

CONSULTING THE COMMISSION:

STAKEHOLDER INVOLVEMENT
AND DECISION-MAKING EFFICIENCY
IN THE EU

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Abstract

In response to its democratic deficit, the EU has increasingly turned to stakeholder involvement in the decision-making process through consultations. Such stakeholder involvement, however, can potentially have a negative effect on decision-making efficiency, slowing down decision-making by increasing administrative work and the transaction costs for bargaining in legislative institutions. However, survival analyses – based on a unique dataset of the 2009-2010 online public consultations and the follow-up (non-)legislative acts – show that the number of stakeholders involved in fact improves the decision-making efficiency. The heterogeneity of their interests, on the other hand, does not affect the decision-making.

Keywords

Decision-making, Efficiency, European Union, Stakeholders, Consultations

Introduction

The European Union (EU) has long been concerned with building on democratic principles such as representativeness, equality, participation and deliberation. Nonetheless, the main critique on the EU has been its lack of democratic principles and legitimacy, otherwise known as the democratic deficit (Beetham and Lord, 1998; Moravcsik, 2002; Follesdal and Hix, 2006). The EU has addressed this deficit in several ways, in particular by increasing the participation of non-state stakeholders in the decision-making process (Schulz and König, 2000: 654; Balme and Chabanet, 2008: 90). Indeed, since the 1997 Treaty of Amsterdam, the Commission has been mandated to “consult widely” with a broad range of actors “before proposing legislative acts” (European Commission, 2007: Art1, 8b). Online consultations are perhaps the Commission’s most noticeable and widely used instrument of stakeholder involvement (Balme and Chabanet, 2008; Hüller and Kohler-Koch, 2008). This thesis examines the extent to which these consultations have altered the EU’s decision-making process. The question addressed here is not whether stakeholder involvement has assuaged the EU’s democratic deficit. Instead, the question is to what extent stakeholder involvement has affected decision-making efficiency in the EU.

Scholars acknowledge a fundamental trade-off between democratic legitimacy and efficiency. While increased stakeholder participation leads to more input- and output-legitimacy, it also tends to diminish decision-making efficiency (Hüller and Kohler-Koch, 2008; Quittkat and Finke, 2008; Rasmussen and Toshkov, 2013). In other words, increasing the number stakeholders involved in the decision-making process has the potential to delay or block the speed with which legislation is passed. The inclusion of a broad range of actors disperses power, making it more difficult to reach a decision because more actors have power to block the process and are less likely to find agreement (König, 2008; Rasmussen and Toshkov, 2013). Some scholars even claim that the involvement of stakeholders limits the representativeness and legitimacy of the decision-making process (Quittkat and Finke, 2008; Rasmussen and Carroll, 2013). Still, the consequences of stakeholder participation in decision-making processes have rarely been examined in a systematic and empirical manner. This

thesis seeks to address this oversight and poses the following question: what is the effect of stakeholder involvement on decision-making efficiency of the EU?

Based on the literature this thesis starts out arguing that the involvement of stakeholders in the EU's decision-making process reduces decision-making efficiency. More specifically, the more stakeholders involved, the longer it takes for legislation to pass from the proposal stage to its adoption in EU law. However, the survival analysis that is used to assess the effects of stakeholder involvement on decision-making efficiency, while controlling for several alternative explanations, shows something completely different. The analysis of a unique dataset of 397 different procedural acts – including the legislative and non-legislative acts that are preceded by the 2009 and 2010 online public consultations and different non-legislative and legislative acts without consultation – show that the number of stakeholders, regardless of the heterogeneity of their interests, actually increases the decision-making efficiency by functioning as a transmission belt for citizens' interests and by solving conflicts before a proposal is introduced.

A theory of decision-making efficiency

Scholars have identified a wide range of related factors affecting decision-making efficiency. In particular, there are four main factors explaining decision-making efficiency in the EU put forth in the existing literature: (1) the procedure and the involvement of decision-making institutions, (2) the voting rule, (3) the power of involved institutions, (4) the heterogeneity of interests of actors within and between institutions. The fourth factor is usually linked to the influence of the issue-area and the type of legislative act. In what follows I will discuss each factor in turn and add stakeholders as a fifth factor.

First, decision-making efficiency is influenced by the setup of the decision-making procedure and the involvement of decisive institutions and actors (Klüver and Sagarzazu, 2013: 4). This means that, generally speaking, adding a decision-making institution disperses power and cripples efficiency because it is more difficult to find a consensus between more institutions (Tsebelis and Garret, 2000). As a result, the voting rule is influential because it sets the requirement for approval of legislative or non-legislative act through

those institutions and thus limits the decision-making procedure (Klüver and Sagarzazu, 2013: 1).

The actual powers of the involved institutions matter as well (Tsebelis and Garret, 2000). For example, even under procedures where the European Parliament is marginally involved it still has considerable power over the decision-making process and thus influences this process and its efficiency (Selck and Steunenbergh, 2004; Kardasheva, 2009). Adding other – yet less powerful – actors such as the Council of Regions (CoR) and the European Economic and Social Committee (EESC) can have similar effects on decision-making efficiency. Hence some scholars stress that it is important to not only consider veto-players, or decisive actors and institutions, but that all political actors that can potentially affect decision-making efficiency should be covered (Rasmussen and Toshkov, 2013; Klüver and Sagarzazu, 2013). The interests of all these actors involved are crucial for decision-making efficiency. After all, all actors and legislative bodies in the decision-making process must agree to reach a decision (Schulz and König, 2000: 654; Selck, 2004; Klüver and Sagarzazu, 2013: 4).

Schulz and König, among others, frame the influence of actors in the perspective of the heterogeneity of interests (2000: 658). The heterogeneity of interests is relevant because when actors are not aligned it is more difficult to find common ground between those actors and reach a decision, and to reach it in a timely fashion (Klüver and Sagarzazu, 2013). The inclusion of the Parliament in the process due the changes of the Lisbon Treaty had precisely these consequences (Tsebelis and Garret, 2000). As a result, high heterogeneity of interests between institutions limits efficiency (Schulz and König, 2000: 665; Golub, 2008: 169; Rasmussen and Toshkov, 2013: 9). Additionally, the heterogeneity of interests within institutions is important as well, since it makes it harder to create a coalition that has sufficient votes to make a decision. This is especially the case insofar as the EU is a consensus-minded institution (Schulz and König, 2000; Golub, 2008).

