Committees are often integral parts of national and international political systems, be it to increase the efficiency, the expertise or the legitimacy of decision-making. There are consultative and decision-taking committees. By their nature, the former have – similar to many NGOs – access to decision-making arenas so that they could raise their voice, but lack formal votes. A state of the art review shows that we know much about decision-taking committees, while there is a gap in our knowledge about consultative committees. This is a pity as consultative committees are widespread in states and internationally. Hence, this paper analyses the influence of consultative committees in the policy-making process of the European Union. It inquires to which extent and under which conditions the Committee of the Regions and the European Economic and Social Committee as two prominent consultative committees can influence European policies. The paper draws on neo-institutionalist theory to develop a sender-receiver model. Based on a comprehensive survey on the influence of both committees across a variety of policy areas conducted in 2010, we quantitatively and qualitatively test a series of sender-receiver hypotheses. This reveals that consultative committees are not very influential overall, but that they can exert influence under certain scope conditions, especially if the senders produce high-quality recommendations quickly and whilst receivers lack administrative capacities and have flexible preferences.

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Panel: Reviewing EU Multilevel Governance I: Challenges of Sustaining Policy-making and Promoting EU Integration

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INTRODUCTION

Committees play an important role in national and international legislative processes: they are set up to increase effectiveness of decision-making, enable logrolling and partisan coordination, and increase the expertise or the legitimacy of decision-making (Mattson and Strom, 1995). There are two types of committees: decision-making committees and consultative committees. Decision-making committees, especially parliamentary committees as pas pro toto of the whole house, have been long the center of attention regarding their composition, jurisdiction and decision-making rules (Mattson and Strom, 1995, Shepsle and Weingast, 1987). Decision-making committees are de facto able to make binding decisions. They are important in the legislative process since they usually either have a gate-keeping or a gate-opening function.

In line with the principle ‘voice, but no vote’, consultative committees have access to decision-making arenas, but lack formal decision-making power. Thus, their recommendations or conclusions are not binding in character. But while we know a lot about decision-making committees there are very few studies on the role of consultative committees. Research on consultative committees looks either at internal decision-making procedures and compositions of actors or provides general information on the institutions (Brunazzo and Domorenok, 2008, Jeffery, 2006, Lodge and Herman, 1980), (author 2003). So far, however, the influence of consultative committees has been neglected. This is also the case at the international level. The principle ‘voice, but no vote’ not only applies to consultative committees (such as the Asian-African Legal Consultative Committee in the United Nations), but also to non-governmental organizations (such as Greenpeace). While non-governmental organizations are often in the limelight of research (Boli and Thomas, 1999, Weiss and Gordenker, 1996, Willets, 1982), the role of consultative committees within governance arrangements on international level is a blind spot.

To shed light on the role of consultative committees, this paper analyses the following research question: How and under which conditions can consultative committees exert influence even though they have no formal voting-powers? The dependent variable ‘influence’ is defined as the ability of a consultative committee to shape the positions of legislators and, thereby, indirectly policy outcomes.

Section 2 distinguishes between consultative and decision-making committees and selects the Committee of the Regions (CoR) and the Economic and Social Committee (EESC) as two
consultative committees in the European Union (EU)\(^2\) for comparative empirical analysis. Section 3 develops a set of neo-institutionalist hypotheses based on a sender-receiver-model. The model covers the distribution of capacities, preferences and incentives to deliver adequate recommendations by consultative committees as senders and to accept recommendations by legislative actors as the receiver. Section 4 introduces the dataset and methodology: Our data on the dependent variable was gathered in a comprehensive survey of members of Council of Ministers and the European Parliament (EP) as the two legislative chambers in the EU in 2010. The survey reveals an interesting puzzle as the influence of consultative committees varies not between senders but considerably in regard to the receivers. To explain the varying impact of consultative committees, section 5 tests the hypotheses quantitatively based on survey data and supports them with a series of triangulated interviews conducted with members from the EP, the Council of Ministers, the CoR and the EESC.

The main results of the empirical analysis are that consultative committees do have influence, although their recommendations are not binding for the legislators. However, the impact of the consultative committees is overall limited as 40% of respondents fully ignore their advice. Senders are increasingly able to shape the positions of receivers if they deliver their recommendations early in the formal decision-making process. In addition, the quality of the opinions matters for the ability of consultative committees to make their voices heard effectively. Consultative committees are increasingly influential if they have a high level of expertise. Finally, the opinions of the CoR and the EESC are taken significantly more often into account by MEPs because their preferences are not rigid due to sub-level constraints, as it is the case for members of the Council of Ministers.

TYPES OF COMMITTEES

Committees are wide-spread and are integral parts of almost all political systems, for example in form of parliamentary, ministerial, governmental, party-political committees in states or advisory, expert or sub-committees in International Organizations. There are two main types of committees.

Firstly, decision-making committees need to be involved \textit{and} give their go-ahead before a legislative body can proceed to make formal decisions. Secondly, consultative committees have only advisory competencies \textit{vis-à-vis} legislative bodies which can make final decisions

\(^2\) C.f. Article 7(2) and Articles 257-262 for the ESC and Articles 263-265 for the CoR (consolidated version of the Nice Treaty).
even if advisory committees did not submit recommendations at all (Maurer, 2003, Mattson and Strom, 1995). Decision-making committees are usually parliamentary committees, which can change or block proposals coming from or going to the plenary session and which in some instances can pass legislative proposals. Also within the legislative branch, select committees make inquiries whose conclusions cannot be contested by the parliament or the government. Within the EU, the Comitology also makes binding decisions concerning the implementation of European policies. Moreover, a variety of standing committees, such as the DISEC (disarmament and international security committee) or the ECOFIN (Economic and Financial Committee) of the United Nations (UN), belong to the category of decision-making committees.

