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Shaping and Taking EU Policies: Member State Responses to Europeanization

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For decades, research in the field of European Studies adopted a ‘bottom-up’ perspective in analyzing Member State responses to Europeanization. The literature was mainly concerned with how to conceptualize and explain the effect of Member States on processes and outcomes of European integration. In the 1990s, students of European integration became increasingly interested in how the Member States responded to the impact of European processes and institutions. The ‘top-down’ literature has focused on the effect of the evolving European system of governance on the political institutions, policies, and political processes of the Member States. While most studies on the domestic impact of Europe emphasize that the relationship between the EU and its Member States is not a one-way street, they usually bracket European institutions and processes, i.e. take them as given and analyze their effects on the Member States. How Member States responses to Europeanization feed back into EU institutions and policy processes is rarely explored. This paper presents one way of linking the top-down and bottom-up dimension of Europeanization by focusing on the role of national governments as both shapers and takers of EU policies. More specifically, it seeks to identify the factors that define the capacity of member states to shape and take EU policies. Evidence from the field of environmental policy indicates that political factors, such as domestic veto players or institutional weight in EU decision-making, are of little explanatory power. The administrative capacity (resources, level of corruption, fragmentation of competencies) appears to be much more important for a member states in their attempts to effectively shape and take EU policies.

From Bottom-up to Top-Down

For decades, research in the field of European Studies adopted a ‘bottom-up’ perspective in analyzing Member State responses to Europeanization. The literature was

¹ For comments and suggestions I am thankful to Gordon Anthony, Andrew Evans, and the participants of the ESRC Europeanization Seminar at the Institute of European Studies, Queen's University of Belfast.

mainly concerned with how to conceptualize and explain the effect of Member States on processes and outcomes of European integration. Theoretical debates were dominated by two competing paradigms of European integration that significantly disagree on the role that Member States play at the European level (for the intellectual history of the debate see e.g. Caporaso and Keeler 1993). Intergovernmentalist approaches take Member States and their governments as the principal agents driving European integration and policy-making to protect their geopolitical interests and the economic concerns of their constituencies (Hoffmann 1982; Taylor 1991; Moravcsik 1991; Moravcsik 1998). Neofunctionalism and multi-level governance approaches, by contrast, privilege domestic interests (such as business associations, trade unions, and regions) that press for further integration to promote their economic or political interests, as well as supranational actors (particularly the European Commission and the European Court of Justice) that seek to increase the power of European institutions over the Member States (Haas 1958; Sandholtz and Stone Sweet 1998; Hooghe and Marks 2001).

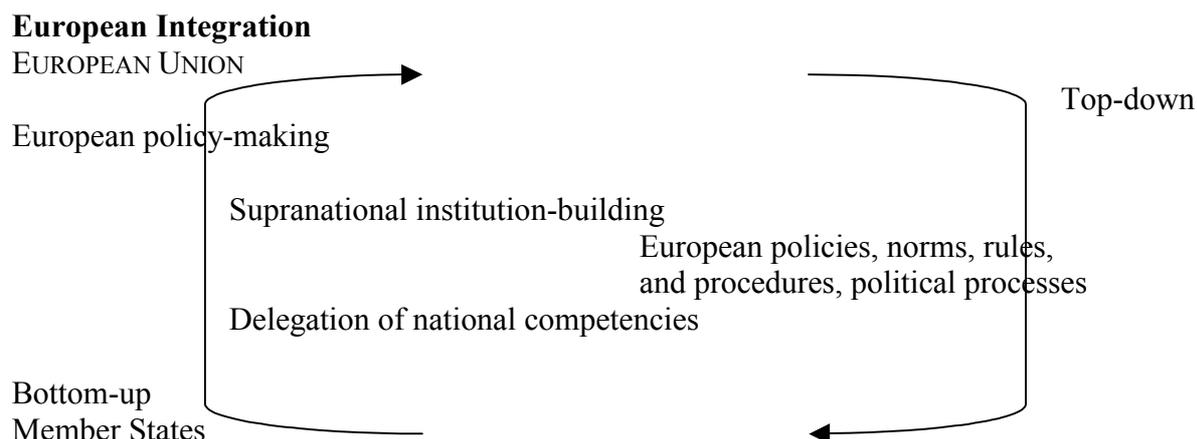
In the 1990s, students of European integration became increasingly interested in how the Member States responded to the impact of European processes and institutions. The first ‘top-down’ studies focused on the consequences of European integration for the autonomy and authority of the Member States. In order to theorize the domestic impact of Europe, the explanatory logics of the two major paradigms of European integration were essentially turned around. If intergovernmentalist approaches were correct in assuming that Member State governments controlled European integration while supranational institutions themselves exercised little independent effect, the power of the Member States would not be challenged. Rather, European integration should enhance the control of national governments over domestic affairs since it removed issues from domestic controversy into the arena of executive control at the European level (Milward 1992; Moravcsik 1994). Proponents of neofunctionalist or supranationalist approaches suggested exactly the opposite, namely that European integration provided domestic actors, such as regions and interest groups, with independent channels of political access and influence at the European level enabling them to circumvent or by-pass their Member States in the European policy process (Marks 1993; Marks, Hooghe, and Blank 1996). Between the two competing paradigms, a third group of scholars emerged that rejected the zero-sum game conception of the relationship between the EU and its Member States, in which one level was to be empowered at the expense of the other. They argued that the different levels of government would become increasingly dependent on each other in European policy-making. As a result, European integration would neither strengthen nor weaken but transform the Member States by fostering the emergence of cooperative relationships between state and non-state actors at the various levels of government (Kohler-Koch 1996; Rhodes 1996; Kohler-Koch 1999).

