

Plenary 'Amendments' to Committee Reports: Legislative Powers of the European Parliament Committees

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Abstract

This paper examines the legislative influence of the EP committees by analysing the extent to which the plenary draws its legislative positions on the basis of the committee reports. Due to the open amendment rule in plenary, committees are expected to be more successful if the legislators drafting their reports have no outlying policy interests, have relevant expertise, and are affiliated with the working majority party group (coalition). Also, committees' legislative influence is expected to be substantially decreased by the mode of informal decision-making and early agreements with the Council of Ministers. These hypotheses are tested on a new data set of the codecision reports in the 6th EP (2004-2009), complemented by data from semi-structured interviews. The results suggest that indeed informal inter-institutional agreements significantly undermine committees' legislative power. This finding has implications for the combined study of bicameralism and legislative organisation. When no inter-institutional agreements are reached, committee reports drafted by members of the working majority party group are more successful on the floor. Ultimately, EP's legislative output is controlled by party groups and not committees.

For over a decade the European Parliament (EP) has served as an equal co-legislator with the Council of Ministers in drafting European legislation under the codecision procedure. This procedure has changed significantly since it was first introduced in the Maastricht Treaty (1992). Most importantly, the Amsterdam Treaty (1999) abolished the ability of the Council of Ministers to reinstate its position after three readings of unsuccessful negotiations with the EP and allowed for an early conclusion of codecision acts already in the first reading. This option of ‘fast track legislation’ has had a profound impact not only on the legislative process, but also on the internal dynamics of decision-making in the Parliament. Traditionally, the EP committees have been widely acknowledged as the main arenas for deliberation on legislative proposals and drafting of the parliamentary legislative positions, which are then largely adopted by the plenary. However, it has become increasingly common for the parliamentary stances to be negotiated in informal trilogue meetings with the Council of Ministers and the Commission, often without a clear mandate from the responsible committees. While these meetings have inevitably increased the agenda-setting power of the actors negotiating on behalf of the EP (mainly the legislators assigned to draft the committee reports, i.e. rapporteurs and shadow rapporteurs), it is claimed here that they have largely undermined the legislative role of the parliamentary committees.

To examine this proposition, this chapter first compares the average extent to which the EP draws its legislative positions on the basis of committee reports when an early agreement is reached with the Council of Ministers after the final committee vote, and when no such agreement is concluded. The results show that indeed committees are more successful in the former case.

As a second step, variation in the degree to which the plenary adopts the committees’ proposals depending on the properties of the reports and the characteristics of the rapporteurs is explained. Given the open amendment rule in plenary and following the logic of the distributive, informational and partisan congressional theories of legislative organisation, a larger proportion of the committee reports is expected to be adopted in plenary if the rapporteur has no special outlying interests, has expertise in the subject area, or is a member of the working majority party group (coalition).

To test the hypotheses, a novel data set has been compiled on the legislative reports falling under the codecision procedure, which have had their first reading during the 6th EP (2004-2009). Monte Carlo permutations are used to compare the average legislative success of

committee reports on the floor per committee, depending on whether early inter-institutional agreements are struck after the committee stage. Furthermore, variation in the extent to which individual committee reports are adapted in plenary is examined via fractional logit models and negative binomial count models.

This chapter proceeds as follows. After a brief overview of the state of the art on the topic, the average success rate of committee reports on the floor is analysed. Subsequently, the hypotheses regarding the level of success of individual reports are developed and tested upon a presentation of the methodological design. Finally, the legislative role and influence of the EP committees are re-evaluated in light of the findings.

Role of the EP under codecision and impact of early agreements

A substantial part of the EP's legislative tasks are performed by its committees (Collins et al., 1998: 6). Although they have no agenda-setting powers in the broad sense and examine questions proposed by the Commission, most of the parliamentary powers of delay and amendment are exercised there (Corbett et al., 2005). Thus, it is commonly accepted that after a legislative proposal has been made by the Commission, it is in the EP committees that the '[p]arliament's positions are in most cases decided in practice', before the plenary stage (Mamadouh and Raunio, 2003: 348; see also Bowler and Farrell, 1995; McElroy, 2001; Neuhold, 2001; Kreppel, 2002a; Hix et al., 2003b). It has been further claimed that it is uncommon for committee proposals to be heavily modified or rejected in plenary (Bowler and Farrell, 1995: 234). This perception is shared by scholars and practitioners. As one senior MEP stated in an interview:

The chances of having amendments adopted in plenary if they haven't been adopted in committee, are very slim. Normally, most of the work is carried out in the committee and only in very special cases does the plenary change the substance of the reports of committees. Minor amendments can be accepted but the main line is already made in the committee. (Personal interview 12 with a PSE member, 13.02.2008)

These perceptions, though, are based on a static view of committees, which have not changed over time. Thus, the impact of the dynamically evolving EU inter-institutional context on the EP committees has been ignored. The growing legislative impact of the Parliament vis-à-vis the Council of Ministers has been analysed under the assumption that it is a unitary actor (Kreppel, 1999, 2002b; Tsebelis et al., 2001). It is doubtful, however, that the parliamentary structure and dynamics have remained unaffected by the intensified

interaction between the two chambers of what appears to be a true bicameral European legislature.

Besides intra-organisational changes, the empowerment of the EP under codecision has brought about a new mode of inter-institutional negotiations. A growing number of legislative proposals are now decided upon in informal trilogue meetings between the EP, the Council of Ministers and the Commission. These trilogues happen behind closed doors outside the traditional decision-making arenas. They 'involve the president of COREPER (which rotates with the presidency) and the chairman of the relevant working group on the Council's side. On the Parliament's side, they involve the rapporteur, the committee chairman, one of the vice presidents of the Parliament, and the shadow rapporteurs or coordinators from the various political groups' (Farrell and Héritier, 2004: 1197). 'But of course smaller groups many times cannot show up because they cannot really look after every single report' (Personal interview 11 with a member of the EPP-ED secretariat, 27.02.2008). An expert staff member from the specialised EP Legislative Coordination Unit, DG IPOL, suggested that the rapporteur has 'close links to Presidency if from the same country and then shadow rapporteurs are simply not there (Personal interview with an EP administrator, Legislative Coordination, DG IPOL, 22.02.2008). He further shared that committee rapporteurs do not always tell when they visit the Commission or the Council, which is linked to problems of reporting back to the committee. Overall, while originally convened to make preparations for upcoming negotiations in the Conciliation Committee (Garman and Hilditch, 1998), trilogue meetings have become a common decision-making arena in the early stages of the codecision procedure since the Amsterdam Treaty (1999) made that possible. Statistics show that during the 5th EP (1999-2004) 28% of codecision acts were concluded in first reading (EP, 2004). The number grew to 61% in 6th EP (2004-2009) (EP, 2009a).

On the one hand, these developments have been interpreted positively since trilogue meetings have increased the communication and coordination between the EP and the Council of Ministers, thus speeding up the legislative process. Arguably, it has also enhanced the overall legislative influence of the Parliament. The Parliament is better able to affect the common position the Council adopts through its prior negotiations with the Council Presidency (Héritier, 2007: 98). As a PSE member stated in an interview:

[Early agreements] increase the power of the Parliament. Actually, I was in the beginning of this process, it was during the Swedish Presidency, it was 1999 and the Swedish presidency introduced informal consultation procedures in 1st reading. So, ...

that has been a big improvement because we talk directly to the Council and the Commission in a very early stage and we save a lot of time. It is working very well, [i.e.] informal consultation procedures in first reading. (Personal interview 12 with a PSE member, 13.02.2008)

Usually, pressure to reach an agreement early in the legislative process comes neither from the EP (since it is more powerful in the 3rd reading under codecision), nor from the European Commission (due to the large number of amendments to its proposals), but from the European Council Presidency (Personal interview 13 with an EP administrator, Codecision and Conciliation Unit, DG IPOL, 22.02.2008). 'Presidencies try to show their success by how many reports have been finalised during their term. This is a very important part of their performance.' (Personal interview 19 with an EP administrator, DG Presidency, EXPO, 28.02.2008)

On the other hand, the increase in efficiency may come at the expense of quality of legislation. '[S]ometimes one finds to achieve a first reading agreement is more important than the substance of a document' (Personal interview 5 with an ALDE member, 13.02.2008). Similarly, a member of the EPP-ED secretariat explains:

So, on some reports which have gone very very fast, take Roaming, although it has gone a good way but still very fast, and many people said this is the last time such an exercise may take place. We will no longer play this game of rushing into negotiations.

So, it's a question of self-respect for the Parliament, whether we play this game and let the Council drag us into a very early agreement because it will be at the expense of transparency.