The issue area of the legislative act is linked to the heterogeneity of interests in that it determines the distributional consequences for member states (Schulz and König, 2000; König, 2007; Golub, 2008). Member states adjust their preferences according to their evaluation of the distributional consequences. As

a result, when member states believe the distribution is not equal it leads to different interests and priorities among these member states which increase the heterogeneity of interests.

The type of legislative act is also linked to the heterogeneity of interests because it determines the procedure and the saliency of the legislation (Schulz and König, 2000). Legislative acts have a different procedure than, for example, implemented or delegated acts. Additionally, the type of legislative acts creates differences of saliency. Directives are more influential than other legislative acts because they are primarily concerned with laying down broad policy principles and relate to substantial consequences (Golub, 2008: 172). More importantly, directives usually require a change in domestic law, making member governments less flexible when negotiating a directive, which increases the heterogeneity of interests between the member states (Schulz and König, 2000: 658). Because directives are deemed so important they are more contentious and salient. Consequently, member states want to be more involved when a directive affects their interests than when deciding over other types of legislative acts. The combination of the high heterogeneous interests and low flexibility affects the decision-making efficiency.

Formal decision-making institutions and their interests are not the only relevant factors influencing decision-making efficiency. The interests of actors outside the formal process – such as stakeholders – are relevant as well, mainly because they affect crucial factors that influence the decision-making process and its efficiency: the number of actors (and interests) and the heterogeneity of interests (Rasmussen and Toshkov, 2013; Klüver and Sagarzazu, 2013). Nevertheless, the inclusion of stakeholders has mostly been absent from empirical studies concerning decision-making efficiency – a fact that is surprising given that the heterogeneity of preferences is assigned such significance in the literature (Dür, 2009).

The exclusion of stakeholders in these studies is especially striking when taking into account that stakeholders create considerable conflict in the decision-making process and are not limited to policy niches, making them suitable candidates to influence decision-making efficiency (Gray and Lowery, 2000). Moreover, stakeholders have gained increased importance in the EU and their

opportunities to influence decisions have institutionalized through the use of consultations as well (Beyers et al., 2008; Quittkat and Finke: 2008: 183; Quittkat, 2011: 654). Furthermore, the influence of stakeholders is not limited to consultations. Numerous studies have shown that the EU's extensive lobbying-regime provides many opportunities to impact decision-making throughout the process (e.g. Eising, 2008; Coen, 2012; Beyers et al., 2010; Mahoney, 2008; Van Schendelen, 2010; Liebert, 2005; Klüver, 2012).

Still, most scholars concentrate on the strategies rather than on the outcomes of stakeholder involvement (Rasmussen and Toshkov, 2013: 8). Those who do focus on the outcomes of stakeholder involvement usually do not focus on the procedural aspects such as its efficiency but on the effectiveness of the outcome of the decision-making when involving stakeholders (Beierle, 2002). The costs and repercussions of stakeholder involvement on the decision-making process remain understudied (Irvin and Stansbury, 2004: 58).

Only Rasmussen and Toshkov (2013) addressed the effects of stakeholder involvement on decision-making efficiency and found that stakeholders increase 'the transaction costs of subsequent bargaining by prolonging the time needed to form the necessary coalitions to reach legislative deals' which increases the legislative duration (2013: 27). Irvin and Stansbury (2004) also claim that, from a governing point of view, the main cost of stakeholder participation is that the decision-making process can become time-consuming and costly. In addition, government can lose control over the process and – because stakeholders often have different interests than government – end up with outcomes that are not preferred. Stakeholders usually possess vital resources which they can use to put up resistance to ensure that reaching a decision takes a long time. Sometimes they can even block decisions that are not in line with their interest (Edelenbos and Klijn, 2006: 5-7). In other words, the involvement of stakeholders can have a significant negative effect on the efficiency of the decision-making process (Kohler-Koch and Finke, 2007).

These disadvantages are, however, neglected by most scholars because the benefits of a more legitimate process are assumed to outweigh the costs. Some even claim that the participation of stakeholders can lower their own veto-powers which, accordingly, will make the process more efficient (Edelenbos and

Klijn, 2006; Glicken, 2000). Nevertheless, these arguments are mainly based on assumptions. There are very few studies that actually measure the negative effects such as efficiency loss by including stakeholders in the process while there are adequate reasons to believe these effects are present (Furlong and Kerwin, 2005).

Towards a theory of stakeholder involvement and decision-making efficiency

Involving stakeholders through online public consultations in the decision-making progress influences two crucial factors that affect the decision-making efficiency: the number of actors (and interests) in the decision-making process and the heterogeneity of interests in the decision-making process.

The effect of stakeholder involvement on decision-making efficiency is especially likely because of the growing number of stakeholders and the increasing and institutionalizing opportunities to influence the decision-making process through the extensive consultation- and lobby-regime. It is only logical to assume that when legislation is popular during the consultation process is it likely to be lobbied during the entire decision-making process. It would be illogical for stakeholders to attend a consultation and not get involved in the legislation that follows from that consultation. As a result, it is expected that the involvement of stakeholders has considerable influence on the decision-making procedure and its efficiency.

The effects of stakeholder involvement depend on the type of decision-making efficiency at issue, as decision-making efficiency can be understood in two different ways: mechanical *lourdeur* and substantive *lourdeur* (Schulz and König, 2000). Mechanical *lourdeur* refers to the legislative quantity and especially the speed of the legislative process. By contrast, substantive *lourdeur* refers to the substantive content of legislation. This thesis will focus on mechanical *lourdeur* – with the duration of the decision-making process as its indicator – since the substantive *lourdeur* is very difficult to assess empirically.

One way stakeholder involvement can influence decision-making efficiency is through the inclusion of more actors in the decision-making process. When many actors have influence over a decision it usually cripples decision-

making efficiency, according to the iron law of oligarchy. When stakeholders are involved it means that all their interests have to be integrated into the decision-making process. This is a difficult task, especially because the EU is focused on finding a consensus. Thus, including extra interests by involving stakeholders leads to more administrative work which increases the duration of the decision-making process. In addition, Rasmussen and Toshkov (2013) have shown that consultations increase the decision-making duration by increasing the transaction costs of bargaining by requiring the decision-makers to spend more time to form the necessary coalitions to reach legislative deals. Because the interests of the legislative bodies such as the European Parliament are not always congruent with those of the stakeholders, the Parliament has to deal with all these interests to resolve matters before finishing the legislative act. The greater the number of stakeholders, the harder it is for the Parliament to resolve matters and reach the required coalition in a timely manner. Therefore, stakeholder involvement affects the mechanical efficiency purely by inflating the number of actors, and subsequently, the number of interests, immensely. This leads to the first hypothesis:

H1: The greater the number of stakeholders involved in the consultation process, the less efficient the decision-making process will be.