In recent years, the ‘top-down’ literature has grown significantly and developed its own approaches to analyzing the effect of the evolving European system of governance on the Member States (Marks, Hooghe, and Blank 1996; Goetz and Hix 2000; Cowles, Caporaso, and Risse 2001; Héritier et al. 2001; Featherstone and Radaelli 2003).² Most studies agree that

² Part of the literature refers to the effect of the European Union on the Member States as ‘Europeanization’ (Ladrech, Robert. 1994. Europeanization of Domestic Politics and Institutions: The Case of France. *Journal of Common Market Studies* 32 (1): 69-88.; Radaelli, Claudio M. 2000. Whither Europeanization? Concept Stretching and Substantive Change. *European Integration on-line Papers* 4 (8): <http://eiop.or.at/eiop/texte/2000-008a.htm>.) Others reserve the term Europeanization for the ‘emergence and the development at the European level of distinct structures of governance’ (Risse, Thomas, Maria Green Cowles, and James A. Caporaso. 2001. Europeanization and Domestic Change: Introduction. In *Transforming Europe. Europeanization and Domestic Change*, edited by M. G. Cowles, J. A. Caporaso and T. Risse. Ithaca, NY: Cornell University Press, 1-20.). On the various concepts of Europeanization see Börzel, Tanja A., and Thomas

Member State responses to Europeanization are differential, i.e. differ across policy sectors, institutions, and time. There is also consensus that the relationship between the EU and its Member States is not a one-way street. For practical reasons, however, students of Europeanization usually bracket European institutions and processes, i.e. take them as given and analyze their effects on the Member States. How Member States responses to Europeanization feed back into EU institutions and policy processes is rarely explored.

Bottom-up and Top-Down



Europeanization

Bringing the Bottom-up Perspective Back In: Shaping and Taking EU Policies

Member States are not merely passive takers of European demands for domestic change. They may proactively shape European policies, institutions, and processes to which they have to adapt later (Bomberg and Peterson 2000; see already Wallace 1971 and Héritier et al. 1994). Moreover, the need to adapt domestically to European pressures may have significant return effects at the European level, where Member States seek to reduce the 'misfit' between European and domestic arrangements by shaping EU decisions (Börzel 2002; Dyson and Goetz forthcoming; Jeffery forthcoming).

One way of linking the bottom-up and top-down dimension in the relationship between the EU and its Member States is to focus on the role of national governments as shapers and takers of EU policies. This is not to say that supranational actors, such as the European Commission, the European Parliament, and the European Court of Justice are irrelevant to European policy-making. Nor do Member State governments necessarily gate-keep the access of domestic interests to the European policy arena. Nevertheless, national executives hold a key position in both the decision-making and the implementation of European policies and thus influence the way in which Member States shape European policies and institutions and adapt to them.