Consultative committees possess only advisory competencies. Their opinions are not binding for third parties. In states, there are plenty of advisory committees that cannot make binding decisions but only provide non-binding recommendations for governments and ministries. In the EU the Committee of the Regions (CoR) and the Economic and Social Committee (EESC) develop opinions within the legislative process, in which the EP and the Council of Ministers serve as decision-makers. Their recommendations can be ignored by the members of the EP and the Council. Also, the expert committees within the UN special committees (United Nations Special Committee on Palestine) can only make non-binding recommendations.

While we know a lot about decision-making committees, there is a blind spot in regard to consultative committees. Nevertheless, consultative committees are very common in all sorts of political systems and therefore deserve attention. Thus, this paper exclusively analyses the role of consultative committees. To analyse the research question under which conditions committees with voice but no formal vote can exert influence this paper focuses on the CoR and the EESC. They are both consultative committees and are both involved in almost all policy areas in EU decision-making processes (Wallace et al., 2005). Both are composed of 344 actors that do neither belong to the Council of Ministers nor the EP as the two legislative bodies in the EU. Instead, they represent additional territorial (CoR) and functional interests (EESC) respectively. The CoR is composed of members of local assemblies, majors, or

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3 Moreover, conciliation committees make binding decisions in the sense that they arrive at compromises that cannot be substantively altered by the affected decision-making actors (e.g. first and second chamber in the German political system or the EP and the Council in the EU’s co-decision-making procedure), but only accepted or rejected.
regional parliaments or regional governments, while representatives of employers, labor and societal associations form the EESC (Hix and Hoyland, 2011).

A NEO-INSTITUTIONALIST SENDER-RECEIVER-MODEL

To answer our question under which conditions consultative committees can exert influence, we develop a sender-receiver model that draws on a non-orthodox version of rational-choice institutionalism (Hall and Taylor, 1996, Peters, 1999, Scharpf, 1997). While actors are strategic-rational in character and act on the basis of their interests, they are open to modify their policy-specific preferences in the wake of persuasive arguments entailing new background, technical or normative information.

Consultative Committees have access to formal decision-making bodies (voice), but cannot decide upon policies as they lack formal decision-making power (vote). Thus, consultative committees as rational actors are bound to exert influence on policy outcomes via an indirect route: they need to influence the legislators to which they have access. To understand the interplay between consultative committees and decision-making actors we rely on a sender-receiver-model. Consultative committees operate as senders and have to persuade the legislative decision-making bodies as receivers to take on the information provided in the recommendations in order to indirectly influence policy-outcomes. Whether this endeavor is successful depends on how far the supply of recommendations meets demands for information, which is influenced by the preference configuration between senders and receivers, the distribution of capacities as well as the incentives at play (figure 1).

[Figure 1: A General Sender-Receiver-Model of the Role of Consultative Committees]

Starting with the sender-side, consultative committees need to have capacities and incentives to develop policy-recommendations that reflect their preferences and need to forward these recommendations to the receivers in order to influence the latter.

Consultative committees differ in their available administrative and ideational capacities (Brunazzo and Domorenok, 2008, Jeffery, 2006, Lodge and Herman, 1980), (author 2003). A greater number of highly qualified staff as well as well-functioning procedures to coordinate

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Internally (administrative capacities) allow consultative committees to operate smoothly and to produce recommendations swiftly. This, in turn, is important because the persuasion of receivers becomes increasingly difficult once they have already formulated their preferences and know what they want. If the sender submits its recommendations at the very beginning of a legislative process, it is more likely that receivers are uninformed about factual or normative backgrounds and uncertain about their own positions. This increases the chances for effective persuasion, especially if the sender has high expertise on a subject matter so that its recommendations are of high quality and entail new or additional information (ideational capacities) (author 2010). Thus, the first hypothesis expects that consultative committees are the more influential, the better equipped they are in terms of administrative and ideational capacities, because this increases the speed to which they produce recommendations and submit them to the receivers and because this also positively influences the quality of recommendations (H1).

Next to capacities, preferences could matter as well for the prospects to influence receivers (Keohane and Nye, 1998, Peters, 1999). The extent to which a consultative committee is able to exert influence is likely to be determined by the preferences of the actors potentially taking the advice. We expect that a consultative committee is not successful when proposing a policy that strongly deviates from the position of the receiver. This is due to the committee’s ability to only voice an opinion, whilst lacking formal voting power. The closer the recommendation of the consultative committee to the position of the receiver, the more likely it is that the receiver can be persuaded to take on a recommendation. This is because the reference-frame of senders and receivers are more likely to overlap in these instances, which makes effective

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5 By contrast, if recommendations are only submitted to the receivers towards the end of legislative processes, the window of opportunity for persuasion is smaller, as the receivers are less uncertain about scientific, factual or normative backgrounds as well as about what position they will take.