It is also expected that the heterogeneity of the interests of stakeholders, which refers to the differences of the interests of stakeholders with respect to a certain goal, influences decision-making efficiency (Schulz and König, 2000). When there are more differences between interests of stakeholders it is more difficult for the EU to integrate these interests into the decision-making process – especially when these interests bring in new dimensions on a subject. Environmental organizations can, for example, bring in a new dimension on a legislative act on food safety. These differences between interests do not only create more administrative work but make it more difficult to find a consensus and thus slows down the decision-making process. Although the content of interests and their differences are only really measurable by analyzing the real opinions of these stakeholders, interests are more likely to be more heterogeneous when the

stakeholders are very different from each other; or in other words, when the stakeholders are diverse. When stakeholders have, for example, different organizational structures, priorities and goals, it is more likely they have different interests with respect to a certain goal. This leads to the second hypothesis:

H2: The greater the diversity of the stakeholders involved in the consultation process, the less efficient the decision-making process will be.

Additionally, this study controls for the formal decision-making institutions that influence decision-making efficiency. Although the institutional setup is mostly constant, the number of formal institutions involved is not. For instance, the EU is mandated to ask opinions of the EESC and the CoR on many occasions. Involvement of more decision making-institutions makes it harder to find common ground by increasing the possibility of a greater heterogeneity of interests between institutions, and thus slows down the decision-making process. As a result, the third hypothesis is:

H3: The more decision-making institutions are included in the decision-making process, the less efficient the decision-making process will be.

Another factor influencing decision-making efficiency is the type of legislative act. Both Schulz and König (2000) and Golub (2008) have argued that because directives are more general and influential than regulations and decisions, member governments are less flexible and their preferences are more heterogeneous when negotiating a directive. This makes it difficult to reach a decision in a timely fashion. Hence this needs to be controlled for when assessing the influence of stakeholders. Consequently, the fourth hypothesis is:

H4: Directives will lead to less efficiency in the decision-making process than regulations or decisions.

Research design

The participation of stakeholders through consultations has intensified mainly because the EU uses consultations as the main instrument to address its 'democratic deficit'. In addition, these consultations have further institutionalized as a result of Article 2 of the subsidiarity and proportionality principle of the Lisbon Treaty that intensifies the use of consultations even more. Thus, in theory and in practice the participation of stakeholders has become very important within the EU these last years, making the post-Lisbon period the appropriate timeframe to study the influence of stakeholder involvement on decision-making efficiency. Therefore the theory is tested with the 2009-2010 online public consultations with the Commission and the legislative and non-legislative acts that have followed from these consultations. The pre-Lisbon consultations are not included so as to avoid problems stemming from changes made to the EU decision-making process laid down in this Treaty. Ideally, consultations after 2010 should be included as well. However, many of these consultations after 2010 have not yet led to legislative and non-legislative acts. The few that are, are usually in the very beginning of the decision-making process. Although those are still useful there is very little finished legislation from these 2010-consultations to compare them with. In addition, it was out of the limits of this thesis because of the time and effort needed to include this. Hence it became impractical to include consultations after 2010.

The consultations and the legislative and non-legislative acts that follow from these consultations are coded by going through three official online databases of the EU: Your Voice in Europe¹, PreLex² and Legislative Observatory³. Your Voice in Europe is the EU-database organizing all public consultations the Commission had with stakeholders since 2001. It has a great deal of information on these consultations, and the reactions on these consultations are documented and accessible. PreLex and Legislative Observatory are both official EU-databases on EU-legislation that track the inter-institutional procedures of the EU-institutions during the decision-making

¹ http://ec.europa.eu/yourvoice/consultations/index_en.htm.

² <http://ec.europa.eu/prelex/apcnet.cfm?CL=en#>.

³ <http://www.europarl.europa.eu/oeil/home/home.do>.

process. The Legislative Observatory is oriented from the point of view of the Parliament while PreLex is oriented around the actions of the Commission. Consequently, these databases are overlapping and complementary.

The dataset is created by starting with the online consultations documented in Your Voice, which gives basic information on the consultations, such as the opening and closing date, the subject, the target group, and the objective. In addition, the reactions on these consultations and sometimes the follow-up actions of the EU as a result of these consultations are available as well.

Table 1: Selection of legislative acts not preceded by consultations^c

		Consulted legislation in dataset	Total population legislation	Population legislative process	Target popu- lation ^c	Sample un- consulted legislation
2009	Decision	2	204	33	31	2
	Directive	8	21	17	9	8
	Regulation	9	109	43	34	8
2010	Decision	5	224	10	5	4
	Proposal for a directive	3	31 ^a	18 ^b	15	3
	Directive	8	18	16	8	3
	Proposal for a regulation	1	154 ^a	19 ^b	18	1
	Regulation	11	132	64	53	10
	Recommendation	1	20	0	0	0
2011	Proposal for a decision	2	198 ^a	12 ^b	10	2
	Decision	5	182	8	3	0
	Proposal for a directive	20	54 ^a	37 ^b	17	10
	Directive	2	13	12	10	3
	Proposal for a regulation	20	235 ^a	100 ^b	80	16
	Regulation	5	128	40	35	4
2012	Proposal for a decision	2	203 ^a	7 ^b	5	1
	Proposal for a directive	10	30 ^a	24 ^b	14	6
	Proposal for a regulation	6	145 ^a	54 ^b	48	5
2013	Proposal for a regulation	1	51 ^a	1 ^b	0	0

^a. Includes finished legislation as well while the proposal-category is used for unfinished legislation

^b. Only includes unfinished legislation for 'proposal-categories'.

^c. Categories without cases are omitted.

The Legislative Observatory and PreLex are used to find legislative and non-legislative acts that followed from the consultations mentioned in Your

Voice. Not all consultations led to a legislative or non-legislative act, however. These acts were searched based on the actions stated by the EU or by manually linking the legislative and non-legislative acts with the consultations. After that the decision-making process was measured by using information such as dates of adoptions and decisions, procedures, decision-rules and formations of actors.

Legislation that was not preceded by online consultations is also included to control for the influence of consultations on legislation (Table 1). By including legislation without consultations a baseline of the decision-making process and its efficiency is created which gives a point of reference. Only when including decision-making efficiency without stakeholder involvement the influence of stakeholder involvement on decision-making efficiency can be assessed.

