Rationalising European Policies: A closer look at the Commission's references to consultations in policy proposals

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This paper examines whether there is a pattern in the way the Commission references the consultations that were done in preparation of a policy proposal, especially with regard to a focus on input or output legitimacy. It is determined to what extent the Commission focusses on either of the two based on an analysis of references to consultations in the Explanatory Memoranda of proposals for Directives tabled between 2014 and 2018. A multiple regression model is used to determine if there is a pattern based on indicators for Salience, Settings, and the Type of Proposal. The results show that there is no indication that such a pattern is present in the gathered data. However, further research is recommended based on the data-collection process and previous research.

Keywords: European Commission, consultation, interest groups, expert groups, legitimacy

Introduction

The European Commission (Commission) is like a spider in the web of European Policy. It makes, adjusts, and monitors it all from its seat in Brussels. And yet, it is like a spider with only six legs: it has a handicap. The Commission is tasked with proposing transnational policies on a broad range of subjects that will cover 28 member states with different legal and political contexts. While at the same time, it is devoid of any direct political input and has a relatively low number of staff (Hartlapp, Metz, & Rauh, 2014; Metz, 2013). To compensate for these handicaps, the Commission has always had close ties with those other institutions – the European Parliament (EP), the Council of Ministers (Council), and national governments – that it relies on in the legislative process and talked to a constellation of other interested parties (e.g. Ballaert, 2015a, 2015b, 2017; Bunea, 2017).

Consultations and continued contact between the institutions and interested parties happen during a range of EU processes (Bunea & Thomson, 2015; Klüver, 2013; Metz, 2013). But perhaps the most visible form of these are the formal consultations used by the Commission in the policy-making process. In these consultations, the Commission reaches out to expert groups, interest groups, and citizens to get input for and feedback on policy proposals. This input and feedback can range from gathering information on the practical side of a policy: will the policy do what it is designed to do? Or the Commission can investigate to what extent these

policies are favoured by the consulted parties (Ballaert, 2015a, 2015b, 2017; Bunea, 2017; Bunea & Thomson, 2015). The outcomes of consultations then get summarised and are used to make or review policy.

Afterwards, the summaries also accompany the policy proposal on its way through the Commission DGs and other EU institutions (European Commission [EC], 2017). Through this process, the outcome of consultations become part of the rationale for the policy choices made by the Commission in the policy proposal. Moreover, they also provide the Commission with a resource in the policy process. Consultations provide the Commission with legitimacy, making the Commission a notable party in the process (Ballaert, 2015a, 2015b, 2017; Bunea 2017; Bunea & Thomson, 2015; Dawson 2016).

The Commission's legitimacy in the policy process is generally assumed to stem from its position as a neutral party in a big collaboration of countries. The Commission is supposed to focus on the general interest of the EU, of the member states, of its citizens. It tries to find an objective solution to issues and only where it is necessary to have a solution on EU level (Dawson, 2015). This technocratic mandate is complicated by the relatively small number of staff: limited capacity inhibits the amount of work the Commission DGs can put into a policy proposal. The consultations are in that sense a good tool for gathering the information and expertise needed to develop objective policy solutions as well as compensating for a lack of (wo)manpower. In this view, the Commission's legitimacy is thus one based on expertise which the consultations can provide.

Yet, the Commission is no longer believed to be as neutral of an institution as it was 25 years ago (Dawson, 2015). Since the Maastricht treaty, the number of policy areas the Commission is responsible for has expanded substantially. Moreover, the EU has more than doubled in size, and the amount of scrutiny the Commission and its polices are under has also increased. In light of these changes, researchers have started to see a lot of commonalities between the role of the Commission and other political executive institutions (Hartlapp et al., 2014; Metz, 2013; Rauh, 2018). Hartlapp, Metz & Rauh (2014) and Metz (2013) argue that the Commission – and its DGs – has become more active in seeking information, support, and power to be able to forward its agenda and policies. In this way, the consultations have also become a way for the Commission to investigate and gather support for policies which provides a different form of legitimacy (Ballaert, 2015a, 2015b, 2017; Bunea, 2017; Bunea & Thomson, 2015).