6 For the qualitative analysis, we conducted more than 60 interviews asking members of sender and receiver institutions about the distribution of various capacities and the effects these capacities have on the prospects of consultative committees to influence receivers. For the quantitative analysis, data on the ideational capacities of the senders stems from the survey conducted in 2010, asking “How high is the technical expertise of the COMMITTEE?” The answer category ranges from 1 (not very high) to 10 (very high). Administrative capacities of sender institutions are operationalised indirectly through the speed to which consultative committees develop recommendations. The data stems from the 2010 survey. The speed to which consultative committees develop recommendations has been measured through the question: “Did each COMMITTEE circulate the recommendations well-timed before you had developed your own position? (1 with great delay, 10 well-timed).”
persuasion more likely and, in turn, increases the influence of the consultative committee over receivers (H2).

Incentives can also influence the chances to which senders to influence receivers’ positions (Scharpf, 1997). A consultative committee is likely to be more motivated to invest its resources in its core area of competence. In its core policy area, the respective committee should be highly motivated to develop recommendations swiftly and it should be able to draw on the highly policy-specific expertise of its members. As a result, the opinions should be formulated more quickly and should be of higher quality in these fields. While the consultative committees are involved in almost all policy areas, the EESC should be especially motivated to engage in economic and social policies, while the core policy field of the CoR should be regional policy. Hypothesis three states: A consultative committee has more influence, if the opinion is located within its core policy field (H3).

Next to the sender-side, the receivers’ capacities, preferences and incentives matter as well for the prospects of senders to indirectly influence policy-outcomes. The more administrative and ideational capacities receivers possess, the more swiftly they develop their own policy positions (author 2011) and the less open they are to persuasion. This is because they already know what they want and because it is less likely that they are uncertain about factual issues or background questions, so that the consultative committee’s recommendation does not meet a demand for information. By contrast, receivers can be persuaded more easily, the less knowledge and information they already possess in an issue area and the greater their uncertainty about a policy (Checkel, 2001). Also, shortages in administrative resources of MEPs or Council members can cause inefficient internal preference-formation processes, which create windows of opportunity for senders to be influential with their recommendation.

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7 The policy space between a recommendation of the CoR or the EESC and an receiver is measured through a question in the survey to which the respondents could answer on a 1 to 10 scale (1 not very close, 10 very close). The question was “How close was the recommendation of the COMMITTEE to your own position?”.

8 For the CoR, we assume that the core policy area is regional policy, while the core policy areas of the EESC are economic and social policy. The respective policy areas are not only part of the name of the respective consultative committee, but are also the areas which feature prominently on the homepages of the committees respectively and in which these committees possess broad consultative competencies since their inception.

9 Capacities are measured the following way: The administrative capacities of the receiver are measured with the government effectiveness indicator of the World Bank data of 1998 (ranging from -2.5 to +2.5, [http://info.worldbank.org/governance/wgi/mc_countries.asp](http://info.worldbank.org/governance/wgi/mc_countries.asp) latest access August 2010). Government effectiveness measures the quality of public administration, the ability of ministries to efficiently formulate policies and implement them, as well as the credibility of the government to further a high quality of public services. Ideational Capacity Receiver is operationalised through the duration of membership in the European Union. The longer a country has been in the EU, the greater are the chances for institutional learning about the EU decision-making process, the actors at play and the legacy of policy proposals in ministries and political parties, which renders the formulation of positions easier and reduces the demand for additional information.
– especially if the latter are submitted early on. On this basis, hypothesis four states: Consultative committees should be more influential the fewer administrative and ideational capacities the receivers possess themselves (H4).

The openness for persuasion of the receivers of recommendations is important for the prospects of consultative committees as senders with voice but no vote to influence policy-outcomes despite the lack of formal decision-making power. It is also influenced by the preferences of receivers. If a receiver coordinated its policy position with other actors in the domestic political system, its flexibility and openness for persuasion declines (Putnam, 1988). If a receiver is less flexible to make adjustments in response to the advice of a sender, it reduces the influence of the latter (H5).\(^\text{10}\) There is a systematic difference between members of the EP, which are free to make and adjust their positions and are only responsible vis-à-vis their own conscience, and the members of the Council of Ministers, which need to coordinate the national positions with the ministries back home (author 2010). Thus, we expect a systematic difference between EP and Council members. The latter should be decreasingly inclined to take on recommendations of consultative committees the more domestic actors or veto players influence their positions, while there should be no such effect for members of the EP at all.

Incentives to listen to senders in the first place might vary across receivers and is important for their prospects to exert influence. European legislators should be more motivated to listen to consultative committees, the more salient an issue is (Ringquist et al., 2003). The higher the issue-saliency, the greater the stakes and the more willing a receiver is to listen to information from senders in order to maximize the information on the subject matter. Consequently, for issues of great importance it is increasingly likely that legislators are willing to read recommendations of consultative committees, which also increases the chances that they adjust their positions accordingly (H6).\(^\text{11}\)

[Table 1: Overview of Hypotheses]

\(^{10}\) Federalism is as proxy for the flexibility of positions as actors in federal systems are more likely to have coordinated their stance with other political or party political actors. The data stems from Armingeon et al.: Comparative Political Data Set III, 1990-2006. It is measured identically to the Federalism variable in Lijphart (1999) with the lowest value of 1 (unitary) and the highest value of 4 (federal). Federalism is as proxy for the flexibility of positions as actors in federal systems are more likely to have coordinated their stance with other political or party political actors.