Table 2: Selection of non-legislative acts not preceded by consultations^c

		Consulted legislation in dataset	Total population legislation	Population legislative process	Target popu- lation ^c	Sample un- consulted legislation
2009	Communication	14	159	-	145	14
	Green paper	4	7	7	3	3
	Resolution EP	1	390	-	381	1
2010	Recommendation	1	20	17	16	1
	Communication	25	145	-	120	25
	Green paper	5	11	11	6	5
	White paper	1	1	0	0	0
	Resolution EP	1	511	-	510	1
2011	Decision	1	182	174	173	1
	Proposal for a directive	2	54 ^a	7 ^b	5	2
	Communication	26	145	-	119	26
	Green paper	1	13	13	12	1
2012	Proposal for a decision	1	203 ^a	-	195	1
	Proposal for a directive	1	30 ^a	3 ^b	2	1
	Communication	10	128	-	118	10
	Green paper	2	4	4	1	1
	White paper	1	1	0	0	0
	Resolution EP	2	368	-	366	2
2013	Communication	8	70	-	62	8

^a. Includes finished non-legislative acts as well while the proposal-category is used for unfinished non-legislative acts

^b. Only includes unfinished non-legislative acts for 'proposal-categories'.

^c. Categories without cases are omitted.

The legislative acts that are not preceded by consultations are randomly chosen by categorizing the legislation that was preceded by online consultations in draft-year and type of legislative act, to make sure these factors do not intervene (Table 1). The goal was to create equal groups of legislation of those that were preceded by consultations, and those that weren't. This was done by searching the same type of legislation per year in PreLex. For each group all the legislation (the population) was searched and extracted, but only used when the legislation was reached through the legislative process (minus the already included legislation that was preceded by consultations). This left a group of legislation (the target population) that is similar in year and type of legislation to the consulted included legislation but that is not yet included in the database. From this target group it was checked whether an online public consultation preceded the legislation by going through the drafts and the publications. Only legislation from this group that was not the result of online consultations was included up until the same amount of the consulted legislation was reached.

The same was done for non-legislative acts (Table 2). It should be mentioned that this does not mean all cases are included in the analyses. Some have, for example, missing values on crucial variables and others are outliers, which makes them unusable for analysis. Other files could not be categorized. The legislative and non-legislative acts that could not be classified are also removed from the analysis and are not presented in Table 2.

Dependent variable: decision-making efficiency

Measuring decision-making efficiency, although it sounds straightforward, is a difficult task. The efficiency of the decision-making process is best explained by stressing both the mechanical and substantive efficiency of the process (Schulz and König, 2000). However, scholars such as Schulz and König (2000), Sloot and Verschuren (1990), Golub (1999), and Rasmussen and Toshkov (2013) all stress the mechanical efficiency – which is the speed of the decision-making process and the quantity of its output – as the only variable that can be operationalized fairly well. They all focus on the duration of the decision-making process as the main indicator of (mechanical) efficiency. Consequently, the same indicator is used in this study.

Decision-making duration is measured in two ways. First, the number of days between the proposal of a legislative or non-legislative act and its completion is used as the decision-making duration⁴. This is measured by following the dates of different files and actors in the Legislative Observatory and PreLex, which monitor every actor and step in the decision making-process. The decision-making duration is calculated with the days between the start of the decision-making process, the proposal by the Commission, and the formal end of the decision-making process, which is a publication of the act in the Official Journal for legislative acts and which is different per non-legislative act.

Table 3: Decision-making duration in days of completed legislative and non-legislative acts^a

		Mean	Median	Standard Deviation	Minimum	Maximum	N
Legislative acts	Days between proposal and publication	462,35	446	206,69	115	1119	86
	Days between the start of the consultation and the completion of the act	590,73	561,50	297,42	95	1533	82
Non- legislative acts	Days between proposal and completion	286,03	260	148,10	16	873	134
	Days between the start of the consultation and the completion of the act	448,80	370	293,72	16	1488	126

^a. Both consulted as unconsulted legislation are included. Unfinished legislative and non-legislative acts are not, while they are included in the analysis.

⁴ It should be noted that it is misleading to solely look at the main institutions of the EU, such as the Council and the Parliament. Many significant decisions are made in the working groups of these institutions (committees and COREPER) (Fouilleux et al., 2005). However, there is no systematic data on the COREPER's actions relating to the decision-making procedure available.

In Table 3 the data for consulted and unconsulted legislative and non-legislative acts is presented. It should be noted that while unfinished acts could not be included in this table, they are included in the analysis. The data shows that legislative acts on average take longer than non-legislative acts. Both the mean (462,35 compared to 286,03) and the median (446 compared to 260) are higher. Moreover, the shortest decision-making duration (the minimum), is considerably lower for non-legislative acts (16 compared to 115). This can be explained by the fact that reports and communications, which are both non-legislative acts, are usually created quickly without the need of consent of other institutions while legislative acts have to follow the ordinary legislative procedure which is more time-consuming.

The second measurement of decision-making duration that is used has one crucial difference in comparison with the first measurement. This second measurement includes the consultation process as part of the decision-making process because it is a crucial stage of the decision-making process. It produces extra time and effort when drawing a proposal, and likely later on in the process, which should be taken into account. The duration of legislative or non-legislative acts that were preceded by a consultation is now measured from the start of its consultation process until its completion as an act (Table 3). Legislative and non-legislative acts without a consultation remain unchanged.

However, including the consultation process in the measurement biases the consulted legislative and non-legislative acts to some extent because the 'pre-proposal' stage of (non-)legislative acts that were not preceded by a consultation is not measured. Therefore the first measurement of the dependent variable is used to control for such a bias. Even with the bias it will give more insight in the effects of consultations on the decision-making. The second dependent variable does not change the relation between the characteristics of legislative and non-legislative acts. For example, the minimal duration of non-legislative acts is still shorter than that of the legislative acts.

Independent variable: stakeholder involvement

Stakeholders refer to all actors from outside the EU, ranging from businesses to citizens, which have provided responses to the Commission's online consultation

process. This data is derived from the Commission's Your Voice in Europe website. Stakeholder involvement is measured as the number of stakeholders reacting per consultation.

Table 4: number of stakeholders involved in legislative and non-legislative acts

	Mean	Median	Standard Deviation	Minimum	Maximum	N
Legislative acts	581,9	27	6423,7	0	85513	177
Non-legislative acts	216,3	75	517,7	0	3056	179

Table 4 shows that the number of stakeholders involved in this dataset ranges from 0 (unconsulted legislation) to 85513 stakeholders. Although the mean and maximum of stakeholders are higher for legislative acts than for non-legislative acts, the median shows this is probably due to outliers that artificially raise the mean and maximum. The median shows that non-legislative acts attract more stakeholders than legislative acts (75 stakeholders in comparison with 27). This indicator helps me test the first hypothesis.