Thus far, research into the Commission's consultations has focussed on how the Commission chooses consultation methods and on whether it uses the feedback it receives. These two strands of research have given further insight in the two different kinds of legitimacy that the Commission can depend on when making policy. The Commission can seek legitimacy through support for its choices and proposed policy, or it can seek legitimacy through gathering information and expertise (Dawson, 2015, 2016; Hartlapp et al., 2014; Metz, 2013; Rauh, 2018). I assume that this search for a particular kind of legitimacy is – for now – not fixed and instead that the Commission will try to use either input (support) or output (expertise) legitimacy under different circumstances. In this paper, I aim to uncover if such a pattern exists by looking at how the Commission references to consultations in its policy proposals, and I will try to explain this. Thus, with this paper I answer the following question:

Is there a pattern in the Commission's reference of consultation in the policy process and what can explain this?

To answer this question, I first delve a bit deeper into the procedures governing consultations. After this, I look at the theoretical considerations concerning the legitimacy of the Commission, the consultation procedure, and recent developments on these issues. Based on these, I propose several hypotheses on possible variables that could influence the Commission's way of referencing consultations. Next, I will address the methodology. In the data section, I review the collected data and present the regression model. After which, the results of the model are discussed regarding the hypotheses set out earlier. Consequently, I discuss the implications of these results and further observations made throughout data-collection process. Lastly, I draw some final conclusion based on the results as well as on the process of this research.

Previous research has shown that often enough the Commission DGs cannot or will not follow the recommendations coming from consultations (Bunea, 2017). Consultations are therefore said to be used mainly strategically by the Commission. For example, Ballaert (2015a, 2017) has shown that there are patterns in the Commission's choice of consultation method. The existence of such a pattern showed that the Commission – and its staff – is acutely aware of its (political) environment and adapts its behaviour accordingly. However, if the Commission is using consultations strategically, I would expect not only a pattern in the choice of consultations but also a pattern in how the Commission references to consultations in proposals. This study is the first to looks into this. It aims to discern if the Commission positions itself along the line of input (support) or output (expertise) legitimacy by referring to consultation

and if there may be a pattern to such behaviours. Through this, the paper contributes to the literature on consultation use.

Consultations

The consultation procedure of the Commission is often considered in discussions on the policy-making process of the Commission. The Commissions and the other institutions consult with different bodies, both governmental and private, at most stages of policy-making and monitoring (Klüver, 2013). However, the most visible and prominent is the consultation procedure used by the Commission during the first stages of the policy process. The Commission uses (handpicked) Expert Groups, approaches Interest Groups, or surveys European citizens to get additional information on the proposal's topic and its current form (Ballaert, 2015a, 2017; Klüver, 2013; Hartlapp, Metz & Rauh, 2014; Metz 2013). This input and feedback can then be used by the Commission to determine the feasibility of policy instruments, the support amongst stakeholders and citizens for the policy, and other potential issues (Ballaert, 2017; Bunea, 2017). This section focusses on explaining the origins of the consultation procedure, after which it will go into more detail about the consultation procedure itself.

Origins

The Commission is usually considered the executive branch of the EU. It is at the centre of European policy-making and in many ways similar to the executive branch of national governments (Brandsma, Heidbreder, & Mastenbroek, 2016; Hartlapp et al., 2014; Metz, 2013; Wille, 2010). The Commission is responsible for monitoring the implementation and execution of European legislation. Moreover, it mirrors ministries at the national level by having rotating leadership positions – the College of Commissioners – and a permanent administrative staff (EC, 2014; European Union [EU], n.d.-a). The Commission is also the only body that has the right to initiate legislation in most policy areas, and it is only surpassed in that respect by the European Council (EC, 2014; EU, n.d.-a, n.d.-c, n.d.-d; Hartlapp et al. 2014; Metz, 2013). Yet, the Commission's position differs greatly from those of national executives. The leaderships positions are not filled with a group of (in)directly elected representatives. Instead, the president is chosen by the European Council, and the Parliament can approve the whole College of Commissioners (EC, 2014; EU, n.d.-a, n.d.-b). Moreover, the Commission cannot be held accountable in a fashion similar to national executives. Often, national parliaments are able, by

a vote of no confidence, to force individual ministers out. The Parliament can only dismiss the entire Commission in such a situation. Even the European Council – the body that chose the president of the Commission – cannot send an individual Commissioner home (EC, 2014; EU, n.d.-b). And lastly, the Commission does not receive the same form of citizen feedback that national executives get, since their appointment is minimally affected by the European elections (Brandsma et al., 2016; Wille, 2010).