\(^{11}\) Data on issue saliency stems from our survey. The respondents have been asked: “How important is your policy field for your political party / member state?” The answer was given on a 10 point scale with 1 not important at all and 10 very important.
DATA AND METHODS

Dataset

In order to gather data for the systematic test of our hypotheses we conducted a survey among Members of the European Parliament (MEPs) and the members of the Council of Ministers stemming from the 27 national delegations (‘Permanent Representations’). Between May 2010 and December 2010, staff members of the national missions in Brussels and MEPs were asked how quick, active, knowledgeable and influential the EESC and the CoR are in 11 different policy areas. The 528 contacted MEPs returned 150 surveys (response rate 28.41%), and the 755 members of the national representations returned 323 surveys (response rate 42.78%). Thus, the total response rate is 36.87%. From this survey we take a number of independent and dependent variables.

Dependent variable

In line with the theoretical model, which explicates that the influence mechanism of actors with voice but no vote operates indirectly via the position of receivers (and not the final policy directly), the influence that consultative committees exert over receivers is the dependent variable. The data stems from our survey and is based on the following question “In your policy area, how often did the recommendations of the [COMMITTEE] influence your own position”. The answer categories ranged from 1 (never) to 10 (always).

Figures 2, 3 and 4 show the variation of influence on the EU legislators for both consultative committees with histograms and boxplots. Three main observations can be made: (1) The respondents used almost the full scale ranging from 1 to 10 to describe the influence of consultative committees. Thus, there are considerable differences in the influence of the consultative committees between respondents that need to be explained. (2) The overall influence of consultative committees seems to be limited. About 40% of the respondents assign the lowest value 1 on the scale to describe the influence of consultative committees.

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12 These are environmental, economic, agricultural, energy, health, industry, regional, social, transport, and consumer policies as well as the area of education, research, youth and cultural policy.
13 Please note that 25 of the respondents filled out two questionnaires for two different policy areas, and that three respondents completed and returned three questionnaires related to three different policy areas. This is due to multiple memberships in committees in the EP as well as to overlapping distributions of policy responsibility in some of the Permanent Representations.
14 The survey is representative and not biased towards a particular country or policy area. The respondents answered an identical questionnaire for both consultative committees. Therefore the overall number of cases in the following descriptive analysis and the regression is higher than the number of returned surveys.
The overall median value is 2, the overall mean 2.6. (3) We find rather large differences between the EP and the Council as the two main receivers of the advice of the CoR and the EESC in the legislative process. The median of the dependent variable is 3 for the EP but 1 for the Council. The mean varies between 3.68 for the EP and 2.14 for the Council. This requires explanation. (4) We only find limited inter-institutional differences between CoR and EESC. The median values are the same for both committees and the means vary only slightly. Respondents either seem to value or disregard external advice by consultative committees, but not discriminate between them.15

[Figure 2: Distribution of answers for dependent variable for EESC and CoR]

[Figure 3: Boxplots for dependent variable for EESC and CoR split by receivers EP and Council]

[Figure 4: Means for dependent variable for EESC and CoR split by EP and Council]

Contrary to the general expectation there is not much of a difference between consultative committees on the basis that they represent either functional or territorial interests. However, the receivers spread extremely wide in their propensity to accept advice of the CoR and the EESC – a variation which has to be explained since it indicates the possibility that consultative committees are only influential under certain scope conditions. Also, there is a difference in the likelihood that different members from the different receiver institutions EP and Council take advice by consultative committees.

Methods

The dependent variable on the frequency of influence is ordinal nature and ranges from 1 to 10 in an ordered fashion from ‘never’ to always’. It is not normally distributed as can be seen from figure 1, but has a Poisson distribution. Thus, we use an ordered logit regression instead of an OLS regression to estimate our model. To analyze the effects of our independent variables, we used the Zelig package in R (Imai et al., 2008, Imai et al., 2009) to simulate additional values based on the original distribution and plot them for different categories of

15 There is also some variation on the policy level. The advice from CoR and EESC seems to be more welcome in the areas of industry, regional, energy, social and partially consumer policy. It tends to be taken into account less frequently in the fields of economic policy, in transport, education, environment, health and agriculture and partially in consumer policy. Especially industry and regional policy feature a strong influence, followed by social, consumer and energy policies.
our dependent variable (see figure 5)\textsuperscript{16}. In addition to the ordered logit analysis, the empirical section also draws on more than 60 qualitative interviews in order to trace the causal mechanisms underlying the various hypotheses (George and Bennett, 2005).

EMPIRICAL ANALYSIS

This section explores empirically under which conditions consultative committees that have a voice but no votes can influence receivers. The sender-receiver model developed in section 4 specifies the roles of capacities, positions and incentives of consultative committees as senders on the one hand, and of legislative institutions as receivers of policy recommendations on the other hand. Models 1, 4 and 7 test the sender-hypotheses and models 2, 5 and 8 the receiver-hypotheses respectively, while models 3, 6 and 9 test the complete sender-receiver model (hypotheses 1-6). The separate sender and the receiver models are kept parsimonious in order to maximize the degrees of freedom, while the combined sender-receiver models incorporate all capacity, position and incentive variables at once. In order to test the robustness of the findings and in order to systematically analyze differences in receivers’ responses to the recommendations of consultative committees, the hypotheses are tested on the basis of three datasets. Models 1-3 are based on the complete database and the dependent variable captures the influence of consultative committees on receivers in general. Models 4-6 and models 7-9 distinguish between the types of the receiving institution and are based on two sub-sets of the complete dataset. Models 4-6 use a dataset which entails only data on the influence over receivers that consultative committees exert via the members of the Council of Ministers (as first chamber). Similarly, models 7-9 are based on a dataset that includes only data on the influence over receivers that consultative committees exert via the members of the EP (as second chamber).