The European policy process can be conceptualized as a 'reciprocal relationship' (Andersen and Liefferink 1997b: 10, 1998) between political negotiations at the domestic and the

Risse. 2000. When Europe Hits Home: Europeanization and Domestic Change. *European Integration on-line Papers* 4 (15): <http://eiop.or.at/eiop/texte/2000-015a.htm>.; Olsen, Johan P. 2002. The Many Faces of Europeanization. *ARENA Working Papers* WP 02/2 (http://www.arena.uio.no/publications/wp02_2.htm).

European level. At the domestic level, actors pressure their national executives to shape EU policies in a way that favour their interests. At the European level, the member state governments push for European policies that satisfy domestic pressures, while minimizing their adverse consequences at the domestic level (Putnam 1988: 434). Two-level game approaches establish a systematic relationship between domestic and European politics, with the national governments functioning as the core intermediators between the two. Furthermore, two-level game approaches provide a link between the shaping (decision-making) and the taking (implementation) stage of the European policy process. Member State governments may be the most important shapers of EU decisions. Yet, domestic actors are their main takers. Compliance problems with European policies often arise when public administrators, economic and societal actors, who are usually not involved in the decision-making process, are not willing to bear the implementation burden (Börzel 2000, Börzel 2003). They usually blame their national governments for the costs, which European policies incur on them. At the same time, Member State governments are held responsible by the Commission and the European Court of Justice, if European policies are not properly implemented and complied with. Consequently, Member State governments tend to be rather cost sensitive in the European policy process.

An effective strategy of maximizing the benefits and minimizing the costs of European policies is to ‘up-load’ national policies to the European level and shape EU policies accordingly. First, shaping EU policies reduces the need for legal and administrative adaptation in taking or ‘down-loading’ EU policies, that is, incorporating them into national policy structures. The more a European policy fits the domestic context, the lower the costs of adaptation in the implementation process. Second, shaping EU policies prevents competitive disadvantages for domestic industry. While high-regulating Member States seek to impose their strict standards on low-regulating countries, the latter oppose any attempts of European harmonization that may increase their production costs. Finally, shaping and taking EU policies may enable national governments to address problems, which preoccupy their constituencies but cannot be effectively dealt with at the domestic level anymore due to powerful domestic opposition or because of the cross-border dimension (e.g. organized crime, environmental pollution, immigration).

Member States share a general incentive to shape EU policies according to their domestic policy arrangements. They pursue, however, diverging policy preferences and differ significantly with the respect to their capacity to shape and take EU policies.

Competing Policy Preferences

Member States Compete for policies that conform to the preferences of their main constituencies (Héritier 1996). The literature has identified two ‘cleavages’ that introduce competition and conflict among member states: 1) the differing levels of socio-economic regulation, and 2) the distinct types of regulatory structures.

Member States with a high level of socio-economic regulation seek to harmonize their strict standards at the European level. They wish to obtain favourable competitive conditions for their domestic industry and avoid social and environmental dumping in low-regulating member states. Health, safety, social and environmental regulations raise the costs of production significantly and may result into competitive disadvantages with comparable sectors in other countries. Not surprisingly, the attempts of high-regulating countries to shape EU policies according to their strict domestic standards meet the vigorous opposition of low-regulating Member States. As industrial latecomers, their overriding priority has been

economic development and growth. They wish to keep their level of social and environmental regulation low and oppose any common standards at the EU level. Less exigent regulations constitute a comparative advantage over high-regulating countries due to lower production costs. Strict European standards, by contrast, work as trade barriers until low-regulating countries have adapted and impose significant investment costs on the economy. European harmonization at the lowest common denominator is not attractive either since it would remove the comparative advantage of countries with lower production costs (cf. Scharpf 1996; Héritier 1996).