(Personal interview 11 with a member of the EPP-ED secretariat, 27.02.2008)

Indeed, trilogue negotiations have been accompanied by a decrease in transparency and a shift in the decision-making process away from the traditional parliamentary arenas of democratic debate. These problems were recognised in the interviews by EP staffers from the specialised Codecision and Conciliation Unit (Personal interview 15, 27.02.2008; Personal interview 16, 22.02.2008) and the Legislative Coordination Unit of DG IPOL (Personal interview 17, 25.02.2008; Personal interview 18, 22.02.2008). The EP has made some efforts to counteract the transparency deficit by signing a joint declaration with the European Commission and the Council of Ministers (EP et al., 2007). Among other things, it encourages the Council Presidency to attend committee meetings and, where not bounded by confidentiality, to provide information regarding the potential common position of the

Council of Ministers. Furthermore, it invites the chair of COREPER to send a letter to the parliamentary committee chair whenever an informal agreement is reached in the trilogue meetings, thereby expressing the Council's intention to support the EP position if the agreement is adopted in plenary. However, an EP administrator working in the Codecision and Conciliation Unit of the parliamentary secretariat commented in an interview that these non-binding practice guidelines have not been respected very much (Personal interview 13 with an EP administrator, DG IPOL, 22.02.2008). Thus, the asymmetry of information between the parliamentary representatives in the trilogue meetings and the other MEPs regarding the content of legislative acts and the position of the Council of Ministers remains. A concerned senior MEP urges in an interview:

[...] the Parliament really has to organise, to make sure that the whole discussion doesn't only belong to the rapporteur. (Personal interview 14 with a PSE member, 12.02.2008)

Negotiations with Council are often initiated by the rapporteur without a clear committee mandate, i.e. before the committee has even voted on its draft position (Farrell and Héritier, 2004). Thus, 'rapporteurs enjoy more freedom from committees.' (Personal interview 19 with an EP administrator, DG Presidency, EXPO, 28.02.2008). Instead, they need to obtain their mandates on the concession they may make to the Council of Ministers from their party groups. As interviewees affiliated to the two biggest party groups share:

And then before you go to plenary you have to, of course, convince the working group, being in our case in the EPP for the five committees one working group in which all meet together under the chairmanship of one of our Vice-Presidents and go through all the reports to be voted in plenary. Also there you need to get a mandate, you need to make a case, you have to make a point and if you want to table amendments you need the support of this working group (Personal interview 11 with a member of the EPP-ED secretariat, 27.02.2008)

[B]efore you finalise a negotiation it will be in the group for discussion. When we had REACH on the agenda, for instance, before Sacconi would say ok here we have a [inter-institutional] compromise, he had to have from us a mandate and that mandate was, of course, negotiated in detail also in the group, on group level. (Personal interview 1 with a PSE member, 27.02.2008)

In any case, leading the informal inter-institutional negotiations gives the rapporteur strong agenda-setting powers. 'The draftsman can offer a take-it-or-leave-it proposal to the committee.' (Personal interview 21 with an EP administrator, Legislative Coordination, DG IPOL, 25.02.2008) Where an early agreement has already been reached before the committee vote, the report proposed by a rapporteur is composed solely of amendments drawn from that agreement. Such reports end up as the final parliamentary positions,

rendering both committee and plenary discussion virtually obsolete. In an interview, an EP staff member pointed out the limited debates between political groups and the lack of a genuine inter-institutional confrontation due to early agreements (Personal interview 16 with an EP administrator, Codecision and Conciliation Unit, DG IPOL, 22.02.2008). It is reasonable to presume that whenever the EP positions are drafted and agreed upon outside the committee meetings, the legislative influence of the committees is compromised. By forgoing the opportunity of first adopting their own positions, committees weaken the bargaining position of the Parliament. As an EP staffer explained, committee votes serve as signals for the Council: 'if a committee gets broad support, EP can negotiate and put pressure on Council' (Personal interview 20 with an EP administrator, Legislative Coordination, DG IPOL, 27.02.2008). While the EP negotiators might have nevertheless followed the committee line in shaping the agreed upon text, the extent of this influence is impossible to establish without some in depth qualitative data if not even a preliminary vote has taken place in committee yet. Thus, early agreements before the committee stage are not treated here as either success or failure for the committee in shaping the plenary position. Instead, only the impact of informal agreements reached after a committee has taken its final vote but before the plenary stage is examined. It has been suggested that when an informal trilogue 'works successfully, the Parliament and Council do little more than sign off on an early-agreement deal that has already been negotiated among a small group of actors' (Héritier, 2007: 99). To examine this proposition, it is hypothesized here that whenever an early inter-institutional agreement is reached, the plenary would largely adopt it despite its non-binding character and bypass the committee report. This is possible due to the open amendment rule in committee and plenary.¹ To what extent this is indeed the practice is an empirical question, which deserves closer attention.

***H 1:** The EP committees are on average less successful in having the plenary adopt their draft reports if after the committee stage an informal agreement is reached with the Council of Ministers than if no early agreement is reached.*

In order to examine this hypothesis, the average success of the reports of a committee in plenary is examined, first, for those reports on which an agreement with the Council was concluded after the committee stage but before the plenary stage and, second, for those reports on which no early agreement was reached at all in the first reading. For the purpose, a new data set has been compiled, which includes the codecision reports that had their first

¹ 'Amendments for consideration in Parliament may be tabled by the responsible committee, a political group or at least 37 Members' (Rule 150 in EP, 2007b).

reading in both committee and plenary during the 6th EP (2004-2009) and underwent any amendments in the EP. While a total of 487 proposals had their first reading in committee and plenary in the period, 88 sustained no EP amendments.² Since it is not possible to talk about the success of committees in shaping the plenary legislative positions for such reports, they were excluded from the sample. Furthermore, because nine of the twenty EP standing committees produced over 90% of all codecision acts in the period and no other committee drafted more than 6 reports, it is possible to examine the average legislative success of these committees only (see Table 1). Information on the existence and stage of conclusion of early agreements was extracted from committee reports, Commission documents, and debates and amendments in plenary, available on the EP Legislative Observatory.

Table 1 shows the number of reports drafted by each of the nine most prolific legislative committees. It differentiates between reports on which an early agreement with the Council of Ministers was reached before or after the committee stage, i.e. before or after the committee vote in the 1st reading of the codecision procedure, and reports on which no such agreement was reached. In all committees but Transport and Tourism more than 50% of the committee reports were subject to an early agreement. Furthermore, the vast majority of these agreements took place after the committee vote.³

To test hypothesis 1, the committees' mean success rate in shaping the final parliamentary positions is analysed in the two rightmost columns the table. For each legislative proposal, the success of a committee is measured as the fraction of amendments adopted in plenary which originates from a committee's report, i.e. the number of adopted committee amendments divided by the total number of amendments adopted in the plenary. The mean success rate is then calculated separately for legislative proposals on which an early agreement was reached after the committee vote and for those on which no early agreement was reached.⁴

² Almost all legislative proposals which were not amended either fall under the simplified procedure without amendment and debate (Rule 131 in European Parliament, 2007), introduce the new regulatory procedure with scrutiny to old legislation, or repeal old legislation.

³ The Committee on Culture and Education and the Committee on Civil Liberties, Justice and Home Affairs present a deviation from this trend accounting for 83% of the early agreements reached before the committee stage in the nine committees. They present interesting case studies for future in-depth research.

⁴ In the cases when an agreement was reached before the committee stage (not in table), in line with the discussion above, not surprisingly, in all committees on average more than 99% of the amendments adopted in plenary stemmed from the committee reports. This is simply because such reports de facto constitute the early agreement texts and are not necessarily committee products. Thus, their success in plenary cannot be considered as a straightforward committee success or failure without further qualitative research.

For all committees, the mean success rate is substantially lower when an early agreement is reached after the committee stage than when no early agreement is made (see Figure 1). To evaluate whether this difference is statistically significant, Monte Carlo simulations have been conducted to establish how extreme those means are with respect to the average success rate of all reports in the EP. For each category of report (with and without early agreement after the committee stage), 10,000 samples of size equal to the number of reports a committee proposed that fall in that category were drawn without replacement from the pool of all reports in the EP and the mean success rate was calculated for each sample. The actual mean committee success is considered significantly high or low if it falls within the top or bottom 5 percent of the 10,000 generated mean success rates, respectively. The significant values are marked with stars in Table 1. The results show that when an early agreement is reached after the committee stage, the mean success rates of all nine committees are lower than average, and most of these figures are statistically significant. Conversely, for reports on which no early agreement has been reached, all nine committees exhibit higher than average mean success rates and only one of these means narrowly escapes statistical significance. Thus, there is strong evidence for hypothesis 1. Committees are significantly more successful when there is no early agreement than when an early agreement is reached after the committee stage.

Table 1 Mean success rate of committee reports on the floor (mean proportion of amendments in EP opinion derived from a committee report)

<i>Committee</i>	<i>Total number of reports in a committee</i>	<i>Reports with early agreement before comm. vote</i>		<i>Reports with early agreement after comm. vote</i>		<i>Reports with no early agreement</i>		<i>Mean success rate if agreement after comm. vote</i>	<i>Mean success rate if no early agreement</i>
Economic and Monetary Affairs	39	3	(8%)	30	(77%)	6	(15%)	0.11** (0.00)	0.89 (0.94)
Employment and Social Affairs	23	4	(17%)	10	(43%)	9	(39%)	0.74 (0.80)	0.93* (0.99)
Environment, Public Health and Food Safety	86	3	(3%)	46	(53%)	37	(43%)	0.07** (0.00)	0.82** (1.00)
Industry, Research and Energy	33	7	(21%)	10	(30%)	16	(48%)	0.70 (0.74)	0.94** (1.00)
Internal Market and Consumer Protection	24	1	(4%)	16	(67%)	7	(29%)	0.20** (0.00)	0.90* (0.97)
Transport and Tourism	54	6	(11%)	18	(33%)	30	(56%)	0.13** (0.00)	0.94** (1.00)
Culture and Education	21	25	(61%)	6	(15%)	10	(24%)	0.24** (0.02)	0.91* (0.98)
Legal Affairs	48	3	(6%)	22	(46%)	23	(48%)	0.30** (0.00)	0.85** (1.00)
Civil Liberties, Justice and Home Affairs	37	20	(54%)	6	(16%)	11	(30%)	0.37 (0.10)	0.95** (1.00)
N	364	54	(15%)	164	(45%)	146	(40%)		

* Significance at 5% one-tailed; ** Significance at 1% one-tailed: derived from the distribution of the 10,000 simulated committees' means by Monte Carlo simulations. The percentile of the observed mean in the distribution of the simulated means is displayed in brackets.