Some of these 177 legislative acts and 179 non-legislative acts are excluded because they are outliers. Two consultations, resulting in 9571 and 85513 submissions, are extremely deviant from other consultations. Most consultations (96,5%) lead to less than 1000 submissions. Hence these two cases are excluded from the analysis.

The number of submissions in the analysis is somewhat different as described above because it is recoded in 10 categories. The first category only contains all legislative and non-legislative acts with 0 submissions, the following eight categories contain a range of 50 submissions per interval (1-50, 51-100,...351-400), and the tenth interval contains legislative and non-legislative acts with 400+ submissions. The number of submissions as a scale-variable has such a great range that the effect of one increment change on the variable, meaning one more submission, is very small and hard to interpret in the analysis. Additionally, one submission should not make a difference on the decision-making duration. The number of submissions should only create an effect in bigger numbers. The recoding not only makes the effect easier to interpret, it is

also more logical to expect the number of submissions to matter in greater numbers than to expect one submission to affect the decision-making duration.⁵

Besides the testing of a cumulative effect of stakeholder involvement by linking the number of submissions to the decision-making duration, a control for stakeholder involvement by using a dummy-variable which indicates whether or not a consultation has preceded a legislative or non-legislative act is also included. According to Rasmussen and Toshkov (2013), any sort of consultation slows down the decision-making duration considerably.

Independent variable: stakeholder heterogeneity

The second independent variable is stakeholder heterogeneity which refers to the differences in who these stakeholders are, what their interests and preferences are, and how important these interests are to them. Unfortunately their interests and the value of importance of these interests are unknown without assessing this in a quantitative manner. However, by assessing who the stakeholders are one can derive their interests from their characteristics. As a result, the heterogeneity of interests is measured through the type of stakeholders providing consultation submissions. Although not all of the different types of stakeholders have different interests and not all of the same types have the same interests, the heterogeneity of preferences is likely to increase when the stakeholders are more different and diverse. Consequently, the diversity of stakeholders should be a fairly good indicator for heterogeneity and helps to test the second hypothesis.

The stakeholders are classified in eight different groups (plus a ninth category 'other' for untraceable reactions) by using their individual reactions and the EU's recurrent classification scheme to manually classify them. Even though this is not an official classification scheme, the EU almost always classifies in citizens, private organizations, non-governmental organizations and government organizations, and frequently adds categories such as research-oriented stakeholders and local administrations. This study follows the same structure.

⁵ The recoding does not change the results of the analysis. The same effects in the models are significant and it does not affect other variables.

The usual suspects of stakeholders, who are indicated by their high means in comparison with other categories, are (1) the private profit-oriented organizations and associations, (2) public administrations of member states, (3) the non-profit oriented civil society organizations, (4) and individual citizens. In addition, more specific categories are used: (5) research-oriented organizations and academia, (6) local administrations, (7) EU-organizations such as EFTA or the ECB, (8) administrations from non-EU countries.

Table 5: diversity of stakeholders in legislative and non-legislative acts

	Legislative acts ^a				Non-legislative acts ^a			
	N	%	Mean	Std dev.	N	%	Mean	Std dev.
Citizens	67	38,3	498,49	6206,73	76	44,2	91,76	340,94
Private/profit organizations	89	50,9	49,99	180,62	102	59,3	57,49	86,35
Non-profit/civil society	71	36,8	11,40	52,51	90	52,3	23,73	64,85
Research/ academia	40	20,7	2,03	11,03	56	32,6	12,33	50,21
Public administrations	84	43,5	12,26	37,97	105	61	14,77	21,86
Local administrations	22	11,4	2,11	10,46	40	23,3	8,44	31,24
EU-organizations	36	18,7	0,79	2,61	24	11,8	0,73	2,84
Non-EU country administrations	7	3,6	0,06	0,29	8	4,7	0,25	1,45
Other	31	16,1	4,62	17,17	40	23,3	4,12	15,65

^a. N=175 legislative acts and 172 non-legislative acts

The different categories are presented in Table 5. In this table the number (N) and the percentage (%) indicate the times the respective type of stakeholder is represented in a consultation that precedes a legislative or non-legislative act by at least one stakeholder. The mean and standard deviation indicate the overall average number of stakeholders of that type involved for all cases when that category is represented.

Control variables: decision-making institutions and type of legislative act

In order to control for alternative explanations that influence the decision-making efficiency, the institutional setup, type of legislative act and the number of readings in the analysis are included as well. The institutional setup translates into the requirements for the adoption of legislative and non-legislative acts, which comes down to the formal decision-making institutions and how (and with

what procedure) the non-legislative and legislative acts move between and through those institutions. It is already explained that increasing the number of decision-makers in the decision making-process reduces its efficiency. By using PreLex and Legislative Observatory the institutions and the procedure of the (non-)legislative act could simply be measured with the number of formal decision-making institutions involved in the decision-making process. This information is used as an indicator of the decision-making institutions involved to test the third hypothesis.

Table 6: mean of formal decisions by EU-institutions on finished legislative and non-legislative acts

	Legislative acts <i>N</i> =87	Non-legislative acts <i>N</i> =182
Commission (without corrigendum or amendment)	1,95	0,99
Council	1,10	0,50
Parliament	1,14	0,49
European Economic and Social Committee	0,53	0,50
Committee of Regions	0,05	0,30
Court of auditors	0,01	0,00
European Central Bank	0,24	0,00
European Data Protection Supervisor	0,09	0,04
Reconciliation Committee	0,02	0,00
Total number of institutions involved	5,15	2,84

Table 6 shows the averages of the decisions made by institutions per finished legislative and non-legislative act and the average of the total number of institutions involved per act. On average 5,15 institutions are involved during the legislative process. The Commission, Council and Parliament are always involved in the legislative process and take at least one decision during the first reading. Sometimes the process needs more readings to reach an agreement between the institutions; hence their number of decisions is on average over 1. Dummy-variables of their involvement are also coded.

In addition, this thesis focuses on the salience and procedure of the legislative act by using the type of legislative act as a control variable as well. As discussed above, legislative acts have different procedures than other acts

(implemented, delegated, e.g.), and the different types of legislative acts (directive, regulation, e.g.) have different levels of salience. Both the Legislative Observatory and PreLex categorize the proposals of legislative acts and the publications in the Official Journal. There is no incongruence between them. The indicator to measure the type of the legislative act is fairly easily constructed by deriving the type of legislative act from these databases. This will help testing the fourth hypothesis.