[Table 2: Regression Results: Influence of Consultative Committees on Receivers]

As table 3 shows, 4 out of 6 hypotheses are confirmed. Hypothesis one expects that consultative committees are the more influential the more ideational and administrative capacities they possess. Table 3 shows that ideational capacities do indeed matter as expected, as they correlate positively and significantly in all models with the dependent variable (1, 2, 4, 5, 7, 8). The effects are rather strong and show a high probability of low values and a low

\textsuperscript{16} We decided to plot the categories 1, 5 and 9 of the 10 point scale to have a clear visibility of the effects of the independent variables at its extremes and the center. We also chose not to plot confidence intervals for the same reason.
probability for high values for the dependent variable if the dependent variable has low values. The same applies vice versa for high values of the independent variable and there is the expected slope for mid-range values (Zelig simulation, see figure 5). Interviewees also report that consultative committees have greater prospects to persuade receivers and indirectly exert influence over receivers, the more expertise the sender possesses (e.g. interview#31, 18-03-11, interview#38, 05-04-11, interview#41, 13-04-11, interview#48, 29-04-11, interview#62, 06-09-11). Thus, on issues in which the consultative committee has a high level of expertise, its influence increases. However, due to the composition and internal heterogeneity of the consultative committees, they tend to have difficulties in developing recommendations that reflect a high level of expertise for a broad range of issues (interview#28, 14-03-11, interview#18-03-11). The perception that the two consultative committees do not possess a high level of expertise is wide-spread amongst receivers (e.g. interview#34, 29-03-11, interview#43, 19-04-11), which goes hand in hand with the overall rather limited influence of the CoR and the EESC in the EU.

We expect that senders that are well-equipped with administrative capacities are in a better position to quickly develop recommendations and pass them on to the receiver institutions, which in turn increases their prospects to exert influence. In line with this, models 1-2 and 4-5 show that the earlier consultative committees submit their recommendations, the more likely it is that they exert influence. This finding is robust, but not significant in regard to the EP (models 7-8). While the members of the Council are significantly more inclined to adopt recommendations of consultative committees, if they submit them early rather than late in the legislative process, this effect loses significance for the EP, which is in tendency but not significantly more likely to be persuaded by consultative committees the more quickly they deliver their opinions. This effect is also visible from the slopes in figure 5 where the slopes are flatter for the EP even though the show the right direction. Influencing the Council requires the swift delivery of high quality recommendations, whereas influencing the EP is less demanding as the MEPs do not automatically disregard recommendations of high quality if they arrive with some delay. This makes sense, as the members of the Council are not as flexible to incorporate outside positions in the national preferences as the MEPs (see H5, below). MEPs are alone responsible for the content of their positions and can adjust them at any time in the decision-making processes without time-consuming coordination with party members back home. By contrast, members of the Council need to either act on the basis of instructions from line ministries or to coordinate the national positions with the latter so that
they can only adjust their positions to the recommendations of consultative committees if they have sufficient time to communicate with their line ministries and persuade them to take the advice of consultative committees on board (if the latter reflects a high level of expertise). This is the easier in early stages of national preference-formation processes and increasingly difficult the later the senders submit their advice (author 2010). The qualitative interviews also support the hypothesis. Several members of sender institutions admit that the quick development of recommendations is challenging, which reduces their chances to exert influence in the EU’s decision-making process. Also, several receivers explained that they would or do engage with recommendations increasingly, the timelier they are submitted, whereas “the later it comes, the less integrated can it be [into receiver’s positions, comment authors].“ (interview#37, 04-04-11, similar also interview#35, 01-04-11). Yet, members of the Council also emphasize that the influence of timely recommendations on their own positions is limited, because the national positions are prepared in the ministry back home and not by the mission in Brussels (e.g. interview#42, 18-04-11).

Hypothesis two expects that consultative committees are the more influential, the closer their recommendations are to the position of the receiver as this renders persuasion easier. Table 3 does not entail the position-variable as this would reduce the number of cases by 10% due to missing values. Thus, we tested the effect of the position variable separately in including it into each of the eight models. The quantitative analysis reveals that this hypothesis is not confirmed as the findings on the closeness between the positions of the consultative committee and a receiver are robust and point into the correct direction, but are not significant in any of the models. There is no qualitative support for the hypothesis either. Only one of the senders and one of the receivers argued that the closeness to their positions is important for the chances that the recommendations of consultative committees are acknowledged by

17 Asked whether the development of recommendations and their submission early in the legislative process is difficult, an interviewee from a sender institution stated “Yes, more and more we are providing opinions within less than 3 months or on average 4 - 5 months. It could be sometimes 9 months or 1 year” (interview#52, 10-05-11).