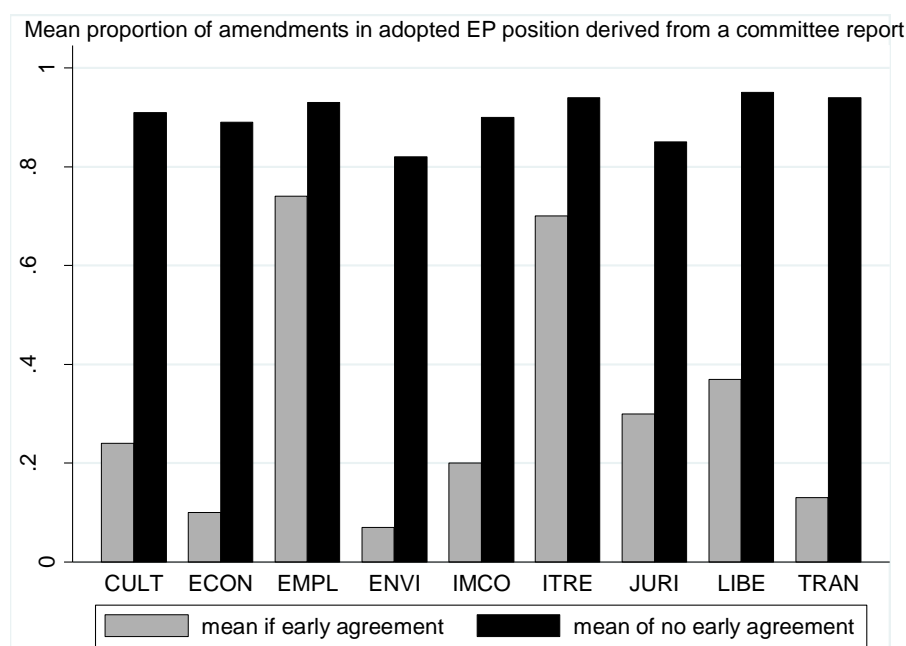


Figure 1 Mean success rate of committee reports on the floor by committee

Notably, the EP draws its position almost exclusively on the basis of committee reports when there is no inter-institutional agreement in place. This suggests that the parliamentary committees have lost influence due to the introduction of the ‘fast track legislation’ option in the Treaty of Amsterdam (1997) and the ensuing practice of informal negotiations with the Council of Ministers. To verify these conclusions, future research needs to evaluate the level of success of committee reports on the floor before the treaty changes in 1997.

Table 1 also portrays substantial differences among committees in the extent to which they manage to influence the parliamentary legislative positions in the presence or absence of an early agreement after the committee stage. This curious observation combined with the interest in explaining variation in the level of success of individual reports in the plenary calls for a shift from aggregate to individual level analysis.

Explaining variation in the success of committee reports in plenary

In the concluding remarks of their study, evaluating the conditions under which the EP is successful in getting its amendments accepted by the Council of Ministers, Tsebelis et al (2001: 599) state that future research on the policy influence of the EP will have to take into

account other variables 'like policy area of legislation, size of bills, density of amendments, political affiliation of rapporteurs of a bill', which, they claim, would involve a shift in studies from amendments to legislative acts. In contrast to research on the influence of the EP prevalent in the 1990s which assumed it to be a unitary actor (e.g. Tsebelis, 1994; Moser, 1996; König and Pöter, 2001) the focus of recent research has shifted towards examining the internal parliamentary organisation and dynamics (studies reviewed in Chapter III and Chapter IV). However, rarely have the intra-parliamentary structures been analysed in light of the inter-institutional context. The question posed here – under which conditions does the plenary adopt a committee report as its official position – inevitably calls for the combination of both intra-parliamentary and extra-parliamentary explanatory factors.

It has already been established that the committees are on average more successful in having their reports adopted by the plenary when no informal agreement is reached between the EP and the Council of Ministers after the committee stage than when it is. The effect of early agreements can also be evaluated on the individual level, i.e. a single report. Beyond this, the hypotheses formulated in this section turn to explaining how report-specific factors affect a report's fortune in plenary and, further, how their impact is influenced by early agreements. Since the rapporteurs are the ones responsible for drafting the committee reports, negotiating with the Council of Ministers, gathering majority support, presenting the committee reports to the plenary, and following the development of enacted legislative acts all the way until their successful implementation (under the regulatory procedure with scrutiny in comitology), the impact of their characteristics is the focus of attention. Owing to their strong agenda-setting powers, the rapporteurs can have substantial impact on the fortune of committee draft reports. Previous research has shown that rapporteurs have gained power vis-à-vis their committee colleagues due to the new practice of informal decision-making with the Council of Ministers (Farrell and Héritier, 2004). Asked whether early agreement negotiations have empowered rapporteurs vis-à-vis their committee colleagues, one MEP responded:

[...] vis-à-vis the overall committee but also vis-à-vis the group. Because often, you know, the more times a specific report is discussed in the group, the more times potentially a rapporteur has to modify his or her position. Now, if we make a first reading agreement, then chances are that this would only probably have been on the agenda in the group one time or something like that. And there you might have found a compromise that was pretty close to what you would decide yourself or you get a mandate which is pretty broad and then you make a compromise and then it is within the mandate but some people might have given you that compromise because they

thought it was a first reading agreement and then you can always make it better in the second (Personal interview 1 with a PSE member, 27.02.2008)

Thus, although rapporteurs are expected to represent the majority of members in their committee and, potentially, their party groups rather than to further their own policy interests, this is not necessarily so. While Chapter III showed that members with special interests are not given systematic access to the writing of codecision reports, this does not mean that such members are excluded from the writing of reports altogether. In fact, this would be surprising given the staffing of some committees with members with homogenous interest group ties portrayed in Chapter III (also Yordanova, 2009). Kaeding (2004; 2005) even holds that rapporteurs in the Committee on Environment, Public Health and Safety tend to be homogenous high demanders with relevant interest group affiliations. While this does not necessarily mean that such rapporteurs would be proposing legislation outlying from the median preferences on the floor, the possibility cannot be excluded without further analysis. Thus, following the distributive congressional rationale (Shepsle and Weingast, 1987; Weingast and Marshall, 1988), which suggests that committees serve the interests of homogeneous preference outliers, it can be expected that reports drafted by rapporteurs with special interests will be received less favourably by the plenary due to their potentially biased content.

***H2:** A committee report is less successful in plenary if it is drafted by a rapporteur with relevant special interests.*

Given the lack of any EP restrictive rules safeguarding committee proposals from amendments in plenary, outlying committee reports may be largely discarded on the floor.

Similarly, while Chapter IV unveiled no significant impact of expertise on codecision report allocation either, Chapter III showed that committees are staffed with members with relevant expertise (Bowler and Farrell, 1995; McElroy, 2006; Yordanova, 2009). To recapitulate the predictions of the informational rationale (Krehbiel, 1991), legislative committees serve the informational needs of a legislature in a setting characterised by uncertainty about the link between policy output and policy outcome. If the EP committees do serve the plenary, it is reasonable to expect that the plenary will readily adopt committee reports drafted by expert rapporteurs fulfilling its informational needs. This leads to the following hypothesis:

***H3:** A committee report is more successful in plenary if it is drafted by a rapporteur with relevant expertise.*

Finally, the partisan rationale (Cox and McCubbins, 1993, 2007) states that committees serve the need of the majority party to control, or discipline, its members via the assignment of office and resources and, thus, to enhance party cohesion. Since there is neither a majority party group nor a stable majority party group coalition in the European Parliament, analogically the party group(s) most often needed to form the necessary parliamentary majorities in passing legislation are expected to dominate the committee work as well as the plenary, as argued in Chapter IV. Hence, if the rapporteur comes from a party group forming the EP working majority, committee reports are likely to be more successful on the floor. Farrell and Héritier (2004: 1200) argue that ‘rapporteurs are particularly powerful, when they are closely linked to the large political groups’, while ‘smaller political groups in the Parliament find themselves increasingly excluded from the decision-making’ (2004: 1201). The three biggest party groups in the EP in the time period are EPP-ED, PSE and ALDE. Although the Liberal group is substantially smaller than the other two, it is included in the hypothesis since it serves as a convenient coalition partner and it usually sides with one of the two bigger party groups in adopting the EP position. Also, Chapter IV has shown that both the EPP-ED and ALDE are over-represented in the allocation of codecision reports (also Yordanova, 2010). Thus:

***H4:** A committee report is more successful in plenary if it is drafted by a rapporteur affiliated to one of the three biggest party groups - EPP-ED, PSE or ALDE.*

In the case of an early agreement, referring to EPP-ED and PSE, Héritier (2007: 100) has argued that ‘the power of the rapporteurs and shadow-rapporteurs of large political groups is greatly increased while the chairs of committees and the MEPs from small political groups suffer from a relative loss of influence’. The latter have traditionally used the parliamentary committees as arenas to propose amendments and exert influence on legislation. The bigger party groups, however, as the ones that usually lead the informal negotiations and reach agreements with the Council of Ministers, have the means to marginalise smaller groups from the decision-making.

