first component of the variable). He counts the number of major provisions (or conditions) for each policy in the sample and he codes this information on the basis of whether or not it delegates executive

powers to the member states. After that, the number of provisions that grant power to the member states is divided by the total number of provisions. The result is the first piece of the variable, because the complete variable disintegrates into two pieces. This first piece, the discretion ratio, was multiplied by 100, simply to facilitate interpretations. The first just discussed piece acts as a delegation ratio that says how much policy authority is granted to the member states. Franchino uses a second piece of the variable that consists of the procedural constraints that can be embedded to the policy. We, however, use a slightly simpler discretion ratio, that leaves this 'constraint ratio' out of the equation. We've made this choice analogue to Torenvlied, reasoning that all the discretionary powers were subject to some form of constraint.

4.2 Measurement of the independent variables

The independent variables are measured somewhat more straight-forward. The type of policy is measured with three dichotomies. For example, there is a variable that gives a '1' when the policy is one of the directive kind and an '0' if not. In our pad-diagram we take these dummy variables into one variable to see the influence of it. In other words, we code the variable in such a way that directive is the lowest and decision is the highest, which gives a variable 'type of policy' with 'directive=1', 'regulation=2' and 'decision=3'. In other parts of our analysis we use the dummy variables that the dataset gives directly, to have a better look of the independent effects. To measure salience, we take the variable out of the dataset that directly measures salience. As stated before, one of the major advantages of the dataset we use is the variable that measures salience; other datasets do not have this feature.

4.3 Measurement of the Control Variables

We're going to use control variables to check whether or not it makes any difference what the policies are about. We're going to see whether it makes any difference if a policy is about agriculture, the internal market or another type of policy. If this indeed is the case, we might be dealing with a quite specific EU mechanism of policy making and decision making. If this is not the case, we could (with some reserves) say that the paradigm we've described is broadly applicable to other bureaucratic authorities and thus

apt to generalize. For more clarification, and a schematic recapitulation of the previous section, we here will provide a table which shortly mentions all the variables discussed.

table 1: variables

Freedom of Manoeuvre	With this variable we will measure how much discretion of implementation is granted to the member states with regard to the policies they have to apply
Type of Policy	Could be directive, regulation or decision. We measure this variable by using three dichotomy variables.
Salience	This variable measures to which degree the actors find the topic of interesting value. We take a variable that is one of the prominent features of the dataset.
Subject of Policy	Variable that states if a policy is about agriculture, the internal market or another kind of policy. This variable is used as a control variable

To conclude, we provide some general numbers on the variables we are going to use in the next chapter and that are discussed above. We include the means and the standard deviation, and derive a correlation matrix, to provide some basic knowledge of the variables we use.

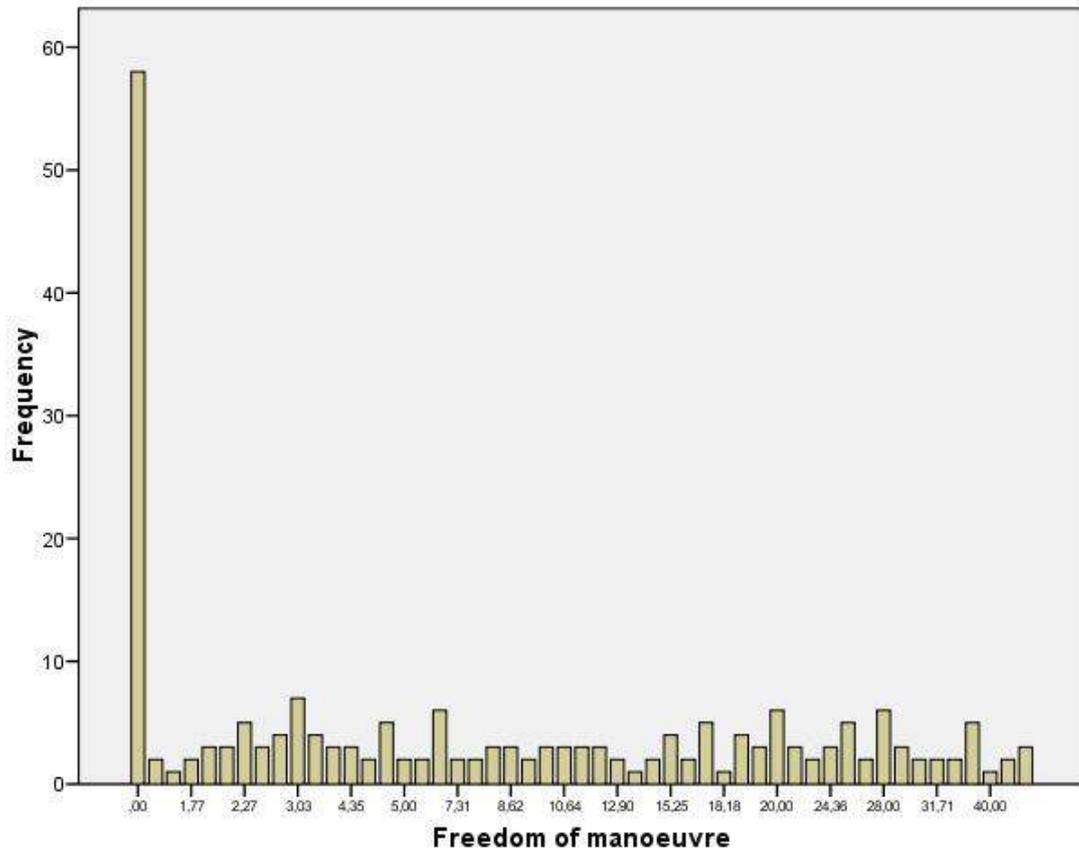
table 2: descriptive statistics variables