The consultation procedure started out as a way of involving (civil) society in the legislative process, and gathering more expertise (Zwaan & Alons, 2015). Consultations had been a policy-making instrument before the 21st century, but it was not until the beginning of the 2000s that it started to become widely used and was formalised (Bunea & Thomson, 2015; Quittkat, 2011). The White Paper on Governance from 2001 was the first attempt at formalising the dialogue between the Commission and expert groups, interest groups, and other members of society (Commission of the European Communities [CEC], 2001; Hartlapp et al., 2014; Metz, 2013; Quittkat, 2011; Zwaan & Alons, 2015). A decade later, the Transparency Register was established; in light of transparency the Commission decided to keep a record of all interest groups and organisations that interact with the EU. The Commission also started to use Online Consultations, which were made possible with the technological advances of the 21st century. The objective was to create more dialogue as well as more transparency in the consultation procedure (Brandsma et al., 2016; Bunea, 2017; Quittkat, 2011).

More recently, the Juncker Commission proposed a new set of principles and guidelines that aims at formalising processes such as the consultation procedure further. Furthermore, its goals include creating more openness and transparency about such procedures (EC, n.d.-a). The Better Regulation initiative was presented in 2015 by Frans Timmermans, who described it as "measures which will open up the EU's decision-making process, allowing for more transparency and scrutiny, and providing more opportunities for people to give their views" (cited in EC, 2015a, para 1). It is a complete set of measures that aim at both improving the process of making and proposing new legislation as well as evaluating previously adopted legislation to a new standard (EC, 2015b). With regard to consultations, their specific goals are to strengthen the consultation procedure so that they "are of a high quality and transparent, reach all relevant stakeholders and target the evidence needed to make sound decisions" (EC, 2015b, p. 4).

The Consultation Procedure

The procedural reforms of the last two decades have led to clear guidelines for the Commission staff. As part of the Better Regulation initiative, the Commission has published a toolbox online that outlines the steps that staff must adhere to. Stakeholders can still be consulted throughout the entire policy process, however formal stakeholder consultations are required for all major (policy) initiatives and evaluations unless it is exempt in the early stages (EC, 2017, n.d.-b, n.d.-f). According to the Commission guidelines and toolbox, there are three stages in the consultation procedure. First, the Commission staff must determine a consultation strategy which should be published internally and in the policy roadmap and/or inception Impact Assessment (EC, 2017, n.d.-b, n.d.-c). As part of this strategy, the staff must determine the objectives, identify relevant stakeholders, consider the consultation instruments, and publish this information internally (EC, 2017, n.d.-c). The second step is conducting the consultations after approval from the Inter-service Steering Group (ISSG). This includes working out the consultation method, gathering and publishing the results internally, and publishing feedback on the results to observe transparency (EC, 2017, n.d.-d). The last step is informing the policy-making process from the results of the consultations. The main conclusions and feedback should be summarised in a stand-alone synopsis report or should be added to other policy-making documents such as the Impact Assessment. These documents will then be reviewed in the further discussions of the policy initiative.

A final summary – explaining what the Commission has (not) taken into account from the consultations – will also be added to the Explanatory Memoranda of the legislative policy proposals (EC, 2017, n.d.-e). An Explanatory Memorandum should specifically include reasons why certain options from consultations were discarded. Furthermore, it should link the input received in consultations to "any other element that justifies and explains the options proposed by the Commission" (EC, n.d.-e, p. 436).

Theoretical Framework

In this section I discuss the research that has been done into the (use of) consultations. First, I review the ways consultations can contribute to the legitimacy of the Commission: they can be a tool for output legitimacy or for input legitimacy. Consequently, I review research into the conditions under which consultations happen. Lastly, I present the definitions and expectations for my research.