Measures and methods

The data used to examine Hypotheses 2, 3 and 4 is the same as the data used above to examine the mean success rate of the reports of committees on the floor with the exception that the reports of all legislative committees are included in the sample. Also, reports on which an agreement was reached with the Council before the committee stage are excluded from the sample. There are 334 individual codecision reports fulfilling these conditions, which are used as the units of analysis in the models below.

Measures

The codebook of the dependent and independent variables in the models is provided in *Appendix A*. Their measurement is discussed below.

Dependent variable measurement

In order to overcome the inherent limitations of any single measure, the success of a committee report on the floor is measured in two ways. Firstly, the variable used in the aggregate analysis above is utilised, namely the proportion of amendments in the adopted EP opinion derived from a committee report:

$$Y1 = \text{\#adopted committee amendments} / \text{\#total adopted amendments}$$

This variable was useful in the aggregate analysis as its values are directly comparable across reports. However, because it is a proportion it treats equally, for instance, 2/10 and 20/100 committee amendments on a report adopted in plenary, concealing information on the size and controversy of the proposal.

Rectifying this, the alternative dependent variable suggested takes into account the total number of changes to a committee report adopted in plenary position by summing up the number of rejected committee amendments and the number of accepted non-committee amendments, i.e. amendments by party groups and groups of legislators.

$$Y2 = \text{\#rejected committee amendments} + \text{\# accepted non-committee amendments}$$

While this measure overcomes the limitations associated with the proportional dependent variable, it is not normalized, which makes comparisons across observations difficult. Specifically, it assigns the same value to a report to which 10 changes were made given 100 proposed committee amendments and a report to which 10 changes were made given 10 proposed committee amendments. This is addressed by controlling for the number of proposed committee amendments as a proxy for the complexity of the proposal.

Overall, these two dependent variables capture differently the level of success of committee reports on the floor and both have their assets and drawbacks. Finding similar results after modelling them would enhance the validity of the results. Therefore, both variants of the variable operationalisation will be used in the analyses below.

Independent variables

To test Hypotheses 2 and 3, the measures of committee-specific special interest and expertise of the rapporteurs are constructed in the same fashion as in the analysis of report allocation in Chapter IV (also Yordanova, 2010). This is done in accordance with the findings in Chapter III regarding the determinants of committee assignments (also Yordanova, 2009). Thus, a rapporteur is considered to have committee-specific special interest if he or she sits on the Environment committee and is linked to green groups; sits on the Employment and Social Affairs committee and has trade union ties; sits on the Industry committee or the committee on Economic and Monetary Affairs and has business/industry ties; sits on the Civil Liberties committee and has ties to social groups; or sits on the Agriculture committees and has ties to farming groups. As previously argued, while these special interests inevitably imply a certain level of expertise, they are also associated with clear policy preferences outlying in a certain direction and, hence, deviating from the preferences of the median MEP in the plenary in the respective field. The operationalisation of the committee-specific expertise derived from educational and professional experience rather than interest group ties is constructed in a similar fashion. A legislator is considered an expert in a committee field if he or she: sits on the committee of Environment, Public Health and Safety and has been educated in medicine or natural sciences/engineering; sits on the Industry committee and has education in natural sciences/engineering; sits on the Economic and Monetary Affairs, the Budget or the Budgetary Control committee and has educational and professional knowledge in economics; sits on the Transport committee and has worked in the transport sector; sits on

the Legal Affairs or the Institutional Affairs committee and has legal education, or sits on Foreign Affairs committee and has experience in international relations politics.

Dummy variables for party group membership in the EPP-ED, PSE and ALDE are added to test Hypothesis 4. Furthermore, the size of the national party delegation of the rapporteur is controlled for.

The conditioning variable is a dummy for early agreement with the Council of Ministers after the committee stage, the reference category being no early agreement in the first reading of the codecision procedure. Including this dummy not only measures the effect of early agreement on an individual level but also allows evaluating the unique impact of the other potentially influential factors. Due to its strong conditioning effect portrayed in the preliminary analysis, the early agreement variable is interacted with the variables testing hypotheses 2, 3 and 4.

In modelling the proportional dependent variable, the size of the initial Commission proposal (measured in 1000s of words) is controlled for since larger acts are expected to attract more changes. In modelling the second dependent variable, this variable is replaced with a control for the number of proposed committee amendments on a report which is necessary as this dependent variable does not account for the controversy of the report, thus making comparison across observations difficult. A variable representing the number of consulted opinion-giving committees is also added because the more parties are involved in the decision-making process, the more complex a report is likely to be and, hence, the more changes to a committee report are expected in plenary. A variable is also added to distinguish between regulations and directives on the one hand and decisions and recommendations on the other hand, where fewer changes are expected in legislative proposals of the latter type, due to their limited scope.

Finally, all models include fixed effects for committees since the results of the aggregate analysis revealed huge differences between committees. *Appendix B* and *Appendix C* present the results of the models without the fixed effects to show that the main findings remain very similar without committee dummies and are, thus, not driven by suppressor effects or correlations between the independent variables and the fixed effects.

Methods

The character and distribution of the dependent variables call for different models (see Figure 2 for the distributions of the dependant variables), namely a fractional logit model and a count model. The two techniques are described below.

The first dependent variable, measuring the proportion of adopted amendments in an EP opinion stemming from a committee report, takes values between 0 and 1 only. Furthermore, it is not normally distributed. Instead, it contains a disproportionately high number of extreme values (0s and/or 1s depending on whether all reports are considered, or the samples of early and non-early agreements are split). Besides the violations of its assumptions, an OLS regression model poorly fits the data, making predictions beyond the observable 0-1 range. Designed specifically for modelling proportional responses, a fractional logit model is suitable for estimating this dependent variable (Papke and Wooldridge, 1996). It restricts predictions to the observable range of the dependent variable and does not need to meet the strict assumptions that OLS requires and the data violates. The fractional binomial model can be thought of as a weighted binary response model, where proportional responses represent the n number of successes for k trials (Hardin and Hilbe, 2007b: 119). In our case, an amendment adopted in plenary is a ‘success’ if it is derived from a committee report, and the proportional dependent variable — represents the number of adopted committee amendments in plenary for overall adopted amendments in plenary to a given report. This fractional model requires the usage of robust standard errors as the standard errors are too high.

The second dependant variable, representing the number of changes to a committee report (rejected committee amendment + adopted non-committee amendments), is a typical count variable and accordingly calls for a count model. Due to the overdispersion in the dependent variable i.e. its conditional variance that is substantively higher than its conditional mean (Long and Freese, 2003: 266-7), portrayed by the significance of the alpha parameter, a negative binomial model is more appropriate than a simple poisson count model. Robust standard errors are used in modelling this variable, too.