Table 7: number of finished and unfinished acts per procedure^a

	Own- initiative	Non- legislative enactment	Co-decision	Consultation	Consent
Communication	128	0	0	0	0
Decision	0	2	12	1	0
Directive	0	0	21	7	0
Green paper	23	0	1	0	0
Proposal for a decision	0	2	5	1	0
Proposal for a directive	0	6	45	4	0
Proposal for a regulation	0	1	46	1	2
Recommendation	1	1	0	0	0
Regulation	0	0	47	0	0
Report	21	0	0	0	0
Resolution of EP	7	1	0	0	0
White paper	2	0	0	0	0
Working paper	1	0	0	0	0

^a. Both consulted as unconsulted legislation are included

Table 7 gives an overview of the different types of legislative and non-legislative acts considered in this thesis. As a result of the focus on legislative acts, most of the acts are the result of one of the co-decision procedures, or in other words, the ordinary procedure. Other acts are the result of the two special legislative procedures, the consultation procedure and the consent procedure, and other non-legislative procedures. Communications, green and white papers, and reports do not follow a strict procedure and are created on the own initiative of the Commission. Although there are other procedures, these are less common and apparently not used in combination with consultations.

Additionally, the number of readings is also a control-variable. Not only is it logical that having two readings takes longer than having one, it could also help interpret the differences between different procedures. While most non-legislative acts do not follow the structure of readings, all legislative acts do. Additional readings could of course also increase the decision-making duration and might cause the difference in duration between legislative and non-legislative acts. Hence this variable is included.

Determinants of EU's decision-making efficiency

After presenting the argument and the research design, this argument will now be tested by relying on a time-to-event analysis, otherwise known as survival analysis. A semi-parametric Cox model is used, because I do not have any a priori assumptions about the distribution of the decision-making duration (Rasmussen and Toshkov, 2013; Klüver and Sagarzazu, 2013). The event in the analyses is the completion of a legislative or non-legislative act, meaning that when the event does not occur it indicates that a legislative or non-legislative act is not completed. Because this analysis uses a time span these unfinished acts are still useful in this analysis. With this survival analysis the effects of different factors on the decision-making efficiency, including stakeholders, will be tested.

Each of the analyses is executed with three different models. The first model includes only legislative acts (consulted and unconsulted) and uses the dependent variable of decision-making duration that excludes the consultation process from the measurement. Model 2 has a different case selection in comparison to Model 1 but uses the same dependent variable. It includes not only all legislative acts, but also all consulted and unconsulted non-legislative acts. Model 3 differs from Model 1 on the dependent variable by including the consultation process in the measurement of decision-making duration, but uses a similar case selection as Model 1.

Table 8: determinants of the duration of the decision-making process in the EU

<i>Variables</i>	Model 1: Legislative acts	Model 2: Legislative and non-legislative acts	Model 3: Legislative acts with duration including the consultation process
	<i>Coefficient</i>	<i>Coefficient</i>	<i>Coefficient</i>
Directive	-0,282 (0,249)	-0,989* (0,236)	-0,50 (0,248)
Readings	-0,815* (0,412)	-1,528* (0,179)	-0,519 (0,362)
Number of institutions	0,383* (0,162)	0,046 (0,095)	0,380* (0,160)
Parliament	12,557 (88,518)	0,043 (0,191)	12,741 (84,557)
EESC	-0,485 (0,288)	-0,176 (0,185)	-0,546 (0,288)
CoR	-1,488 (1,017)	-0,509* (0,213)	-1,608 (1,015)
Number of submissions	0,233* (0,119)	-0,014 (0,047)	0,274* (0,122)
Diversity of stakeholders	0,210 (0,128)	0,125 (0,096)	0,009 (0,145)
Consultation	-0,934 (0,649)	-0,699 (0,452)	-1,815* (0,675)
N	164	280	161
-2 Log Likelihood	614,071	1690,167	589,059

a. * < 0.05, ** < 0.01

b. Standard errors in parentheses

General factors affecting EU's decision-making efficiency

The empirical results from the Cox regressions (Table 8) are somewhat surprising and ambiguous. Nonetheless, the influence of the type of legislative act, directives to be more specific, falls in line with the expectation. In each model, directives have a slower decision-making process than other types of acts. Still, this effect is only significant when including non-legislative acts (Model 2). It could be non-significant for legislative acts because of the relatively small N, considering all the different types of legislative acts. Moreover, non-legislative acts include acts such as communications and papers which do not follow the legislative procedure, making it easier (and faster) to complete the decision-making process. In comparison with these acts the decision-making of all legislative acts is slower.⁶ Nevertheless, all models indicate the same direction of the effect of directives. Although its effect is not significant for legislative acts (Model 1 and 3), the results are congruent with the findings of previous studies (Golub, 2008; Schulz and König, 2000). Consequently, it does provide some support for H4 in which directives were expected to slow down the decision-making process.

The effect of readings is also in line with the expectation. It seems that more readings slow down the decision-making process (Model 1). Its commonsensical that on average a legislative act takes longer to finish when it needs two readings in comparison to one reading, because more readings lead to more meetings, more decisions and thus more time needed to finish a legislative act. The inclusion of non-legislative acts, which don't have any readings at all, seem to support the argument. Including these acts create more variation (0 readings are now also included) which increases the coefficient (from -0,815 to -1,528), indicating a stronger significant effect.

When including the consultation process in the measurement it creates a situation in which a consulted legislative act that needs only one reading could take longer to finish than an unconsulted legislative act with two readings. Hence the effect is not significant in Model 3. The effect of the readings is negated by the

⁶ When a dummy-variable indicating the difference between legislative and non-legislative acts is added to Model 1, it results in a significant ($p < 0.05$) coefficient of -1,105.

effect of consultations, indicated by the significant effect of the consultation-variable.

The effect of the number of institutions, however, is a different story. In Model 1 and 3 the number of institutions has a positive and significant effect on the decision-making duration of legislative acts, meaning it increases the speed of the decision-making process (Model 1 and 3). The number of institutions involved does not affect the duration of the decision-making of non-legislative acts (Model 2). The positive effect of the number of institutions in both models with legislative acts is contrary to the effects assumed with H3 in which the number of institutions was expected to slow down the decision-making process. Therefore H3 must be rejected. Nevertheless, the findings are unlikely to be the case. Its effect is conflicting with all theoretical arguments and empirical results of previous studies which have been excellent in pointing out that including more decision-makers slows down the decision-making process (Schulz and König, 2000). Perhaps the variation of different institutions has been different in comparison with other studies. Still, there is insufficient information to explain this result.