A Tool for Output Legitimacy

The first main view on the use of consultations by the Commission is that it can contribute to the professionalism and output legitimacy of the Commission. The Commission's status as a neutral institution dictate that it gathers information and expertise to come to an objective solution. The origins of this perception date back to the Commission's predecessor: the High Authority of the European Coal and Steel Community (ECSC) (Hartlapp, Metz, & Rauh, 2014; Metz, 2013; Wille 2010). The High Authority, as a neutral institution, was supposed to steer the ECSC and its members in the direction set out in the treaties (Dawson, 2015; Wille, 2010). To this day, the Commission's policy-making is supposed to be based on a similar 'neutral' approach (EC, 2014). This has resulted in the Commission being attributed the reputation of being a technocratic body rather than a political one (Brandsma, Heidbreder, & Mastenbroek, 2016; Bunea, 2017; Dawson, 2016; Hartlapp et al., 2014; Metz, 2013; Rauh, 2018; Voorst & Zwaan, 2018; Wille, 2010).

The Commission can use consultations to (unofficially) claim output legitimacy. First, if the Commission is a technocratic institution, then consultations can be seen as a way to provide the Commission with objective feedback on policy proposals and policy alternatives (Hartlapp et al., 2014; Metz, 2013). Second, since the EU has grown and the responsibilities of the Commission with it, the Commission requires more diverse expertise. The consultations can provide a form of policy expertise that the Commission does not have. Third, this need for finding outside expertise is fuelled by the relatively small number of Commission staff. Consultations provide a way for the Commission of dealing with this in an a-political manner (Ballaert, 2015a, 2017; Klüver, 2013).

A Tool for Input Legitimacy

The other side of this coin is input legitimacy. The Commission and the EU have changed since the time of the ECSC, so there is the view that instead consultations contribute to the Commission gaining support for its policies (Bunea, 2017; Dawson, 2016; Hartlapp et al., 2014; Metz, 2013; Rauh, 2018; Voorst & Zwaan, 2018). The expanding nature of the EU has convoluted the once straight forward objectives of the Commission and the policy process. Political choices have become inevitable because of the increase in responsibilities (Brandsma et al., 2016; Ballaert, 2015a, 2015b, 2017; Bunea, 2017; Dawson, 2016; Hartlapp et al., 2014; Metz, 2013; Rauh, 2018; Voorst & Zwaan, 2018; Wille, 2010). This means that the Commission is also starting to rely on a political form of legitimacy: input legitimacy. Input legitimacy is

based on how responsive the EU – the Commission – is to citizen's opinions, specifically when citizens get to participate in the policy process (Schmidt, 2013). The view of the Commission as a politicized institution means that it can also make claims of input legitimacy.

However, the Commission is not necessarily equipped with the instruments to gain input legitimacy. It is normally assumed to be gained through measures of democratic input: directly through voting or other ways of being responsive to citizens. The Commission does not have such formal methods of citizen input. This democratic deficit is thus a serious issue when it comes to considering the input legitimacy of the Commission (Bunea, 2017; Hartlapp et al., 2014; Langhof, Lander, & Stretch, 2016; Metz, 2013; Quittkat, 2011). The use of Online Consultations was instigated with the objective of reaching a broader range of stakeholders, including the public at large, as well as making it easier for the Commission to process this input (Bunea, 2017; Quittkat, 2011). Consultations may have become the way for the Commission to gain input legitimacy. By opening up the consultations process, the Commission is able to consider opinions from a wider range of stakeholders and citizens and use these in the policy process.

Using Consultations

In general, consultations are viewed as part of a broad spectrum of strategies employed by the Commission to advance its own objectives. Hartlapp, Metz & Rauh (2014), Metz (2013), and Rauh (2018) regard all EU bodies to be competence-seeking. In the end, each of the institutions has as its goal to at least keep the same amount of power (competences) or increase it. For the Commission this is in line with a policy-seeking goal: guiding a policy successfully through the EU policy process contributes to the Commission's position in the EU. Consultations are in this context understood as a means for the Commission to create successful polices and thus increase its competences (Hartlapp et al., 2014; Metz, 2013; Rauh, 2018).