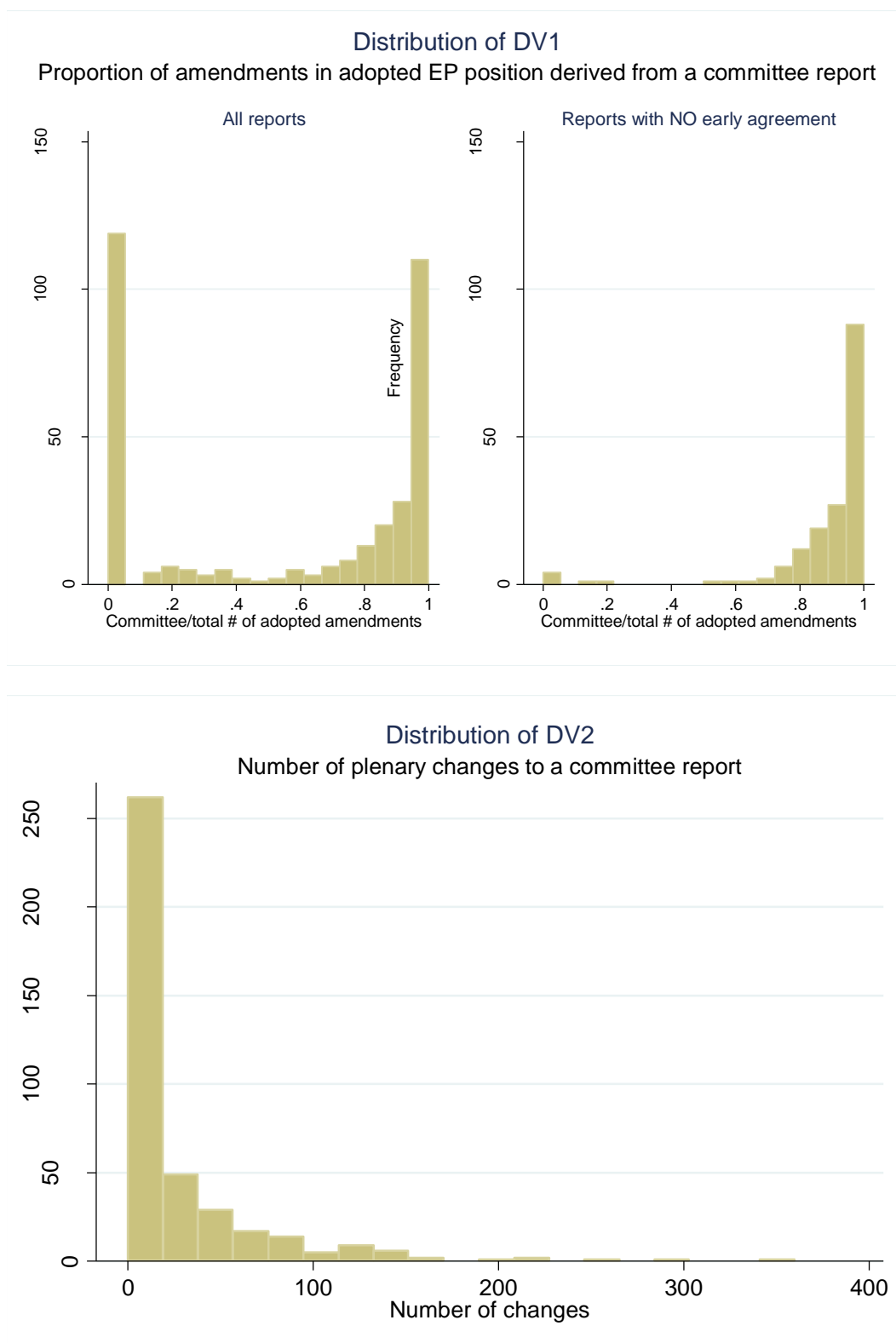


Figure 2 Distribution of the dependent variables measuring the level of success of committee reports in plenary

Results

The results of the fractional and count models are presented respectively in Table 2 and Table 4. The marginal effects (discrete changes for dummies) of the independent variables in the best fitting Models 5 and 7 of both the fractional and count models are displayed, respectively, in Table 3 and Table 5.

With the exception of one control variable, all eight model specifications are the same for both dependent variables. Models 1 and 2 include only main effects. Models 3-6 include one at a time the interaction effects of the main independent variables with the early agreement variable. Finally, Models 7 and 8 present the main effects on the samples of reports split depending on whether they underwent an early agreement or not. This is done only to verify the result of the preceding models given the exceptionally strong effect of the early agreement independent variable on the dependent variables. The results of the fractional logit models and the negative binomial count models are presented below.

1.1.1. Fractional logit models with the proportional dependent variable

Focusing first on the fractional models presented in Table 2, in all models on the full sample (Models 1-6) the most pronounced effect is that of early agreement, portraying a significant negative impact of an early agreement on the proportion of adopted committee amendments out of the total number of adopted EP amendments on a report. As the marginal effects in Model 5 displayed in Table 3 portray, early agreements decrease this proportion by .65, where the mean proportion in the sample is .55. These findings corroborate the results of the aggregate analysis.

Model 1 includes all the main effects. It shows that the effect of being a member of ALDE, while not significant, runs in the opposite direction of Hypotheses 4, unlike the effect of membership in EPP-ED and PSE. To unveil the impact of the latter two, ALDE is dropped in the remaining models. In Models 3-4 the interaction effects of the rapporteur's special interests, expertise, EPP-ED or PSE affiliation are interacted with early agreement one at a time to check whether the impact of these variables differs under early agreement or no early agreement. Only in Model 5 does a significant coefficient appear. It shows the positive impact of affiliation with the majority party group EPP-ED on the proportion of amendments in the adopted EP position derived from a committee report when no early agreement is reached. Affiliation to EPP-ED increases this proportion by a fraction of .19

Table 2 Fractional logit: Proportion of adopted amendments in an EP opinion derived from a committee report

	m1	m2	m3	m4	m5	m6	m7_ no early agr.	m7_only early agr.
early	-3.670** (.255)	-3.666** (.254)	-3.553** (.271)	-3.408** (.297)	-3.341** (.335)	-3.791** (.293)		
related interest	-.030 (.413)	-.007 (.397)	.533 (.577)	.046 (.403)	.092 (.386)	.041 (.392)	.319 (.595)	.185 (.734)
early*inter est			-.852 (.732)					
related expertise	.117 (.359)	.106 (.355)	.126 (.360)	.575 (.446)	.080 (.347)	.094 (.348)	1.074* (.533)	-.922 (.604)
early*expe rtise				-.836 (.558)				
national party size	-.019 (.013)	-.020 (.013)	-.020 (.013)	-.020 (.013)	-.021 (.014)	-.019 (.013)	-.050** (.017)	-.003 (.022)
EPP-ED	.231 (.471)	.331 (.373)	.361 (.373)	.357 (.370)	.823* (.418)	.324 (.384)	1.569** (.491)	-.488 (.595)
early*EPP- ED					-.772 (.442)			
PSE	.336 (.468)	.435 (.370)	.428 (.371)	.465 (.364)	.447 (.348)	.132 (.476)	1.152* (.518)	.188 (.504)
early*PSE						.484 (.528)		
ALDE	-.186 (.559)							
size (1000s words)	-.008 (.007)	-.009 (.007)	-.009 (.007)	-.006 (.007)	-.007 (.007)	-.008 (.007)	.011 (.011)	-.026 (.019)
# of cns comms	-.041 (.052)	-.038 (.052)	-.039 (.052)	-.034 (.054)	-.033 (.053)	-.028 (.054)	-.134 (.069)	.064 (.092)
regulation/ directive	-.204 (.534)	-.197 (.533)	-.220 (.539)	-.191 (.525)	-.229 (.533)	-.215 (.533)	-.506 (.544)	-.139 (.710)
AFET	-.367 (1.260)	-.321 (1.269)	-.349 (1.273)	-.179 (1.284)	-.274 (1.260)	-.290 (1.279)		-.008 (1.564)
DEVE	2.868 (1.671)	2.855 (1.673)	2.838 (1.648)	2.786 (1.611)	3.063 (1.716)	2.921 (1.707)	1.121 (.914)	16.10** (1.667)
INTA	-.487 (1.097)	-.482 (1.105)	-.441 (1.101)	-.432 (1.100)	-.347 (1.141)	-.433 (1.116)	14.03** (1.206)	-13.49** (1.563)
BUDG	-.258 (.719)	-.247 (.723)	-.174 (.709)	-.123 (.704)	-.453 (.743)	-.266 (.738)	-1.133 (.601)	
CONT	12.06** (1.018)	12.06** (1.019)	12.90** (1.008)	12.19** (1.003)	12.85** (1.050)	12.17** (1.044)	13.16** (.994)	
ECON	-.569	-.570	-.545	-.609	-.514	-.555	-.440	-.525

	(.890)	(.891)	(.888)	(.876)	(.910)	(.906)	(1.267)	(1.272)
EMPL	1.897*	1.888*	1.887*	1.797	1.996*	1.93*	-.256	2.401
	(.947)	(.942)	(.951)	(.927)	(.957)	(.953)	(.936)	(1.309)
ENVI	-1.013	-.998	-.994	-.977	-.937	-.954	-1.208	-.979
	(.721)	(.723)	(.713)	(.699)	(.757)	(.743)	(.747)	(1.210)
ITRE	1.753*	1.763*	1.876*	1.700*	1.780*	1.802*	-.028	2.361
	(.837)	(.835)	(.814)	(.810)	(.853)	(.850)	(.723)	(1.206)
IMCO	.008	.015	.018	-.050	.048	.074	-.328	.018
	(.815)	(.814)	(.802)	(.780)	(.838)	(.835)	(.798)	(1.249)
TRAN	-.110	-.122	-.095	-.132	.006	-.038	-.033	-.264
	(.768)	(.768)	(.757)	(.742)	(.806)	(.792)	(.735)	(1.322)
REGI	1.099	1.099	1.179	1.263	1.055	1.148	1.050	
	(.780)	(.784)	(.770)	(.774)	(.776)	(.783)	(.647)	
AGRI	-1.287	-1.266	-1.287	-1.319	-1.436	-1.285	-.622	-2.630
	(.891)	(.896)	(.874)	(.901)	(.892)	(.906)	(.969)	(1.477)
JURI	-.086	-.076	-.095	.034	.088	.003	-1.791	1.753
	(.984)	(.988)	(.976)	(1.015)	(1.014)	(.996)	(.929)	(1.485)
LIBE	.936	.916	.871	.869	1.103	1.028	.535	1.374
	(.900)	(.897)	(.899)	(.855)	(.955)	(.927)	(.736)	(1.554)
AFCO	.707	.714	.688	.985	.721	.637		1.374
	(.871)	(.872)	(.879)	(.897)	(.881)	(.895)		(1.345)
FEMM	-.837	-.830	-.755	-.696	-.917	-.783	-1.565*	
	(.710)	(.711)	(.696)	(.690)	(.735)	(.733)	(.624)	
<i>Constant</i>	2.826**	2.720**	2.649**	2.517**	2.444**	2.733**	2.965**	-1.006
	(.724)	(.640)	(.618)	(.610)	(.713)	(.659)	(.553)	(1.096)
<i>Pseudo LL</i>	-109.1	-109.2	-108.8	-108.6	-108.6	-109.0	-37.9	-62.7
<i>Deviance</i>	142.0	142.1	141.4	141.0	141.0	141.7	30.5	94.3
<i>N</i>	333	333	333	333	333	333	160	173

Robust errors displayed in brackets. Significance levels: * p<0.05, ** p<0.01.