	N	Minimum	Maximum	Mean	Std. Deviation
Freedom Of manoeuvre	210	0	42,86	10,39	11,57381
Salience	170	5,29	90	55,15	17,43915
Directive	210	0	1	0,3857	0,48793
Decision	210	0	1	0,081	0,27341
Regulation	210	0	1	0,5333	0,50008

A quick look teaches us that the average freedom of manoeuvre that is granted is quite low. So, the member states on average don't get to decide that much about the policies

they have to implement. To visualize this issue we provide a histogram (figure 2), keep in mind that the variable freedom of manoeuvre was multiplied by 100 to facilitate interpretations.

Figure 2 : Distribution of freedom of manoeuvre granted to member states



Here we see very clearly that the freedom of manoeuvre has a very lopsided distribution. This may indicate that the effects of salience and the type of policy will be marginal at best, because the member states actually never get that much implementation freedom! Of course, this is only speculating.

4.4 Data Analyses

In our research we will use different methods for studying the relations between our variables. First we will compare the means of salience and freedom of manoeuvre with

the different policy types, so we can see if there is any difference. We will use eta to check whether these results are a statistical coincidence or not. Eta is an effect measure for measuring the effect between a variable on an interval scale and a variable on a category scale. To see if there are any significant relations between the variables we need a regression method to find that out. Because there is an unequal distribution of freedom of manoeuvre, we decided to use a binary logistic regression. In binary logistic regression, the dependent variable needs to be a dummy variable. We made a new variable for freedom of manoeuvre. 27,6% of the cases have a value of 0 which means that there is no freedom of manoeuvre. The rest of the cases are spread from 1 towards the maximum value of 42,86. The new variable will handle everything above a value of 1 as freedom and everything below 1 as no freedom. In order to see if the new arrangement of freedom of manoeuvre is a correct one we also make a second arrangement. In this arrangement we will split freedom of manoeuvre in half straight on the median. So 50% will be counted as no freedom of manoeuvre and 50% as freedom of manoeuvre. The median, which is 4,88, still lies left from the mean (10,39), and still far away from the highest value of 42,89 like our former arrangement. The main reason to divide freedom of manoeuvre in 2 groups of 50% of the cases is that it makes the measurement more reliable because we can compare two groups of the same size. Furthermore we will use linear regression to measure H3. This because of the fact that we can't make a dummy variable of salience and salience is in H3 the dependent variable. After we finish the binary logistic regression we will fill in a path diagram to give a better view on the results. A path diagram (figure 2) is a model that consists of a number of measured or observed variables and unmeasured variables connected together by single-headed or double-headed arrows. The arrows indicate the causality of the variables. The path coefficients quantify the magnitude of a direct prediction, a correlation or a cause. The coefficients in a path diagram are usually measured by linear regression. Because we will use binary logistic regression, the coefficients in the path diagram will be also the one gained by binary logistic regression. For the type of policy we made a new variable which contains all of the policy types, because it is not possible to put all the 3 policy categories separate into the path diagram. The coefficients for the relation between the type of policy and the level of salience are gained from linear regression.

5. Results

We first compared the means of freedom of manoeuvre by the different policy types. We can see that there are differences between the different policies. Directive policies give the highest freedom and decision policies give the lowest freedom. This is exactly what we expected from the theory. An eta of 0.473 shows us that there is a strong relation between the policy types and the level of freedom given (table 3). In the same table we can see that there are very few cases regarding the number of decisions. When we remove the number of cases regarding decisions, the Eta drops a little to 0,437. This means that the decision cases add a little value to the effect of the type of policy to the freedom of manoeuvre.