Explaining the effect of the number of institutions on the decision-making duration becomes especially difficult when considering the effect of the EESC and CoR. The results of both institutions indicate that their inclusion does not have a significant effect on the decision-making duration of legislative acts. However, when comparing these negative effects to the positive significant effect of the number of institutions, the effect of the number of institutions becomes even more remarkable.

The relation of the number of institutions becomes clearer when analyzing the effect of the European Parliament in the decision-making. The Parliament itself seems not to affect the duration of the decision-making of legislative acts significantly, even though the positive coefficient is relatively big (12,557) (Model 1). Changing the dependent variable in Model 3 does not lead to different results. This is also very conflicting with the current literature that underlines that the Parliament is the prime example of an institution slowing down the EU decision-making (Kardasheva, 2009; Selck and Steunenbergh, 2004).

This incongruence with previous studies concerning the Parliament can be explained by the difference in timespan between previous studies and this study. This study concentrates on the post-Lisbon period while other studies have covered the period before the Lisbon Treaty. Since 2009 almost all legislative acts are required to go through the Parliament, making the Parliament fully part of the decision-making process. Therefore a comparison between legislative acts that were decided upon by the Parliament and those which were not is flawed. The only comparison possible is whether a legislative act has already reached the Parliament or has yet to do so. Consequently, the role of the European Parliament in the decision-making and its effect on the decision-making has changed. In addition, including non-legislative acts that not always include the Parliament in their decision-making process leads to a coefficient of 0,043 (Model 2). This could indicate that the low variation on the inclusion of the Parliament in Model 1 distorts its effect.

Still, when comparing the effect of the Parliament on the decision-making with the effect of the number of institutions shows a link between them. When the Parliament has a high positive effect (Model 1 and 3), the number of institutions has a significant effect, and when the effect of the Parliament is very low (Model 2), so is the effect of the number of institutions. The Parliament seems to alter the relationship of the number of institutions on the decision-making speed, which would partly explain the positive effect of the number of institutions and the incongruence with the effect of the inclusion of the CoR and EESC.

The difference between the effect of the EESC and CoR with the Parliament indicates that some institutions slow down decision-making while others do not. Because the EESC and CoR are (mandatory) advisory institutions they represent different interests than legislative bodies such as the Parliament. Including the EESC and CoR would then change the heterogeneity of interests between institutions while the involvement of the Parliament would not. Consequently, it is more likely to conclude that the decision-making efficiency is influenced by which institutions join the decision-making process rather than by the sheer number of institutions.

Stakeholder involvement affecting EU's decision-making efficiency

If we turn to the effects of consultations and the influence of stakeholders on the decision-making duration the results are again surprising. First of all, the effect of consultations on the decision-making duration as found by Rasmussen and Toshkov (2013) cannot be confirmed. The effect of consultations on the decision-making process of legislative acts, or non-legislative acts, is not significant. Nonetheless, the direction of the effect (slowing down decision-making) is similar to Rasmussen and Toshkov's results (Model 1 and 2). The effect is stronger and significant in Model 3, but most likely the result of including the consultation process in the measurement of decision-making duration. Because of this bias its effect should not be overstated.

Furthermore, not only the effect of consultations is deviant from Rasmussen and Toshkov's conclusions. Despite the expectation that stakeholder involvement slows down the decision-making, the number of submissions actually significantly decreases the decision-making duration (Model 1). The effect is slightly stronger in Model 3 because of the bias of the dependent variable. The inclusion of non-legislative acts (Model 2) seems to reverse the effect of number of submissions in Model 1, which is likely to be caused by the fact that some of these non-legislative acts do not need approval from the Council or Parliament. This prevents conflict between the interests of the stakeholders with the decision-making institutions. When there is no conflict of interests to overcome, it cannot lead to a longer decision-making duration. Moreover, many of these non-legislative acts are only meant to report on the consultations. Consequently, there is no reason to assume a conflict of interests or more administrative work to integrate their interests in most of these non-legislative acts. The weaker effect of consultations on the decision-making process in Model 2 seems to coincide with this and support the lesser effect on non-legislative acts. Although it was assumed that submissions mean more opinions and interests involved in the process – which was expected to lead to more administrative work and more conflict with the interests of the European Parliament and thus higher transaction costs for bargaining – which should make it more difficult to reach a decision, the results indicate the opposite. As a result, H1 which assumed this effect must be rejected.

Nevertheless, Rasmussen and Toshkov (2013) have also presented several arguments how involving stakeholders can decrease the decision-making duration. First, stakeholders can act as transmission belts or gatekeepers between the views of the citizens and the decision-makers. The alternative would be that legislators have to deal with each citizen individually which, of course, would increase the transaction costs of legislative bargaining and 'require a greater time investment to resolve matters' (Rasmussen and Toshkov 2013: 10). Second, the preparation of proposals with the help of stakeholders could resolve conflicts that otherwise would have to be resolved in the decision-making process. Proposals would then be less controversial when introduced and thus would lead to lower transaction costs of bargaining. More submissions of stakeholders in comparison with less submissions would then not only increase the function as the transmission belt, but would also resolve more conflicts before the proposal is introduced⁷.

The positive relationship between stakeholder involvement and decision-making duration, and thus decision-making efficiency, indicates that the EU could be able to integrate stakeholders' interests without any negative consequences for the decision-making process. More importantly, it can actually increase its efficiency. Still, the possible enhancement of the legitimacy of the decision-making process through these stakeholders has not been the focus of this study and is, therefore, unknown. This can only be proven by analyzing the content of legislation by checking whether stakeholders' interests are actually integrated into the decision-making. The critique on whether the intensifying of the consultation process addresses this democratic deficit will otherwise remain unchallenged (Finke, 2007; Saurugger, 2008; Kohler-Koch, 2010).

Although this study cannot measure whether the involvement of stakeholders actually creates more input and output legitimacy, a faster decision-making could imply less conflict and thus more input and output legitimacy. In this light it would seem reasonable to conclude that online consultations are increasing the legitimacy of the decision-making in a functional way that

⁷ A positive relation between the number of days from the start of a consultation till start of the legislative act with the number of submissions would show the extra work of solving conflicts. However, there is no significant positive correlation, probably because the number of days can also increase when very few stakeholders submit and the Commission lengthens the time to submit to gain more submissions.

maintains the efficiency of the decision-making. Indeed, these results could indicate that the EU has found a way to address the democratic deficit by actively intensifying the contacts with societal groups through consultations. If so, there is no trade-off between legitimacy and efficiency and both can be simultaneously reinforced.