Notes: AFET: Foreign Affairs; DEVE: Development; INTA: International Trade; BUDG: Budgets; CONT: Budgetary Control; ECON: Economic and Monetary Affairs; EMPL: Employment and Social Affairs; ENVI: Environment, Public Health and Food Safety; ITRE: Industry, Research and Energy; IMCO: Internal Market and Consumer Protection; TRAN: Transport and Tourism; REGI: Regional Development; AGRI: Agriculture; PECH: Fisheries; CULT: Culture and Education; JURI: Legal Affairs; LIBE: Civil Liberties, Justice and Home Affairs; AFCO: Constitutional Affairs; FEMM: Women's Rights and Gender Equality; PETI: Petitions;

(see Model 5 in Table 3). Thus, while the models show no evidence for Hypotheses 2 and 3, Hypothesis 4 is partially confirmed with respect to EPP-ED membership at least when it comes to those proposals which reach the plenary without an inter-institutional agreement. The positive effect of affiliation with EPP-ED (leading to a fractional increase of .09) is confirmed in Model 7, analysing only the sample of reports with no early agreement. It is accompanied by a significant positive effect of affiliation with PSE (.05), which, however, failed to reach statistical significance in the models including the overall sample. Therefore, this result has to be treated with a certain level of caution; especially given the potential over-specification problems in models 7 and 8 which were run on the small split samples,

Table 3 Marginal effects/discrete changes* on the proportion of adopted amendments in an EP opinion derived from a committee report (Model 5 and Model 7)

	m5	m7_ no agreements
early	-0.65	
related interest	0.02	0.02
related expertise	0.02	0.05
national party size	0.00	0.00
EPP-ED	0.19	0.09
early*EPP-ED	-0.19	
PSE	0.10	0.05
size (1000s words)	0.00	0.00
# of cns comms	-0.01	-0.01
regulation/directive	-0.05	-0.02
AFET	-0.07	0.04
DEVE	0.35	0.06
INTA	-0.08	-0.10
BUDG	-0.11	0.07
CONT	0.38	-0.03
ECON	-0.12	-0.02
EMPL	0.31	-0.09
ENVI	-0.22	0.00
ITRE	0.30	-0.02
IMCO	0.01	0.00
TRAN	0.00	0.04
REGI	0.20	-0.05
AGRI	-0.34	-0.18
JURI	0.02	0.02
LIBE	0.21	0.04
AFCO	0.15	0.06
FEMM	-0.22	-0.17

* For dummy variables, discrete changes from 0 to 1 are displayed. For continuous independent variables (national party size, size (1000s words) and #of cns comms) the marginal effects at the mean of all independent variables are displayed.

only to check the robustness of the results of the models on the full sample. Nevertheless, the results are not surprising. As an EP staffer and ex-member of the EPP secretariat commented, the differences in the legislative influence of rapporteurs depend on their party group (Personal interview 15 with an EP administrator, Codecision and Conciliation Unit, DG IPOL, 27.02.2008). In her words, even shadow rapporteurs from the EPP-ED or PSE may be more influential than rapporteurs from the Green/EFA group, for instance.

Similarly, the positive effect of the rapporteur's expertise on the success of a report on the floor if no early agreement is concluded reaches statistical significance in Model 7 (.05). This gives some evidence for Hypothesis 3.

Besides an unexpected negative but close to zero effect of national party size in Model 7 (see Table 3), no other variable reached significance in any of the models but the committee dummies. For instance, reaffirming the results in the aggregate analyses, the reports of the Employment and Social Affairs committee (.31) and the Industry committee (-.30) are significantly more successful on the floor than other committees (see Model 5 in Table 3).

Notably, Model 8 fails to find any statistically significant explanation for the level of success of committee reports in plenary when an early agreement is reached with the Council after the committee stage (Table 2). Such an explanation has to be sought in other factors such as the policy preferences of the rapporteurs and those of their national parties, party groups and national delegations, as well as the positions of member states in the Council of Ministers.

Negative binomial regression models with the count dependent variable

Table 4 presents the result of the negative binomial models using the second dependent variable. It has to be noted that in these models negative coefficients signify success for committee reports as they are likely to sustain fewer changes on the floor.

Once again, the early agreement variable has a pronounced significant effect, portraying a positive impact of an early agreement on the number changes to a committee report in plenary. The discrete changes displayed in Table 5 portray that early agreement increases this number by 23.6 changes (see Model 5), where the mean number of changes to a report in the sample is 30.5.

Analogically to the findings in the fractional logit models, once ALDE is dropped from the equation (it runs again in the direction opposite to expectations) membership in EPP-ED has a significant negative effect on the number of changes to a committee report in plenary, shown in Models 2-7. The discrete changes displayed in Table 5 show that, holding other factors constant, 13 changes less are made to reports in plenary if they are drafted by EPP-ED rapporteurs (Model 5). Including an interaction between EPP-ED affiliation and early agreement, Model 5 shows that this effect even runs in the opposite direction if an early agreement is reached with the Council (13 changes more are made to a committee report in plenary). Perhaps this reflects the fact that rapporteurs from EPP-ED have greater manoeuvring ability in their negotiations with the Council to make concessions on committee reports due to their membership in the working majority party group. Thus, the impact of EPP membership predicted in Hypothesis 4 holds only for reports undergoing no

Table 4 Nbreg: Number of changes to committee reports in plenary

	m1	m2	m3	m4	m5	m6	m7_no early agr.	m8_only early agr
early	1.942** (.129)	1.938** (.128)	1.910** (.140)	1.907** (.154)	1.600** (.180)	1.971** (.148)		
related interest	-.065 (.194)	-.095 (.192)	-.203 (.324)	-.103 (.191)	-.143 (.192)	-.111 (.190)	-.285 (.380)	.013 (.190)
early*inter est			.188 (.355)					
related expertise	-.270 (.196)	-.281 (.197)	-.287 (.198)	-.329 (.294)	-.273 (.191)	-.272 (.188)	-.496 (.264)	.132 (.170)
early*expe rtise				.094 (.322)				
national party size	.003 (.005)	.004 (.005)	.004 (.005)	.004 (.005)	.003 (.005)	.003 (.005)	.005 (.009)	.005 (.006)
EPP-ED	-.388 (.245)	-.551** (.166)	-.555** (.166)	-.557** (.164)	-.965** (.234)	-.554** (.165)	-1.083** (.279)	-.173 (.170)
early*EPP- ED					.746** (.240)			
PSE	-.186 (.259)	-.355 (.192)	-.352 (.192)	-.361 (.187)	-.348 (.181)	-.287 (.322)	-.669* (.313)	-.137 (.130)
early*PSE						-.130 (.320)		
ALDE	.299 (.276)							
# valid comm ams	.016** (.002)	.016** (.002)	.016** (.002)	.016** (.002)	.016** (.002)	.016** (.002)	.012** (.002)	.019** (.002)
# of cns comms	.105** (.035)	.099** (.034)	.100** (.035)	.099** (.035)	.103** (.037)	.098** (.035)	.136* (.064)	.107* (.054)
regulation/ directive	.216 (.180)	.217 (.182)	.215 (.183)	.217 (.181)	.227 (.178)	.220 (.183)	1.173** (.320)	-.173 (.194)
AFET	.107 (.450)	.057 (.438)	.075 (.445)	.031 (.431)	-.042 (.426)	.030 (.422)		-.234 (.447)
DEVE	-1.335* (.643)	-1.302* (.640)	-1.293* (.645)	-1.299* (.645)	-1.576* (.629)	-1.325* (.635)	-3.798** (.979)	-.290 (.400)
INTA	-.336 (.678)	-.212 (.683)	-.196 (.688)	-.205 (.688)	-.205 (.703)	-.246 (.679)	-24.46** (1.154)	.679 (.349)
BUDG	.331 (.295)	.328 (.295)	.321 (.296)	.310 (.302)	.441 (.300)	.330 (.297)	-.180 (.449)	
CONT	-18.16** (.865)	-23.00** (.864)	-23.36** (.866)	-19.13** (.865)	-18.10** (.916)	-20.21** (.887)	-23.55** (.920)	