Low-regulating countries are likely to oppose any kind of harmonization of standards at the EU level. High-regulating Member States share a common preference for harmonizing their strict standards at the European level. They significantly differ, however, with respect to their regulatory structures as a result of which they often compete for European rules and regulations that conform to their own interests and approaches (Börzel 2002; Börzel 2003). By trying to shape EU policies according to their own regulatory structures, they hope to reduce adaptational costs in the implementation of European policies. Incorporating 'alien' elements into a dense, historically grown regulatory structure that is ingrained in a particular state tradition can impose considerable costs, both material and cognitive. Legal and administrative regulations and procedures have to be changed in a way as to preserve the consistency of the regulatory framework. Adaptation is often also difficult because administrators tend to be reluctant to give up traditional problem-solving approaches and policy instruments, which they consider as proven effective.

Low-regulating countries, by contrast, are likely to oppose EU legislation because, in addition to the loss of comparative advantages, they often lack the regulatory structures to implement them. Building-up regulatory structures is often even more expensive than fitting European policies into historically grown, comprehensive domestic arrangements. New administrative units, procedures, and technologies have to be established for the practical application and enforcement of European policies. Additional investments are often required to build-up staff-power with sufficient technical and scientific knowledge to apply European regulations and assess compliance at the local level (Börzel 2003).

But not only do member state governments pursue diverging and often competing policy preferences. They also differ in their capacity to shape EU policies accordingly. In environmental policy, the Northern European 'first-comers' (Denmark, Netherlands, Germany, Sweden, Finland, Austria) have a strong incentive to harmonize their strict environmental standards at the European level. They also have the capacity to actively shape European policies according to their environmental concerns and economic interests. The Southern European 'late-comers' (Greece, Spain, Portugal, Italy) lack both the policies and the capacity to upload them to the European level (cf. Börzel 2002, Börzel 2003). Since they are policy takers rather than policy shapers, the Southern Member States often have to implement EU policies that do not conform to their preferences. At the same time, industrial and environmental latecomers often do not have the necessary capacity for taking EU policies. The result is a somewhat paradoxical situation where the Member States with the most limited policy-taking capacities bear the highest implementation burden since they have to adapt their domestic policies and institutions much more than the Northern policy-shapers.

The Capacity to Shape and Take EU Policies

Shaping and taking provide an important link between the bottom-up and top-down dimension of Member State responses to Europeanization. But what defines the capacity of

national governments to shape and take European policies and decisions? Bulmer and Katzenstein argue that the congruence in ‘constitutional order’, ‘norms and conventions’, and ‘patterns of meso-level governance’ between Germany and the EU has allowed Germany to play a leading role in shaping supranational institution-building and the making of European policies (Bulmer 1997; Katzenstein 1997), which in turn has reduced adaptational pressures on its domestic institutions, processes and policies (cf. Bulmer, Jeffery, and Paterson 2000). Others point to the ‘political clout’ (Wright 1998) or ‘institutional weight’ (Hosli and Ben 2000) of the member states in EU decision-making bodies. A third group of scholars emphasize the political and administrative mechanisms through which member states coordinate and articulate national interests in the EU policy-making process (Kassim et al. 2000; Zeff and Pirro 2001).

The implementation literature discusses similar factors in accounting for the failure of Member States to effectively take EU policies at the domestic level. Some studies refer to the degree to which policy-making competencies are dispersed between different policy sectors and between different levels of government, on the one hand, and to the absence or presence of mechanisms of horizontal and vertical coordination, on the other hand (Siedentopf and Ziller 1988; Haigh 1986). Others focus on the number of domestic veto players that can block the implementation of EU policies (Haverland 2000, or the level of socio-economic development, which affects the costs of applying EU legislation as well as the capacity and willingness of actors to cope with them (Chayes and Chayes Handler 1995; Jänicke and Weidner 1997; Börzel 2003). Finally, some look to cultural variables such as public awareness and the readiness of domestic actors to engage in collective action (Putnam 1993; La Spina and Sciortino 1993).

While research on the shaping and taking of EU policies shows significant overlap, few attempts have been made to draw the two strands of literature together (but see Keulen 2002). The logic of the argument made above implies that the more successful Member States are in shaping EU policies, the fewer problems they are likely to face in taking these policies. But does the shaping and taking capacity depend on the same factors or do the two stages of the policy process require different capabilities? Alternatively, some factors might be more important to shaping than taking, or vice versa. They could also have contradicting effects on shaping and taking. In order to compare their causal influence in the two stages of the EU policy process, the different factors identified by the literature are organized into two groups, relating to the political or the administrative capacity of shaping and taking EU policies.