18 In line with that and with the overall rather limited influence of the CoR and the EESC in the EU, interviewees often mention that the consultative committees deliver recommendations with a delay “I know that in the past they were also coming after decisions had been taken.“ (interview#28, 14-03-11). Similar “Well, they deliver their opinions, I guess in time according to their schedule, but too late in the legislative procedure. I think for the Member States it is more important to get their view early on, not later on“ (interview#42, 18-04-11). “If, like everything, if you get information in a timely way, you will be far more inclined to read it. Yes, definitely, definitely. If things come late or at last minute, you are less inclined to take them on board, yes“ (interview#44, 19-04-11).

19 Including or excluding the preference-sender variable does not affect the robustness and significance of the other findings.
receivers (interview#27, 08-03-11, interview#62, 06-09-11). Other interviewees explained that the relative distance of positions between senders and receivers is not a clear-cut determinant for influence (interview#59, 09-08-11), and the overwhelming majority of interviewees do not mention the distance between positions as important for becoming persuaded (e.g. interview#44, 19-04-11, interview#50, 04-05-11, interview#48, 29-04-11).

All actors have ultimately limited capacities so that incentives should matter for how they spent their resources. Hypothesis three expects that consultative committees are the more influential in their respective core policy fields as they have more expertise in these areas and are also more motivated to invest the available resources for policy proposals. It is neither confirmed quantitatively nor qualitatively. Table 3 shows that in all but one models (model 5, table 3) the correlations are not as expected positive and the findings are not significant. Plotting the effects with Zelig, we also find no evidence that sender incentives influence outcomes (figure 5). Interviewees also report that the consultative committees do not engage in this sort of prioritization. Members of the sender institutions as well as receivers explained that the prioritization is currently lacking as all policy fields are more or less covered by both committees and that the introduction of a more focused approach needs to be put on the internal reform agenda (interview#31, 18-03-11, interview#66, 21-10-11, interview#67, 25-10-11).\(^\text{20}\) Thus, the hypothesis has to be rejected.

Hypothesis four looks into the capacities on the receiver side. Consultative committees should be increasingly influential, the less administrative and ideational capacities legislators have in order to gather and handle information by themselves. Administrative capacity has the expected effect and is significant in five out of six instances. The effects are strong and the slopes for high and low values are steep (figure 5). The less effective a political system works in which a receiver has been socialized or is a member of, the greater is the demand for additional outside information and the more likely it is that the respective receiver takes advice of consultative institutions into account (e.g. interview#36, 04-04/-011, interview#28, 14-03-2011, interview#35, 01/04/2011, interview#32, 18-03-2011 – an opposing view was voiced in interview#41, 13-04-2011).

The ordered logit models do not confirm the expectation concerning ideational capacities. Legislative actors do not increasingly take on the advice of consultative committees, the less

\(^{20}\) E.g. “We tended to address all of them [policy areas mentioned in the Treaty] and now I do not think it is sustainable in the medium term” (interview#52, 10-05-11).
expertise they possess themselves. In fact the results of the quantitative analysis contradict the hypothesis, as the relationship between expertise of receivers and influence of senders is positive instead of negative although only insignificantly. The effects are also very weak and we observe nearly flat lines (not shown in figure 5). In line with that interviewees show on the one hand that receivers tend to be interested in additional information and expertise (e.g. interview#31, 18-03-11, interview#36, 04-04-11, interview#59, 09-08-11), but none of the receivers made the point that they are more likely to be persuaded by consultative committees if they themselves lack expertise on an issue or even that they do compensate own ideational capacity shortcomings through recommendations from consultative committees (e.g. interview#32, 18-03-11).21

Hypotheses five focuses on the role of receiver-preferences for its inclination to take on advice of senders. It assumes that if a legislator has to coordinate his positions with domestic actors, the former is less flexible to make adjustments in response to an opinion of a consultative committee. The more rigid a position of a receiver is, the less likely it will incorporate the advice of a consultative committee. We expect systematic differences between members of the EP and the Council of Ministers: MEPs are responsible for their positions themselves and have therefore less rigid positions, whereas members of the Council of Ministers have to coordinate the national position with the line ministries back home and have therefore less flexibility to be responsive to consultative committees. In the regression analysis we find a negative relationship between the preference rigidity and the influence of consultative committees in all models. The negative effect of domestic constraints is not significant for MEPs (models 7, 9), but for the respondents from the Council of Ministers (models 4, 6). As expected, Council members are less inclined to adjust their positions in response to consultative committees than members of the EP, as more domestic actors have a say over the national position.22 Looking into the effects we find that they are stronger for Council members than for EP members but go in the right direction with a steep slope for the latter as well.

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21 E.g. “if it becomes technical then it is easier to contact someone directly than to get some general points of view of for instance the CoR, because their opinion is a compromise between all different regions in Europe, and when it becomes technical then the European diversification is often making it even more difficult. Then I am more inclined to contact for instance the Dutch regional authorities directly than to focus on the CoR” (interview#28, 14-03-11).