ECON	-.522 (.323)	-.499 (.316)	-.503 (.319)	-.495 (.318)	-.603 (.323)	-.504 (.317)	-1.119 (.895)	-.686 (.378)
EMPL	-.570 (.323)	-.544 (.319)	-.539 (.321)	-.540 (.321)	-.687* (.325)	-.555 (.320)	-1.570** (.583)	-.541 (.353)
ENVI	-.009 (.299)	-.015 (.298)	-.002 (.302)	-.019 (.298)	-.096 (.303)	-.028 (.295)	-.226 (.512)	-.308 (.360)
ITRE	-.722* (.332)	-.697* (.335)	-.705* (.332)	-.699* (.333)	-.864** (.330)	-.722* (.334)	-1.010 (.532)	-1.301** (.392)
IMCO	-.265 (.287)	-.271 (.285)	-.265 (.287)	-.265 (.287)	-.329 (.294)	-.289 (.286)	-.196 (.602)	-.287 (.350)
TRAN	-.108 (.321)	-.083 (.318)	-.073 (.321)	-.077 (.319)	-.222 (.327)	-.104 (.318)	-1.100* (.543)	.437 (.392)
REGI	-1.004* (.424)	-.993* (.419)	-1.007* (.423)	-1.009* (.423)	-1.025* (.471)	-1.015* (.430)	-1.544** (.544)	
AGRI	-.114 (.352)	-.170 (.356)	-.213 (.347)	-.151 (.358)	-.135 (.359)	-.168 (.359)	-.372 (.645)	-.083 (.424)
JURI	.208 (.516)	.200 (.513)	.204 (.512)	.191 (.513)	-.036 (.492)	.168 (.490)	-.151 (.661)	-.786 (.484)
LIBE	-.770 (.407)	-.701 (.413)	-.690 (.413)	-.703 (.412)	-.861* (.413)	-.721 (.416)	-1.290* (.547)	-.423 (.552)
AFCO	-.640 (.383)	-.619 (.386)	-.600 (.391)	-.657 (.398)	-.598 (.381)	-.599 (.395)		-.849* (.417)
FEMM	.658 (.418)	.660 (.417)	.650 (.418)	.644 (.421)	.700 (.459)	.650 (.425)	.410 (.459)	
Constant	.988** (.360)	1.159** (.318)	1.163** (.319)	1.184** (.322)	1.450** (.348)	1.162** (.319)	1.282* (.515)	3.009** (.352)
<i>Pseudo LL</i>	-1259.7	-1260.5	-1260.3	-1260.4	-1256.0	-1260.4	-452.7	-755.0
<i>Pseudo R2</i>	.101	.101	.101	.101	.104	.101	.109	.103
<i>Alpha</i>	0.992	0.997	0.996	0.997	0.97	0.996	1.372	0.479
<i>lnalpha</i>	-0.008	-0.003	-0.004	-0.003	-0.03	-0.004	0.316	-0.737
<i>N</i>	334	334	334	334	334	334	161	173

Robust errors displayed in brackets. Significance levels: * p<0.05, ** p<0.01

early agreement. Additional partial evidence for Hypothesis 4 is offered by Model 7 on the sample of non-early agreement reports, in which the negative effect of PSE membership reaches statistical significance too, although this effect is negligible (2 changes less are made to a committee report in plenary) (see Table 5). None of the models offers support for Hypotheses 2 and 3.

Among the control variables, as expected in all models, the number of proposed committee amendments has a positive marginal effect on the number of changes to a committee report in plenary (.22), and so does the number of opinion-giving committees (1.41) (see Model 5 in Table 5). Predictably, if no early agreement is reached, regulations and directive sustain

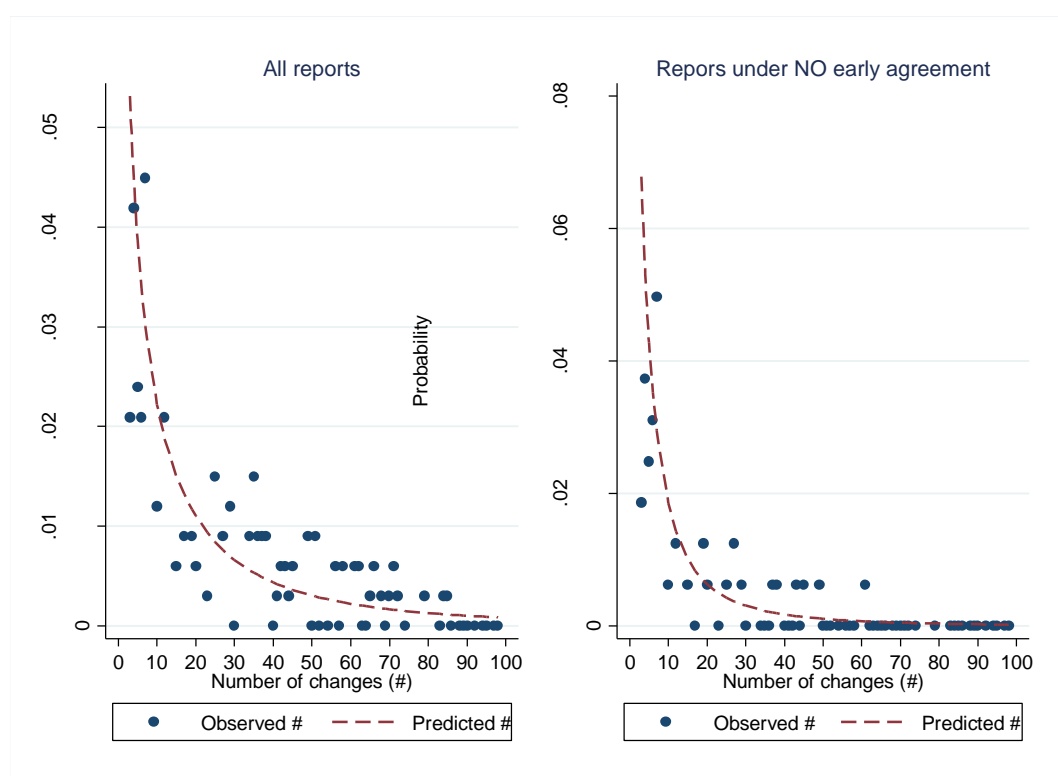


Figure 3 Fit of Model 5 and Model 7 (no early agreement)

more changes in plenary than decisions and recommendations (2.99) (see Model 7 in Table 5). The effects of the committee fixed effects in these models conform to the results of the aggregate analysis in Table 1, too.

Judging from the log likelihood, Model 5 seems to fit the data best. Thus, Figure 3 plots the observed and predicted probabilities for a given number of changes to a committee report in plenary, respectively for Model 5 and Model 7 (on the split sample of non-early agreements). The figure shows that the models largely fit the data.

Overall, the results of the fractional logit and the negative binomial models, although modelling different dependent variables, lead to conforming results. Strong evidence is found for Hypothesis 4 when it comes to membership in the majority party group EPP-ED and under the condition that no early agreement is reached with the Council of Ministers between the committee and plenary stages. The effect of PSE membership is similar if only the sample of no early agreements is examined but it is less clear and has to be treated with caution. There is no significant effect of ALDE membership. With the exception of the positive significant impact of relevant expertise on the first dependent variable in Model 7 on the split sample (no early agreements), there is no evidence for Hypotheses 2 and 3.

Table 5 Marginal effects/discrete changes* on the number of changes to a committee report in plenary (Model 5 and Model 7)

	m5	m7_ no agreements
early	23.62	
related interest	-1.87	-0.97
related expertise	-3.54	-1.69
national party size	0.04	0.02
EPP-ED	-12.99	-4.10
early*EPP-ED	12.86	
PSE	-4.43	-2.24
# valid comm amendments	0.22	0.04
# of cns comms	1.41	0.51
regulation/directive	2.87	2.99
AFET	-0.57	
DEVE	-11.11	-4.05
INTA	-2.54	-4.39
BUDG	7.58	-0.62
CONT	-15.25	-5.05
ECON	-6.60	-2.65
EMPL	-7.07	-3.26
ENVI	-1.28	-0.80
ITRE	-8.46	-2.65
IMCO	-3.92	-0.68
TRAN	-2.81	-3.09
REGI	-8.88	-3.08
AGRI	-1.74	-1.17
JURI	-0.48	-0.54
LIBE	-8.19	-2.94
AFCO	-6.17	1.89
FEMM	13.74	-4.05

* For dummy variables, discrete changes from 0 to 1 are displayed. For continuous independent variables (national party size, # valid comm amendments, and #of cns comms) the marginal effects at the mean of all independent variables are displayed.

To summarise, overall only membership in the biggest party group (potentially also the second biggest one) has an impact on the success of committee reports on the floor given that no early agreement is reached with the Council right before the plenary stage.

Discussion

While it is generally claimed that the EP's legislative positions are de facto drafted in its committees, this chapter has shown that this is not always the case. The extent to which committees are successful in having the plenary adopt their reports as the official parliamentary positions is heavily influenced by extra-parliamentary factors, and, in particular, by ongoing informal negotiations with the Council of Ministers and their outcome. The aggregate analysis showed that when legislative acts are adopted in the EP plenary following the traditional decision-making mode, they are largely based on the committee reports. However, the legislative influence of committees is significantly smaller if an informal agreement with the Council of Ministers is reached after the committee stage. In these cases, it is not uncommon to see all the committee amendments rejected or lapsed in plenary and instead an alternative set of amendments adopted in its entirety. Thus, the committees' legislative role has been significantly compromised as a result of the new mode of informal decision making. These findings demonstrate that the legislative influence of the parliamentary committees is not unconditional.