Table 3: mean freedom by policy

policy	Mean	N	SD
Directive	17,128	81	12,553
Regulatory	6,751	112	8,944
Decision	2,300	17	6,271
Total	10,393	210	3,854
Eta			0,473

We will also compare the means of salience between the different policy types in this issue (table 4). We can see that there is less salience in directive policies and the most salience is in the decision category. An Eta of 0.132 shows an average relation between the policy types and the level of salience. The low Eta might be the effect of the low number of decision policies. If we delete the decision category the eta changes to a much lower 0,055. This means that the decision category is an important part of the effect between salience and the policy types. Perhaps this is the result of the big difference between the decision and regulatory category and the fact that the directive and regulatory category lay next towards each other. The results assume that the more restrictive a policy is, the more important it's found by the member states.

Table 4: mean salience by policy

policy	Mean	N	SD
Directive	53,442	74	19,404
Regulatory	55,398	79	16,039
Decision	61,436	17	13,584
Total	55,151	170	17,439
Eta			0,132

Now we have indications of the directions of the effects between the variables, we will do a binary logistic regression with our first arrangement of freedom of manoeuvre. The first arrangement gives the following results:

Table 5: Binary logistic regression 1st arrangement (b-coefficients)

(Constant)	0,873 ***	0,666	-0,310	-0,973
Directive	0,693 *	0,907 **	3,730 **	4,128 **
Decision	-1,479 **	-1,137 **	-4,425 **	-3,351 *
Salience		-0,002	-0,086 *	-0,071
Interaction effect			-0,051 *	-0,044 *
Financial				-0,590
Agri				0,152
Agfish				1,389 *
International market				-0,714

*p<.10; **p<.05; ***p<.01.

In table 5 we can see that several times new variables were added into the binary logistic regression. At first the table shows that directive and decision policies, compared with regulatory policies, have a significant influence on the level of freedom given to the member states. This is in line with our hypotheses (H1) that directive policies grant the most freedom followed by regulation policies and decision policies.

When we add the salience variable we see that the coefficient is very low and there is no significance. It seems that there is no support for our hypothesis regarding the amount of freedom given when salience is changing (H2). The interaction effect in the next column makes salience significant. This is because of the fact that salience is also included in the interaction variable and therefore enlarges the effect of salience on freedom of manoeuvre. This does not mean that in column 3 there is support for H2. The same we see in the policy categories. Especially the coefficients, they are multiplied by 4 because of the interaction effect. The interaction effect in column 3 itself is also significant. So there is enough support to assume that the higher salience is, the smaller is the direct

effect of policy type on freedom of manoeuvre (H4). In the 4th column we added our control variables. The control variables take out the significance level of salience. It seems that there is also a matter of importance taken into the different policy sectors, which makes the salience less influential in the final regression. Furthermore the control variables have also a little effect on the policy variables which become a little less significant. The coefficients also change a bit, but not much.

It seems that the first arrangement for freedom of manoeuvre gives a good perspective on freedom. We will now test the second arrangement to see if this arrangement is better to predict the influence of the different variables on freedom of manoeuvre.

Table 6: *Binary logistic regression 2nd arrangement (b-coefficients)*

(Constant)	-0,788 ***	0,618	0,410	0,294
Directive	2,354 ***	2,386 ***	3,015 **	3,449 **
Decision	-0,752 **	-0,469	-1,170	0,174
Salience		-0,028 *	-0,046	-0,016
Interaction effect			0,011	-0,005
Financial				-0,503
Agri				-1,125
Agfish				1,484 **
International market				-2,065 **

*p<.10; **p<.05; ***p<.01.

In the first column (table 6) we see that there is a lot of support for H1. Compared with regulatory policies, directive and decision policies have a significant influence on the level of freedom given to the member states. The strange thing happens when we add the salience variable. This time there is a bigger effect of salience on freedom of manoeuvre and the effect is significant. It seems that there is a little support for H2 in this arrangement. Despite this, the effect of the decision category becomes lesser and isn't significant anymore. When we add the interaction effect in column 3, which should make the existing relation of the policy types and salience stronger, salience isn't also significant anymore and the directive category becomes also less significant. The interaction effect itself is also not significant and pointing the other direction compared with our hypothesis. With this arrangement there seems no evidence available to support H4. When we add the control variables in the 4th column another strange thing happens. The decision variable has given a positive effect compared with the regulatory category.

This means that a decision policy in column 4 gives more freedom to member states than a regulatory policy. In the 4th column we see that with this arrangement there is no support for any of our hypotheses. Therefore we can decide that the first arrangement is the one that fits the best in our research, because the 2nd arrangement gives results that are inconsistent with the theory and the variables became inconsistent in the process of adding new variables into the binary logistic regression.