22 In line with the quantitative findings, interviewees from the Council also emphasize that national positions cannot be made and changed independent from the ministries back home which hampers the influence of consultative committees (interview#44, 19-04-11, interview#42, 18-04-11). For example, an official explained “what we incorporate or don’t incorporate [concerning the advice of consultative committees, insertion by authors] is decided in our capitals” (interview#32, 18-03-11).
Hypothesis six assumes that the more salient an issue is, the more inclined receivers are to read recommendations of senders in order to make sure that additional or new information is not overlooked. This in turn creates a window of opportunity that members of the Council and the Parliament are persuaded by the advice of consultative committees. The hypothesis is confirmed quantitatively as the consultative committees are increasingly influential the more important the policy at stake is for the MEPs or Council members. The coefficients are not only robust but also significant in all models (1, 3, 4, 6, 7 and 9). The slopes of the effects (figure 5) are steep for low values and acceptable for medium and high ones. Interviewees are supporting the hypothesis as well. Many members from the two legislative institutions report that they are more inclined to read recommendations if an issue is of great importance to them (e.g. interview#34, 29-03-11, interview#43, 19-04-11, interview#46, 20-04-11, interview#51, 06-05-11, interview#60 12-08-11), while only few receivers argue that the importance of a policy plays a limited role in their inclination to take advice on board (interview#41, 13-04-2011, interview#48, 29-04-2011).

[Figure 5: Effects of Independent Variables on the Probability of Selected Categories of the Dependent Variable (Categories 1, 5, 9)]

CONCLUSIONS

Consultative committees are involved in the legislative process on an advisory basis (Christiansen, 1996, Maurer, 2003). Although consultative committees are wide-spread, we do not know much about them. Thus, this paper inquires under which conditions consultative committees can exert influence over receivers. To answer this research question this paper developed a sender-receiver model, measured influence on the basis of a survey, and comprehensively tested the sender-receiver model quantitatively and through a series of triangulated interviews.

Although they have a voice, but no vote consultative committees do have influence on legislative actors. The influence of their recommendations is, however, limited as about 40% of respondents fully ignore the advice of consultative committees. Yet, where consultative committees do influence EU decision-makers, they have a good chance to have at least some impact on policy outcomes, as the influence over receivers is positively correlated with influence over policy outcomes in the survey (0.7726).
Secondly, the sender-receiver model explicates that the supply of information in the form of recommendations of the sender needs to meet a demand for information on the side of the receiver for a sender to be influential. Otherwise, consultative committees cannot influence receivers. They only have a voice with which they can persuade the legislative institutions as receivers, but no formal votes so that they cannot push their positions without the support of the receiving actors. Whether this endeavor of voicing recommendations is successful depends theoretically on the distribution of capacities, the preference configuration between senders and receivers as well as the incentives at play. The empirical analysis revealed that the expertise of the sender (ideational capacities) and its ability to swiftly develop recommendations (administrative capacities) increase the chance to influence receivers. The pace to which recommendations are send to receivers as well as the quality of recommendations are necessary but not sufficient conditions for the influence of consultative committees. Supply and demand of information need to match. Thus, consultative committees are especially likely to exert influence over receivers if the receivers lack themselves administrative capacities to gather and process information on the policy proposal at stake all by themselves.\textsuperscript{23} By contrast, receivers grappling with a shortage of ideational capacities are not more likely to take on the recommendations of consultative committees, while those receivers that have higher level of expertise are also not less inclined to follow recommendations of consultative committees. While this is counter-intuitive on a first glance, actors with limited ideational capacities tend to either not actively follow a certain policy proposal (author 2010) or they tend to approach domestic institutions or party colleagues in order to obtain additional information instead of shifting their attention to consultative committees.

Thirdly, the sender-receiver model specifies configurations of positions of senders and receivers and hypothesizes how they affect the prospects of consultative committees to successfully make their voices heard. While the relative distances between the recommendation of the sender to the initial policy proposal and to the policy position of the receiver does not systematically influence the prospects of consultative committees to be influential, the preference rigidity of receivers’ matters. Compared to the Council as first chamber, the members of the EP as second chamber have a much greater flexibility to adjust their positions, while the Council members must coordinate them with the ministries back

\textsuperscript{23} Likewise, their influence is limited if they delay their recommendation as otherwise the other actors have formulated their opinions already.
home in one way or another (author 2011). Thus, Council members are less inclined to take on the advice of consultative committees than members of the EP, and this effect is the more pronounced the more domestic actors have a say over national positions. This is reflected in the impact that the quality and timing of recommendations have for the influence of consultative committees. In order to persuade Council members, consultative committees need to deliver high quality recommendations very swiftly, otherwise the national preference-formation processes in the line ministries back home are already well under way or even completed, or there is simply not enough time for the national delegations in the Council to get back to the line ministries and persuade them to take on the recommendations. This reduces their influence on Council members as our paper showed that consultative committees seriously struggle with the quick development of recommendations. While speed increases the influence of consultative committees in the EP as well, the temporal dimension is less important in this sender-receiver relationship. Since MEPs are more flexible in adapting their positions, they can accommodate consultative committees also later in time and do so if the recommendations reflect a high level of expertise.

Fourthly, the sender-receiver model expects that incentive configurations are important. However, there is no evidence that incentives of senders systematically affect the prospects of consultative committees to influence receivers. While there is variation in the influence of consultative committees across policy fields, neither the core policy fields of the CoR (regional policy) or the EESC (industry and social policies) have an impact on their actual influence. By contrast, we see that legislators are more inclined to listen to advice of consultative committees the higher the saliency of the issue at stake, which in turn increases the prospects of success of the latter.