Nowadays consultations have become fully integrated in the European policy-making process and have become part of (possible) strategic considerations of the Commission. This has led to a curiosity about the Commission's narrative of consultations; the intention of using consultations a certain way does not guarantee it. Thus, there is much discussion about the actual use of consultations. So far, these discussions can be broadly categorised into two steps: how does the Commission choose consultation instruments and how does the Commission use the results of consultation? I propose a third step in this research: how does the Commission refer to the outcome of consultations?

Choosing Consultations

Within this strategic view of the Commission, the choice of using consultation – specifically which consultation instrument – is important. Amongst others, Hartlapp et al. (2014), Klüver (2013), Metz (2013) and Rauh (2018) link the Commission's choice to use consultations to a possible strategic advantage for the Commission. It can be used as a strategy in the Commission's internal policy-making process, but it can also be used to create a strategic position in the European policy-making process. Moreover, Ballaert (2015a, 2017) proposes that the Commission staff makes strategic choices in the kind of consultation instruments it chooses, based on policy characteristics. Different consultation instruments can solve different kinds of capacity-building (output-legitimacy) or legitimacy-seeking (input-legitimacy) deficits. According to Ballaert (2015a, 2017), the Commission staff determines based on policy characteristics, such as salience and complexity, which kind of deficits it faces in the policy process and which choice of consultation instrument would help solve such deficits.

Using the Results

Besides the actual choice for instruments, research has focussed on what the Commission does with the information gathered in consultations. Indeed, the Commission may have grand intentions or wild plans: if the Commission fails to process the incoming results or handle accordingly, it is of consequence. For example, Quittkat (2011) specifically reviews the consultations instrument of online consultations. She reviews the way the Commission staff deals with the incoming responses and links these results to the questions of legitimacy. Similarly, Bunea (2017) analyses two major open consultations that were issued by the Commission to review their own consultation process. Bunea (2017) concludes from these results that "there is a fundamental tension between this regime's ambition to create inclusive stakeholder participation and its goal of processing stakeholder's feedback in a systematic, scientific manner" (p. 66).

This tension between consultation activities and using the results of them is also reflected in research into the recent Better Regulation initiative and REFIT programmes. The official line is that Better Regulation is a complete set of measures that aim at both improving the policy-making process as well as evaluating previously adopted legislation to a new standard (EC, 2015b). Because of these claims by the Commission, Bunea (2017) and Dawson (2016) see Better Regulation specifically as a strategy to deal with unresponsiveness on the part of the Commission. The Commission can make stronger claims about its policy proposals

because it is being more receptive in the policy-making procedure to stakeholder and citizen input.

Referencing Consultations

Ballaert (2015a, 2017), Bunea (2017), Quittkat (2011), and others have shown that the Commission can strategically employ consultations to collect expert opinions and information on the support of a proposal. Research so far has evaluated these strategic considerations only to the extent of choice for consultations (and instruments), and how the results are internally processed. Yet, if consultations are indeed crucial to the Commission's position at the bargaining table, it would not be too far-fetched to expect that there are similar strategies governing the Commission's referencing of the results of consultations. Considering that the Commission's main policy goal is for its proposals to be successful, the other EU institutions will need to be convinced of the legitimacy of a proposal. It is assumed that the Commission may do so by, amongst others, framing the input and feedback it receives during its consultations about the proposed policy. The Commission could do this in terms of expertise, support, or a combination of both.

As mentioned, the justification of policy proposals by the Commission and the Commission staff are found in the accompanying Impact Assessment and Explanatory Memorandum prefacing a policy proposal. In these, the Commission provides a narrative on the process that led to the proposal and specifically on the consultations that were done in preparation of the proposal. These references to consultations can then be used to support claims of input legitimacy or output legitimacy in favour of the Commission's proposal.