The *political capacity* of Member States to shape and take EU policies may be influenced by the political weight which the Member States carry in EU decision-making bodies. The number of votes in the Council and the financial contribution to the EU budget are found to be particularly important (Hosli and Soetendorp 2000). Qualified majority voting allows the “big four” (France, the UK, Germany, and Italy) to block any agreement in the Council. The four Member States pay for almost 80% of the EU budget. If political resources are important for shaping EU policies, they also affect the taking capacity of Member States. On the one hand, Member States should face less difficulty in implementing EU policies that conform to their preferences. On the other hand, the compliance literature has argued that Member States use their political weight to deter enforcement agencies from prosecuting them. The European Commission could be more reluctant to open infringement proceedings against more powerful Member states.

Two-level games approaches, by contrast, emphasize the role of domestic veto players. The number of veto players in a Member State determines the size of the ‘domestic win-set’, that

is, the number of European agreements, which are likely to be ratified at the domestic level. The more veto players there are, the smaller the size of the domestic win-set tends to be and the stronger the bargaining power of the national government (Putnam 1988; Evans, Jacobson, and Putnam 1993). A high number of domestic veto players are likely to increase the capacity of Member States to shape EU policy outcomes because they can ‘tie their hands’ to the preferences of their constituencies. The two-level nature of European negotiations, however, also allows national governments to ‘cut slack’. They can try to expand the domestic win-set to accommodate European bargaining outcomes that their constituencies might otherwise reject, e.g. by presenting them as ‘take it, or leave it’ decisions or by blaming them on the need to compromise with other Member States, the Commission, and the European Parliament in order to reach an agreement at all (“Brussels made us do it”).

However, cutting slack and scape-goating often backfire when it comes to taking EU policies resulting in problems of ‘involuntary defection’. Majority voting in the Council and co-decision in the European Parliament make it impossible for a single Member State to determine the outcome of the European negotiation process. Since Member States have to compromise in order to reach an agreement, EU decisions are unlikely to satisfy all domestic constituencies. A high number of domestic veto players, therefore, tend to impair rather than foster the capacity of Member States to take EU policies. Domestic actors may block the legal implementation of EU Directives or subvert their practical application and enforcement.

‘Cutting slack’ is most likely to work when domestic constituencies support European integration, since they are willing to swallow unpopular decisions from Brussels despite the high costs incurred (Sbragia 2001). In a similar vein, high issue-salience or public awareness of the issue under consideration may increase the willingness of citizens to accept costly EU decisions, and to exert pressure on policy-makers and public authorities to effectively implement them, respectively (Börzel 2003).

The *administrative capacity* of Member States to shape and take EU policies is a function of particular resources, such as staff-power, money, expertise, and coalition-building skills. Pushing national positions through the European negotiation process, often against the opposition of other Member States with diverging policy preferences, does not merely depend on the voting power in the Council, particularly since qualified majority voting has become more prevalent. Member States, like Denmark or Britain, where EU related policy-making competencies are concentrated, are able to formulate and represent a coherent bargaining position and stand a better chance to be heard than countries like Greece or Italy, where competencies are highly fragmented as a result of which they often do not speak with one voice (Kassim et al. 2000, Kassim et al. 2001).

Offering expertise and information to the European Commission in the drafting of policy proposals is also an effective way of injecting national preferences into the European policy process. So is the employment of national environmental bureaucrats in Brussels for up to three years. The Commission often asks the member states to second experts with specific knowledge to help prepare a Directive. Being present in the various networks that prepare and accompany the European negotiation process both at the domestic and EU level demands considerable staff-power, expertise and information as well as a significant amount of coordination, which the Member States do not have equally available.

The effective taking of EU policies and decisions requires similar resources. Implementation problems often arise when responsibilities are dispersed across different sectors and levels of government and there are no effective coordination mechanisms. Likewise, EU policies can

only be effectively applied and enforced with a sufficient number of qualified staff and monitoring technologies that allow for the systematic collection of data on compliance with European obligations. Finally, public administration has to be credible in enforcing EU policies. If public authorities abuse their office to their private advantage and are prone to bribery and corruption, they are unlikely to induce citizens and companies into compliance with EU Law.