We tested almost all of the hypotheses with logistic regression except of H3. To measure H3 we need a linear regression. The coefficient of the relation between the policy types and salience is 0,325 and significant ($p=0,071$), which contents that the more restrictive a policy is, the higher salience is. The assumption of this was already seen in table 2 where the mean salience is bigger when the policy is more restrictive.

Before we can create a path diagram we need the coefficients of the relation between policy type and freedom of manoeuvre. Instead of using the different policy types individually we now use a variable which contain all the 3 types. The outcome gives the same significance level and a coefficient which is the mean of the coefficients of the policy types. In table 7 there is an overview of the final coefficients we will use to create the path diagram and therefore accept or withdraw our hypotheses.

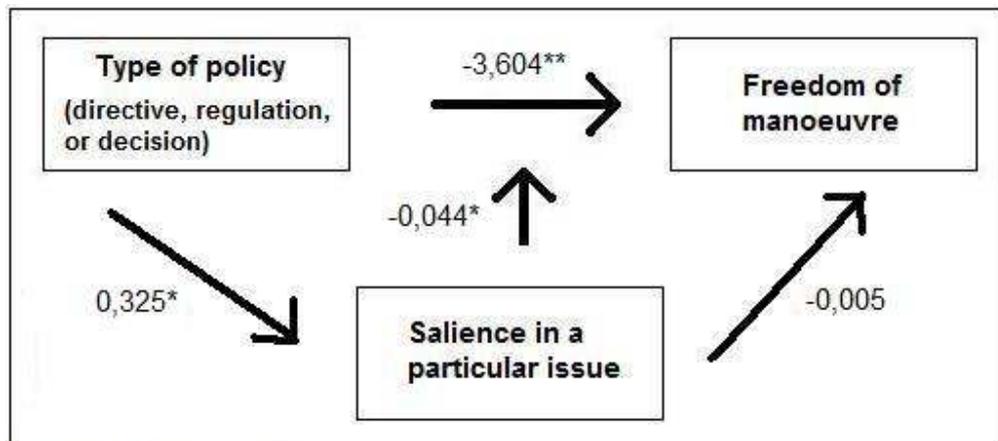
Table 7: Coefficients for path diagram

Independent	Dependent	
Policy type	Freedom of manoeuvre	-3,604 **
Salience	Freedom of manoeuvre	-0,005
Interaction effect	Freedom of manoeuvre	-0,044 *
Policy type	Salience	0,325 *

* $p<.10$; ** $p<.05$; *** $p<.01$.

Figure 3 shows the path diagram which gives a comprehensive overview of the measurements done before.

figure 3: path diagram



* $p < .10$; ** $p < .05$; *** $p < .01$.

Now the path diagram is finished it gives a comprehensive overview by which we can accept or withdraw our hypotheses. We can see that the type of policy has a negative effect on the given freedom of manoeuvre. The more restrictive a policy is the less freedom is given. The effect has also a good significance level. There is enough support to accept H1. The type of policy has a positive effect on the level of saliency. The more restrictive a policy is, the more important a certain issue is. This effect is also significant and therefore we can also accept H3. Furthermore, saliency has a very small negative effect on the freedom of manoeuvre. The small coefficient doesn't say much about the direction the effect gives. Also another important factor is that the effect isn't significant. Therefore we can't accept H2. In the path diagram we can also see that the higher saliency is, the smaller the direct effect of policy type on freedom of manoeuvre is. This effect is also significant and therefore we can accept H4

6. Conclusion

This thesis provides a systematic overview in which way freedom of manoeuvre is influenced by the average salience in a particular issue and the restrictiveness of a policy. In this research we were able to test our assumptions we made in the theoretical framework with significant results. The statistical analyses provide enough support to assume that there is a difference in restrictiveness between the different types of policies in the European Union. We have also found that the freedom which is given by the principal (European Commission) to the agent (member states) is influenced by the type of policy. The type of policy has also a significant effect on the average salience given to a policy, which means that restrictive policies are found more important than lesser restrictive policies. There was not enough support to assume that the level of salience has any influence on the freedom given to member states. Despite this, salience has a negative influence on the relation between the policy types and the freedom given to member states. The relative low number of cases seems to be responsible for the low significance levels, and therefore the bad support for the relation between salience and freedom of manoeuvre. In a further research, more cases should be advised to generate statistical better results.

When we generalize our results to the social sphere, we think that a better informed public would understand more of the European Union when they knew about the concept of freedom of manoeuvre. If they had known about the differences in freedom and manoeuvre and how this concept protects different national identities, they might have had a better informed vote. It certainly is something to take into account in the future.

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