Based on the results from previous research, it has been shown that the Commission's behaviour – when it comes to consultations – can be explained by several factors (Ballaert, 2015a, 2017; Hartlapp et al., 2014; Klüver, 2013; Metz, 2013; Rauh, 2018). It is assumed in this paper that such different behaviours may also be present when the Commission refers to consultations. In addition, it is anticipated that similar factors may explain such behaviour. The rest of this section sets out the expectations regarding this behaviour.

First, the Commission faces a big and diverse political field when it proposes policy. In order for the Commission's proposals to be successful, the Commission has to anticipate the political context of and support for an issue. It has already been shown that the relative political importance/sensitivity of an issue – also known as salience – was a cause for the Commission

to make a choice about a particular consultation. Ballaert (2015a, 2017) shows that this leads to greater choice for public consultations through which broad support is sought. The Commission's reference to consultations may also be anticipated to correlate with concerns for public opinion. Thus, it may be expected that the Commission may try to show that the choices made in the proposal are based on careful consideration of what stakeholders want when an issue is salient. This leads to the following expectation:

> *H1: The more salient an issue is, the more likely it is that the Commission emphasizes the input legitimacy gained from consultations in the proposal.*

Secondly, the other main issue the Commission faces is its small number of staff who have to work in a large and divided political context that sometimes requires very technical policies. Indeed, the number of technical specifications, or specific provisions within a policy, has been shown to cause the Commission to make specific choices about the consultations (Ballaert, 2015a, 2017, Hartlapp et al., 2014, Metz, 2013; Quittkat, 2011). Quittkat (2011) showed that the more such specific settings a proposal included, the less likely the Commission was to consult a wider public. Similarly, Ballaert (2015a, 2017) argues that an increased number of settings requires the Commission to consult with the objective of gathering expertise on topics. Again, it is reasonable to expect that this also applies to the Commission's references to consultations. In order to convince the EP and Council, the Commission is more likely to reference gathered expertise when a policy proposal is especially technical. More formally, I expect that:

> *H2: The more technical a policy is, the more likely it is that the Commission emphasizes the output legitimacy gathered during consultations in the proposal.*

Lastly, it has been speculated that the type of policy could also influence the Commission's considerations about the use of consultations. This usually focusses on the distinction between regulatory, distributive and redistributive nature of policies (Ballaert, 2015a, 2017). Yet, Ballaert (2015a, 2017) does not find any proof for a distinction based on these categories. Similarly, the legal bindingness of a proposal does not seem to be a good indicator for such choices by the Commission (Ballaert, 2015a, 2017). Ballaert (2017) does find that new policy, rather than amendments, tends to make the Commission choose a more diverse group to confirm the support and need for a policy. Based on this, the Commission can also be expected to choose for focussing on the support for a policy when it describes the consultation in the proposal with

the aim of convincing the Council and EP. Thus, the expectation is that:

> *H3: If a policy concerns new regulation rather than amending or repealing previously existing legislation, it is more likely that the Commission emphasizes the input legitimacy gained from consultations in the proposal.*

Methodology

To test the hypotheses, a new dataset was created based mainly on Commission documentation. All Commission proposals for unique Directives between 1 January 2014 and 31 December 2017 are considered. Each proposal was taken as a unique case and extracted through the Commission's transparency document registry[1]. This registry provided a link to the corresponding EUR-Lex documents. The total of Commission proposals for Directives in this time-period is 99; due to some of these proposals being revised versions the number of unique proposals is 91.

The dependent variable is a continuous variable with a scale from 0 to 10. The value 0 indicates that the Commission fully focussed on the Expertise – output legitimacy – gathered in its consultations, whereas a 10 indicates a complete focus on the Support – input legitimacy – gained. To get to this measurement, the downloaded proposals were analysed and coded in the programme Atlas.ti. In Atlas.ti, relevant parts of the Explanatory Memoranda prefacing policy proposals were coded to determine the value for the dependent variable. Since the Explanatory Memorandum is a comprehensive summary accompanying a policy proposal, the way the Commission focuses on consultations may most clearly be discerned from here.