The political and administrative factors that may define the shaping and taking capacity of the Member States are summarized in table 1.

Table 1 Factors defining the capacity of shaping and taking EU policies

Political Capacity

- Political fragmentation
Veto player
- Political resources
Votes in the Council
EU budget contribution
- Political Legitimacy
Support for European Integration
Issue-salience
Trust in political institutions

Administrative Capacity

- Administrative fragmentation
Dispersion of competencies
Coordination mechanisms
- Administrative Resources
Financial means
Staff-power
Expertise
- Administrative Legitimacy
Perceived corruption

Assessing Member State Responses to Europeanization

The last section of the paper seeks to assess the capacity of Member States to shape and take EU policies and to identify the factors, which determine their shaping and taking capacity. The empirical study draws on quantitative and qualitative evidence from EU environmental policy-making. The field was chosen because it provides the most comprehensive data on the shaping and taking capacities of the Member States.

The following two tables rank the member states according to their shaping (table 2) and taking (table 3) capacity. The taking capacity is measured by the average number of infringement proceedings, which the Commission officially opened against the Member States for violating EU environmental law between 1978 and 1998.³ It is assumed that the higher its average number of infringements is, the lower the taking capacity of a Member State.

Due to the lack of comparable data, the rating of the shaping capacity of the Member States follows the literature on EU environmental policy-making, which distinguishes between environmental pace-setters (pioneers, firstcomers, leaders), foot-draggers (latecomers, laggards), and fence-sitters (cf. Héritier, Knill, and Mingers 1996; Andersen and Liefferink 1997a; Börzel 2002; Holzinger 1997). The six pace-setters, Denmark, the Netherlands,

³ The average number of Reasoned Opinions sent (marking the first official stage of the proceedings) against the Member States accounts for their different length of membership. The data are drawn from the EUI Database on Member State Compliance with Community Law (www.iue.it/rsc/research/research_tool/compliance).

Sweden, Finland, Germany,⁴ and Austria, are said to be most effective in shaping EU policies according to their preferences. The five foot-draggers, Spain, Greece, Portugal, Ireland,⁵ and the UK,⁶ are not active shapers but still yield significant influence on EU environmental policies since they often seek to block or delay policy initiatives hoping to reach at least some temporary exemptions (derogations), financial compensations (side-payments) or concessions in other issue areas (package deals). In the negotiations on the Single European Act, for instance, the foot-draggers linked their support for the Single Market, with its implied higher standards of environmental protection, to the upgrading of the structural funds. Fence-sitters do neither aim at initiating or promoting specific policies at the European level nor at preventing the attempts of others to do so. Rather than shaping or braking EU policies, Belgium, Luxembourg, Italy, and France tend to take an indifferent and neutral position. Or they build changing coalitions with pace-setters and foot-draggers, depending on the issue involved.

The ranking of the member states is mapped against the political and administrative factors that may influence their shaping and taking capacity.

Political fragmentation is measured by the average number of veto players between 1970 and 2000 that can block the implementation of EU policies (for Italy only 1970 till 1995; Greece is missing; cf. George Tsebelis. 2002. Veto Player Data. <http://www.polisci.ucla.edu/tsebelis/vpdata.html>).

Political resources are represented by an aggregate variable calculated on basis of the average share of votes each Member State has in the Council since 1995 and the average contribution of a Member State to the EU budget between 1971 and 1980, and 1986 and 1996 (for Finland, Sweden, and Austria since accession in 1995).⁷

Political legitimacy related to the EU is measured by the public support for European integration derived from the percentage of people who responded to the question “Are you in general for or against making efforts towards uniting Western Europe?” with “For very much” (the data are drawn from the Eurobarometers 1971-1998 http://europa.eu.int/comm/public_opinion/index.htm)

Administrative fragmentation is measured by the degree to which environmental competencies are dispersed between policy sectors (ministries) and levels of government, on the one hand, and the absence or presence of mechanisms of horizontal and vertical coordination, on the other hand (Hanf and Jansen 1998; Weale et al. 2000).