Arguably, the new procedure of 'fast track legislation' has brought gains in efficiency and sped up the EU legislative process. However, it has also weakened some intra-parliamentary structures and actors, and has led to a decrease of transparency, deterioration of open democratic debate in committees, and severe information asymmetry between legislators. The legitimacy of the democratically elected Parliament is threatened by the secluded decision-making, leaving it unclear in whose interests the parliamentary position is negotiated at trilogue meetings. Upon an early agreement, deliberation in plenary serves only as a means of advertising actors' positions to voters rather than making any real changes or reaching political consensus. Additionally, the rationale behind bicameralism and division of legislative power between the EP and the Council of Ministers has become unclear. If the EP takes its decisions in collusion with the Council before even having adopted its own position, then why have a democratically elected Parliament? In summary, as Héritier (2007: 103) has concluded: 'The Parliament, faced with the choice between gaining power in insulated trilogues and informal agreements on the one hand and a loss in its function as a democratic arena of debate on the other, decided in favour of the first'. As a partial remedy to the problem of transparency loss associated with early agreements, the new EP Rules of Procedure (EP, 2009c) include 'ANNEX XX: Code of conduct for negotiating in the context of the ordinary legislative procedures'. It provides formal rules

on when an informal meeting between representatives of the EP and the Council can take place, who should be present, the mandate the rapporteur needs in order to negotiate, and the way in which meeting outcomes have to be communicated back to the committee. This formalisation of the early agreements reflects the grave problems of transparency loss and exclusion inherent in the hitherto informal decision-making mode. Whether they will be a successful remedy remains to be seen. In any case, it is a step in the right direction towards solving the transparency deficit of the EU legislative process. As a member of the EPP-ED secretariat excellently summarized it:

[The question is] how you organise yourself. If you have an early second agreement, even if conciliation – a third reading – it does not say, it does not guarantee you have a transparent process. A transparent process takes two things – one is that the other members take interest and not only complain afterwards, and the second is that you have a process where you say – all right, we inform regularly in writing in prep meetings, we ask for a mandate for certain cases, so before we go for the first informal trilogue meeting we need to know what our group, what our committee stands for. You don't need the final vote in committee but you need a position, you need to have the key points. Otherwise you would be very much weaker towards the Council when you are with no clear mandate. And also when you come back it would be quite difficult to sell it. (Personal interview 11 with a member of the EPP-ED secretariat, 27.02.2008)

Taking early agreements aside, the special interests and expertise of rapporteurs do not appear to have a significant impact on the way committee reports are received in the plenary, providing no evidence for the distributive and informational rationales. Membership in the biggest party group EPP-ED, however, has a strong positive impact on the success of committee reports on the floor if no early agreement is reached with the Council of Ministers. The effect of PSE membership is in the same direction although not so clear. However, there is no effect of ALDE membership – the likely coalition partner of EPP-ED and PSE in forming the EP majority. It appears that in the standard decision-making process, in accordance with the partisan rationale, the working majority party group 'gets what it wants' in committee and is able to pass it through in plenary.

Future research is needed to explore the relationship between rapporteurs and their committees. Examining the extent to which the parliamentary committees influence early agreements reached before the committee stage is another venue for future qualitative research. The observed strong variation in legislative influence between committees also calls for further explanation. Why are some committees better able to have the plenary adopt their reports as the official parliamentary positions than others?

Appendix A Measurement of the dependent and independent variables

Variable	Measurement
DV1: Proportion of amendments in EP opinion derived from a committee report	Proportion of amendments in the adopted EP opinion derived from a committee report (# adopted committee amendments / # total adopted amendments in plenary)
DV2: Number of changes to a committee report	# rejected or lapsed committee amendments in plenary + # non-committee adopted amendments in plenary
early	Early agreement after the committee vote: 0=no; 1=yes (ref. category: no early agreement)
size	Word count of the initial Commission legislative proposal in 1000s of words
# of cns comms	Number of opinion-giving, or consultative, committees
# valid comm ams. regulation/directive	Number of proposed committee amendments
related interest	A regulation or a directive proposal: 0=no; 1=yes (ref. category: decision, recommendation)
related expertise	Relevant special interests of the rapporteur: 0=no; 1=yes (see Error! Reference source not found.)
national party size	Relevant expertise of the rapporteur: 0=no; 1=yes (see Error! Reference source not found.)
EPP-ED	Number of MEPs from rapporteur's national party in 6th EP (2004-2009)
PSE	Rapporteur is a member of EPP-ED: 0=no; 1=yes
ALDE	Rapporteur is a member of PSE: 0=no; 1=yes
	Rapporteur is a member of ALDE: 0=no; 1=yes

Appendix B Fractional logit: Proportion of amendments in EP opinion derived from a committee report (without committee dummies)

	m1	m2	m3	m4	m5	m6	m7_early agr	m8_only early agr
early	-3.515**	-3.519**	-3.446**	-3.237**	-3.386**	-3.573**		
interest	(.228)	(.227)	(.240)	(.272)	(.302)	(.265)		
early* interest	-.157	-.178	.204	-.143	-.158	-.165	.163	-.264
expertise			(.527)	(.337)	(.335)	(.338)	(.536)	(.471)
early* expertise	(.350)	(.340)	-.540	(.687)				
national party size	-.237	-.235	-.232	.439	-.234	-.240	.426	-.581
EPP-ED	(.251)	(.250)	(.252)	(.390)	(.252)	(.249)	(.407)	(.377)
early* EPP-ED				-1.029				
PSE				(.530)				
early*PSE	-.033*	-.033**	-.033*	-.034*	-.033*	-.033*	-.042**	-.029
ALDE	(.013)	(.013)	(.013)	(.013)	(.013)	(.013)	(.016)	(.019)
size (1000s words)	.810*	.726*	.739*	.767*	.946*	.728*	1.204**	.664
# of cns comms	(.403)	(.326)	(.326)	(.325)	(.377)	(.329)	(.378)	(.432)
regulation/ directive					-.317			
Constant	.742	.656	.644	.701*	.660	.527	.894	.660
<i>Pseudo LL</i>	(.414)	(.348)	(.346)	(.340)	(.338)	(.426)	(.460)	(.453)
<i>Deviance</i>						.196		
<i>N</i>						(.497)		
	.164							
	-.013	-.012	-.012	-.009	-.011	-.012	.009	-.022
	(.008)	(.008)	(.008)	(.008)	(.008)	(.008)	(.013)	(.017)
	.019	.016	.014	.025	.015	.018	-.091	.079
	(.058)	(.057)	(.057)	(.058)	(.056)	(.057)	(.059)	(.089)
	-.569	-.574	-.575	-.544	-.576	-.575	-.912**	-.436
	(.391)	(.390)	(.396)	(.379)	(.389)	(.390)	(.369)	(.473)
	2.794**	2.886**	2.842**	2.609**	2.796**	2.913**	2.848**	-.692
	(.552)	(.483)	(.485)	(.478)	(.486)	(.489)	(.494)	(.579)
	-124.5	-124.6	-124.4	-123.6	-124.4	-124.5	-41.7	-80.9
	172.8	172.8	172.5	171.0	172.6	172.8	38.1	130.9
	333	333	333	333	333	333	160	173

Robust errors displayed in brackets. Significance levels: * p<0.05, ** p<0.01

Appendix C Number of changes to a committee reports in plenary (without committee dummies)

	m1	m2	m3	m4	m5	m6	m7_early agr	m8_only early agr
early	1.853** (.151)	1.853** (.149)	1.840** (.166)	1.797** (.179)	1.618** (.224)	1.885** (.153)		
interest	-.249 (.172)	-.259 (.162)	-.310 (.350)	-.267 (.161)	-.256 (.161)	-.264 (.163)	-.287 (.323)	-.177 (.146)
early* interest			.084 (.376)					-
expertise	-.116 (.148)	-.122 (.153)	-.124 (.153)	-.230 (.301)	-.150 (.148)	-.118 (.152)	-.365 (.254)	-.153 (.146)
early* expertise				.190 (.336)				
national party size	.005 (.005)	.006 (.005)	.006 (.005)	.006 (.005)	.006 (.005)	.005 (.005)	.015 (.009)	.002 (.006)
EPP-ED	-.488* (.245)	-.528** (.167)	-.529** (.168)	-.542** (.166)	-.830** (.259)	-.530** (.168)	-.937** (.297)	-.188 (.168)
early* EPP-ED					.540 (.279)			
PSE	-.298 (.270)	-.341 (.214)	-.339 (.214)	-.357 (.203)	-.343 (.198)	-.280 (.383)	-.595 (.374)	-.165 (.149)
early*PSE						-.116 (.391)		
ALDE	.077 (.277)							
# valid comm ams.	.014** (.002)	.014** (.002)	.014** (.002)	.014** (.002)	.015** (.002)	.014** (.002)	.011** (.002)	.019** (.003)
# of cns comms	.090** (.033)	.088** (.033)	.088** (.034)	.088** (.034)	.094** (.035)	.088** (.034)	.118* (.057)	.100* (.049)
regulation/ directive	.294 (.152)	.295 (.151)	.296 (.152)	.293 (.150)	.271 (.150)	.292* (.148)	.757* (.320)	.034 (.148)
Constant	.965** (.323)	1.012** (.251)	1.014** (.252)	1.061** (.257)	1.140** (.275)	.999** (.259)	.902** (.413)	2.675** (.225)
<i>Pseudo LL</i>	-1277.8	-1277.8	-1277.8	-1277.6	-1275.4	-1277.8	-472.7	-776.7
<i>Pseudo R2</i>	.088	.088	.088	.088	.090	.088	.070	.077
<i>Alpha</i>	1.105	1.105	1.105	1.104	1.09	1.105	1.867	0.628
<i>lnalpha</i>	0.1	0.1	0.1	0.099	0.086	0.1	0.624	-0.465
<i>N</i>	334	334	334	334	334	334	161	173

Robust errors displayed in brackets. Significance levels: * p<0.05, ** p<0.01