However, it should be considered that these results may be somewhat biased. The results concerning decision-making institutions and directives could not be confirmed, which is highly unlikely and, consequently, makes it difficult to accept the empirical results of stakeholder involvement on the decision-making efficiency.

Another way stakeholders can affect the decision-making duration is with the heterogeneity of their interests. However, the heterogeneity of their interests, indicated by the diversity of stakeholders, shows no significant effect in any of the models. The representation of each type of stakeholder does not affect the decision-making. Hence H2, which assumed that the heterogeneity of interests affects the decision-making efficiency negatively, must be rejected. The positive direction of its effect is the opposite of what was assumed. Just like the number of submissions, the diversity of stakeholders was expected to slow down decision-making. Following the same reasoning as for the positive effect of the number of submissions one could say that a greater diversity of stakeholders increases the chance of resolving different kinds of conflicts before the decision-making. However, these results seem to indicate that it only matters how many stakeholders are involved and that their specific interests do not matter. Remarkably, a contrarian deduction was established between the importance of the heterogeneity and the number of interests regarding the decision-making institutions.

Furthermore, Rasmussen and Toshkov point out that the organizational type is questionable as an indicator for the actual degree of preference conflict among participants (2013: 26). However, they also claim that the sheer number would not indicate the preference conflict while this study has proven that it does affect the decision-making duration. The number of submissions of each type of stakeholder has to be broken down to really grasp its effect on the decision-making duration, and thus its efficiency.

Table 9: stakeholder involvement on the duration of the decision-making process

	Model 1: Legislative acts	Model 2: Legislative and non-legislative acts	Model 3: Legislative acts with duration including consultation
	Coefficient	Coefficient	Coefficient
Number of submissions	0,005 (0,006)	0,004 (0,003)	0,001 (0,006)
Citizen submissions	-0,008 (0,009)	-0,005 (0,003)	-0,001 (0,007)
Private submissions	-0,004 (0,009)	-0,003 (0,004)	-0,004 (0,011)
Civil submissions	-0,014 (0,030)	-0,002 (0,007)	-0,001 (0,025)
Citizen submissions ratio	-0,002 (2,669)	1,037 (1,109)	-0,336 (2,197)
Private submissions ratio	2,074 (2,881)	1,443 (1,190)	1,750 (2,822)
Civil submissions ratio	3,610 (5,815)	1,745 (1,496)	0,170 (4,871)
Ratio differences (7 groups)	-2,974 (1,800)	-1,799 (0,960)	-2,488 (1,871)
Ratio differences (4 groups)	2,057 (1,803)	0,691 (0,864)	1,193 (1,712)
Private-civil balance	0,295 (3,039)	0,786 (1,330)	0,230 (3,025)
N	168	296	165
-2 Log Likelihood	681,866	1918,453	677,866

*a. * < 0.05, ** < 0.01*

b. Standard errors in parentheses

Table 9 breaks down the number of submissions by types of stakeholders on legislative acts (Model 1 and 3) and for legislative and non-legislative acts (Model 2). These models only underline the absence of a relationship between the diversity of stakeholders and the decision-making duration. None of the submissions from a type of stakeholder, as well as any of the ratios seem to have a significant effect on the duration of the decision-making process. Although not all types are included in Table 9, none of them have any significant effect. Apparently it does not increase the administrative work during the preparation of legislative and non-legislative acts by increasing the heterogeneity of interests that need to be integrated, nor does it create conflict with the interests of legislative institutions such as the European Parliament. As a result, heterogeneity of interests of stakeholders does not affect the decision-making efficiency.

Conclusions

This thesis has tried to show the effects of stakeholder involvement on the EU's decision-making process efficiency. With a unique dataset of legislative acts and non-legislative acts it has shown that, unexpectedly, stakeholders through online consultations affect the decision-making efficiency positively. When more stakeholders are included in the consultation process, regardless of the heterogeneity of their interests, it speeds up the decision-making process of legislative acts. Stakeholders work as a transmission belt for citizens and solve and prevent conflicts before the decision-making process which speeds up the decision-making process. However, this is not the case for non-legislative acts.

Although the results concerning stakeholder involvement are clear, this study has its limitations which should be taken into account. Most importantly, this thesis has some issues concerning the case selection. The case selection of legislative and non-legislative acts preceded by consultations is limited to 2009 and 2010 while these consultations have been around longer and have intensified over the last few years. Consequently, the data selection is not entirely representative for online public stakeholder involvement and especially not for other forms of stakeholder involvement.

In addition, it was problematic to select cases of non-legislative acts and legislative acts that were not preceded by a consultation. Although the EU tries to archive all documents of all legislative and non-legislative acts and of the consultations, documents are sometimes missing or not accessible. Without these documents it can be difficult to assess whether stakeholders were involved.

Furthermore, like any other study within the field of decision-making efficiency, the measurement of efficiency lies with the mechanical side of efficiency. The other side of efficiency, substantive efficiency, is not measured. Only capturing half of the concept of decision-making efficiency creates troubles concerning the validity.

Nevertheless, this study has been valuable in tracing the consequences of stakeholder involvement on the decision-making process and its efficiency, which has been understudied. In addition, it also shows some important indications for the use of stakeholders to increase the decision-making legitimacy. This effect of stakeholder involvement is the best possible conclusion for the EU concerning its legitimacy issues. Even if the legitimacy does not increase with the use of stakeholder involvement, stakeholder involvement at least does not influence the efficiency negatively. Possibly, it can even reinforce both aspects simultaneously.

Some still question whether these consultations do create a more participatory system and not only reinforce the functional way of governing in the EU. Unfortunately, this question cannot be answered with this study. The implications for the EU's online consultations with stakeholders, and mainly for the EU's legitimacy problems, can only be truly determined with a qualitative study that focusses on the outcome of the decision-making process and the substantive involvement of stakeholders by analyzing the interests of stakeholders and their degree of integration in the proposals of legislative acts.

Without this proposed future studies the final conclusion on stakeholder involvement on the EU's decision-making process and its legitimacy will remain undecided. The improvement of the decision-making efficiency by stakeholder involvement would be more reliable when the study could be repeated without the flaws described above. Nonetheless, this study can confirm that the sheer number of stakeholders involved in the consultation process, regardless of their

heterogeneity of interests, increases the decision-making efficiency. Instead of confirming the negative expectations laid out in this thesis, it seems that involving stakeholders through online public consultations actually can improve the EU's decision-making process, by acting as transmission belts and by preventing conflicts in the decision-making, without any repercussions concerning its efficiency.

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