Administrative resources are represented by an aggregate variable made up by spending power, staff-power, and expertise. Spending power is measured by the average government consumption in per cent of the GDP between 1978 and 1998 (OECD Statistical Compendium 2000), staff-power is assessed by the average state expenditure on wages and salaries in per cent of the GDP between 1988 and 2001 (OECD Statistical Compendium 2000), and expertise is estimated on the basis of the average per cent of citizens older than 15 that earned

⁴ Germany is still considered as one of the pace-setters, although, since the early 1990s, it has repeatedly played the role of a braker rather than a shaper of European policy initiatives.

⁵ Ireland still largely qualifies as a foot-dragger but increasingly seeks to promote a “green” image (Coyle, Carmel. 1994. Administrative Capacity and the Implementation of EU Environmental Policy in Ireland. In *Protecting the Periphery*, edited by S. Baker, K. Milton and S. Yearley. Essex: Franc Cass, 62-79.).

⁶ Until the early 1990s, the UK was a prominent member of the foot-draggers. Since then, however, it has repeatedly acted as a shaper of EU environmental policies.

⁷ Unpublished data kindly provided to the author by the European Commission.

a high school degree between 1973 and 1993 (Barro, Robert J., Jong-Wha Lee. 1994. Data Set for a Panel of 138 Countries. <http://www.cid.harvard.edu/ciddata/ciddata.html>)

Administrative legitimacy is measured by the average level of perceived corruption between 1995 and 1999 (Corruption Perception Index of Transparency International <http://www.gwdg.de/~uwwv/>)

Issue salience in environmental policy is operationalized by the level of environmental awareness (people agreeing that “environment is an immediate and urgent problem”), the relative importance of the environment as an important problem compared to others, and support for environmental measures requiring behavioural changes, such as taxes on cars and petrol (Eurobarometers EB 51, 1999, B.69; EB 43.1, 1996, 1.1; EB 40, 1994, A. 20-22; EB 46, 1995, 6.1 http://europa.eu.int/comm/public_opinion/index.htm; Weale et al. 2000: Chapter 7).

Socio-economic development is measured by the average GDP per capita in constant US-\$ for the years 1978 through 1998 (OECD Statistical Compendium 2000). It serves as an indicator for the level of socio-economic regulation (Börzel 2002).

Table 2: Shaping EU Policies

Member states	— fence-sitters—				— foot-draggers—				— pace-setters—						
	L	B	I	F	IR	P	E	E	U	A	D	FL	S	N	D
								L	K	U				L	K
Political fragmentation	m	H	H	m	m	m	.	l	l	l	m	h	l	h	m
Political Resources	l	M	H	h	l	l	l	m	h	l	h	l	l	m	l
Political Legitimacy-EU	h	M	H	m	m	h	h	m	l	l	m	l	l	m	l
Administrative fragmentation	l	H	H	m	l	m	m	h	m	m	m	l	l	m	l
Administrative resources	m	M	M	m	m	l	l	l	m	m	m	h	h	m	h
Administrative legitimacy	h	L	L	m	m	l	l	l	m	m	m	h	h	h	h
Issue Salience	m	L	M	m	l	l	l	l	m	h	h	h	h	h	h
Socio-economic development	h	M	L	m	l	l	l	l	m	h	h	m	h	m	h

l: low, m: medium, h: high, .: missing

Table 3: Taking EU Policies

Member states	_____ laggards _____						_____ leaders _____								
	EL	P	I	E	AU	B	F	IR	D	L	UK	FL	S	NL	DK
Political fragmentation	.	m	H	l	l	h	m	m	m	m	l	h	l	h	m
Political Resources	l	l	H	m	l	m	h	l	h	l	h	l	l	m	l
Political Legitimacy-EU	h	h	H	m	l	m	m	m	m	h	l	l	l	m	l
Administrative fragmentation	m	m	H	h	m	h	l	m	m	l	m	l	l	m	l
Administrative resources	l	l	m	l	m	m	m	m	m	m	m	h	h	m	h
Administrative legitimacy	l	l	L	l	m	l	m	m	m	h	m	h	h	h	h
Issue Salience	l	l	m	l	h	l	m	l	h	m	m	h	h	h	h
Socio economic development	l	l	l	l	h	m	m	l	h	h	m	m	h	m	h