Finally, there is not much difference between the CoR as a consultative committee representing territorial interests and the EESC as a consultative committees representing functional interests. Both committees are similarly influential vis-à-vis legislative bodies and the same variables explain the degree of influence.

Based on these findings, we can conclude that consultative committees beyond and within the nation-states all face similar difficulties. They all as they have a voice, but lack votes. In addition, the recommendations of consultative committees supply information, which needs to match information demand of legislative actors in parties, states and international organisations as receivers. Otherwise, consultative committees cannot effectively exert
influence. The make good use of their voice-opportunities, consultative committees (similar to small states with very limited capacities (c.f. author 2010) need to produce recommendations quickly so that they can submit them to the receivers, be it MPs, delegates in an International Organisation such as the WTO or the UN, or MEPS and members of the EU’s Council of Ministers, before they have completed their respective preference-formation processes. On the other hand, consultative committees can only successfully exchange information for influence, if they are able to offer new knowledge and insights into the subject matter. In case consultative committees are grapple with capacity shortcomings, they need to concentrate their limited staff, expertise and financial resources on selected items only. Such prioritisation allows to quickly develop recommendations of high quality, which is essential for successful exchange between information and influence.

READING

Weiss, T. G. & Gordenker, L. (Eds.) (1996) *NGOs, the UN and Global Governance*, Boulder, CO, Lynne Rienner.
FIGURES AND TABLES

Figure 1: A General Sender-Receiver-Model of the Role of Consultative Committees

Table 1: Overview of Hypotheses

<table>
<thead>
<tr>
<th>Sender/Receiver</th>
<th>Hypotheses</th>
</tr>
</thead>
<tbody>
<tr>
<td>H1 Sender Capacities</td>
<td>Consultative committees are the more influential, the better equipped they are in terms of administrative and ideational capacities, because this increases the speed to which they produce recommendations and submit them to the receivers.</td>
</tr>
<tr>
<td>H2 Sender Preferences</td>
<td>The closer the recommendation of the consultative committee to the position of the receiver, the more likely it is that the receiver can be persuaded to take on the recommendation, instead of ignoring it and the greater the influence of the consultative committee.</td>
</tr>
<tr>
<td>H3 Sender Incentives</td>
<td>A consultative committee has more influence, if the opinion is located within its core policy field.</td>
</tr>
<tr>
<td>H4 Receiver Capacities</td>
<td>Consultative committees should be more influential the fewer administrative and ideational capacities the receivers possess.</td>
</tr>
<tr>
<td>H5 Receiver Preferences</td>
<td>If an receiver coordinated the own policy position with other actors in the domestic political system, the actor is less flexible to make adjustments in response to an opinion of a consultative committee, which reduces the influence of the latter.</td>
</tr>
<tr>
<td>H6 Receiver Incentives</td>
<td>The more salient an issue is, the more is at stake for the receiver, which increases its incentives to read the recommendations of consultative committees and, in turn, increases their influence.</td>
</tr>
</tbody>
</table>
Figure 2: Distribution of answers for dependent variable for EESC and CoR

Figure 3: Boxplots for dependent variable for EESC and CoR split by receivers EP and Council
Figure 4: Means for dependent variable for EESC and CoR split by receivers EP and Council
Table 2: Regression Results: Influence of Consultative Committees on Receivers

<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>Sender-Receiver</td>
<td>Sender</td>
<td>Receiver</td>
</tr>
<tr>
<td></td>
<td>Model 1</td>
<td>Model 2</td>
<td>Model 3</td>
</tr>
<tr>
<td>Ideational Capacity Sender</td>
<td>1.492*** (5.97)</td>
<td>1.536*** (6.59)</td>
<td>1.667*** (5.27)</td>
</tr>
<tr>
<td>Administrative Capacity Sender</td>
<td>1.231*** (4.23)</td>
<td>1.243*** (4.44)</td>
<td>1.398*** (4.15)</td>
</tr>
<tr>
<td>Incentive Sender</td>
<td>0.646 (-1.73)</td>
<td>0.953 (-0.21)</td>
<td>0.800 (-0.42)</td>
</tr>
<tr>
<td></td>
<td>1.011 (1.52)</td>
<td>1.000 (-0.04)</td>
<td>1.007 (0.69)</td>
</tr>
<tr>
<td>Ideational Capacity Receiver</td>
<td>0.409*** (-3.69)</td>
<td>0.321*** (-7.98)</td>
<td>0.248*** (-3.50)</td>
</tr>
<tr>
<td>Administrative Capacity Receiver</td>
<td>0.156*** (-4.07)</td>
<td>0.447** (-2.82)</td>
<td>0.204** (-2.62)</td>
</tr>
<tr>
<td>Preferences Receiver</td>
<td>1.230** (2.81)</td>
<td>1.110** (2.82)</td>
<td>1.272* (2.17)</td>
</tr>
<tr>
<td>Incentive Receiver</td>
<td>0.1394</td>
<td>0.1151</td>
<td>0.0359</td>
</tr>
<tr>
<td>Pseudo R²</td>
<td>0.1394</td>
<td>0.1151</td>
<td>0.0359</td>
</tr>
<tr>
<td>N</td>
<td>243</td>
<td>253</td>
<td>639</td>
</tr>
</tbody>
</table>
Figure 5: Effects of Independent Variables on the Probability of Selected Categories of the Dependent Variable (Categories 1, 5, 9)