l: low, m: medium, h: high, .: missing

Tables 2 and 3 provide a rather crude measurement for the correlation between political and administrative factors, on the one hand, and the shaping and taking capacity of the Member States, on the other. Nevertheless, they yield some interesting results. Political factors appear to carry little explanatory power. This is particularly true for two rather prominent explanations in the literature. The tables do not show any systematic link between the voting and budgetary power of a Member State and its capacity to shape and take EU policies. Both, pace-setters and fence-sitters differ among themselves significantly with regard to their political resources. The same is true for the leaders and laggards among the policy takers. If anything, political resources yield the opposite effect of what we would expect. Four of the six pace-setters (Denmark, Sweden, Finland, and Austria) hold the lowest share of votes in the Council and contribute only 8.5% of the EU budget. They are also among the most effective policy takers. Politically more resourceful countries, like Germany, France, the UK, and Italy in particular are less successful in both shaping and taking EU policies.

The pattern is even more diverse for the degree of political fragmentation. Member States with a high number of veto players are found among policy shapers and leading policy takers (the Netherlands, Finland) as well as among fence-sitters (Belgium, Italy) and compliance laggards (Italy).

The only political factor that appears to be of some relevance is the legitimacy of the EU. But the finding is counter-intuitive. The higher public support for the EU is, the greater the influence of a Member State on EU policies and the better its implementation record. The most Euroscepticist countries (Denmark, Sweden, Finland) are both the most effective shapers and takers (the latter holds for the UK, too) of EU policies! It may well be, however, that the political legitimacy of the EU is an effect rather than a cause of the capacity to shape and take

EU policies. Support for the EU significantly co-varies with administrative resources and administrative legitimacy. The fewer resources a Member State has and the more corrupt its administration is perceived to be, the stronger the public support for the EU. This could reflect a public belief that the EU may compensate for the lack of state capacity at the domestic level. Also, more Eurosceptic governments may be less willing to compromise at the EU level and their threats of “involuntary defection” due to domestic opposition may be more credible than of Member States, like Italy, where public support for the EU is high.

Unlike with the political factors, there is a consistent pattern emerging that links administrative resources and administrative legitimacy of the Member States to their shaping and taking capacity. The most effective shapers and takers share a low level of administrative fragmentation, have a high amount of administrative resources at their disposal, and enjoy high levels of administrative legitimacy. The foot-draggers and compliance laggards, by contrast, have highly fragmented administrations, are short of financial means, staff-power, and expertise, and suffer from high levels of corruption. Unlike in case of the pace-setters, the “negative” shaping capacity of the foot-draggers does not translate into a better compliance record. While the fence-sitters may be less effective in shaping EU policy decisions than the foot-draggers, they are better takers (with the exception of Italy). The side-payments and exemptions, which they receive in the shaping of EU policies, are not sufficient to compensate for the weak administrative capacity and legitimacy of the food-draggers that hinders the taking of EU policies.

The issue-salience and the level of socio-economic development co-vary with each other as well as with administrative resources and administrative legitimacy. This finding is consistent with the literature. Economists have argued that environmental quality is a superior good, for which demand rises as income grows (cf. Hirsch 1977: chapter 3). In a similar vein, political sociologists have observed that in prosperous countries post-material values or new political issues, such as environmental protection, have greater resonance among the public because its elementary needs are largely satisfied and people become less interested in quantitative improvements of their material standard of living (Inglehart 1990). In late-industrializing countries, by contrast, material values still prevail. In short: the richer people are, the more social and environmental quality they want – and the more taxes they can pay as to enable their state to provide these public goods. And the more resources a public administration has, the less it is prone to engage in bribery and corruption. Finally, the higher the social and environmental standards in a Member State are, the stronger is its incentive to harmonize its stringent domestic regulations at the EU level. Economically prosperous Member States have both the political incentive and the administrative capacity to shape EU policies. Not only does their superior administrative capacity and administrative legitimacy facilitate the taking of EU policies; it also enables them to shape EU policies in a way that they are closer to the preferences of their domestic constituencies and, hence, meet less resistance in the implementation process.

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