The coding process in Atlas.ti focussed on how the Commission refers to the following aspects of the consultations: the people and groups that were consulted, how they were consulted, and the results from the consultations. Each one of these references were either assigned as to be indicative of a reference to Expertise, or a reference to Support. At the end of the coding process a calculation was made to establish the scale from 0 to 10: 10 was divided by the total number of references to any of these aspects about consultations, this number was then multiplied by the number of references that were indicative of Support. This ensured that both the minimum of 0 and the maximum of 10 were possible. It also ensured that differences in length of Explanatory Memoranda were not relevant for the measurement.

Indicators for Expertise in the memoranda were taken from definitions of output legitimacy and policy expertise (Klüver, 2013; Schmidt, 2013). Schmidt (2013) considers output legitimacy in EU policy "in terms of the effectiveness of the EU's policy outcomes for the people" (p. 2). Klüver (2013) describes it as the collection of information on the best possible solutions which can be gathered from "expertise from external actors" (p. 43). Based on these definitions a focus on the *effectiveness* of policy proposals according to *experts*, *expert groups*, and *civil servants* were considered indicators for a focus on Expertise.

On the other hand, indicators for Support were based on definitions of input legitimacy and preferences of stakeholders (Klüver, 2013; Schmidt, 2013). Schmidt (2013) characterises input legitimacy "in terms of the EU's responsiveness to citizen concerns as a result of participation by the people" (p. 2). Klüver (2013) recognises a wider range of stakeholders that can express support, however she indicates that specifically interest groups and citizens will be able to give good feedback on whether a policy will be supported. Thus, the indicators for a focus on Support are when the Commission's description focusses on if the consultations showed *values* such as *approval*, *agreement*, and *support*, or were gathered from *interest groups*, *private businesse*s, and *citizens*.

There are three independent variables: Internal Salience, Settings and Type of Proposal. Internal Salience and Settings were measured through indicators based on previous research in this area. The definition of salience is rather intricate and has resulted in a multitude of indicators to measure it in past research (Ballaert, 2015a, 2017; Hartlapp, Metz & Rauh, 2014; Klüver, 2013; Rauh, 2018; Voorst & Zwaan, 2018). From among the various indicators and operationalisations, Ballaert's (2015a, 2017) indicator for salience was chosen. This indicator for salience is based on the Impact Assessment reports[2] and other Staff Working Documents[3] that accompany most policy proposals, in this the number of meetings with the Inter-service Steering Group (ISSG) is discussed. Ballaert (2015a, 2017) has shown this number to be a good indicator of the perceived salience within the Commission, thus this variable was named Internal Salience. Internal Salience is a continuous variable ranging from 0 to 9.

The indicator for the technicality of the policy – Settings – is build up from two indicators that are combined into one continuous variable. The first indicator is based on Ballaert (2015a, 2017): a document search for the four keywords "'standards', 'standardi', 'indicator', and 'target'" (Ballaert, 2017, p. 415). This number is then weighed by the number of pages of the proposal. The second indicator is based on Klüver's (2013) measurement of

complexity of policy: the number of paragraphs in the preambles of a policy, weighted against the number of the pages of the policy. These two indicators are then added together into a continuous variable: a higher number indicates a greater density of settings and/or preambles per page, and in that sense represents the Settings of a proposal.

The third independent variable is the Type of Proposal. This categorical variable is based on the paper by Ballaert (2017). It distinguishes between four categories: New, Amending, Implementing, and Repealing proposals. This distinction is mainly based on the title of the policy proposal. Yet, sometimes policy proposals have a combined purpose, it was then determined based on the Explanatory Memorandum what the main function of the proposal is.

Lastly, only one control variable is added. The Better Regulation variable functions to establish if there is any change in the Commission strategy since the Better Regulation initiative. This control variable was added based on considerations from Ballaert (2017), Bunea (2017) and Dawson (2016). Based on Dawson's (2016) evaluation of the BR initiative, there is reason to be weary that the Commission will start to focus more on either its output legitimacy or its input legitimacy. This analysis is trying to determine whether the Commission explicitly references the Expertise or Support gained through consultations. If Dawson (2016) is right, there might be a change in Commission practices in referencing consultation which may distort the results of the analysis. The Better Regulation initiative was announced and started in 2015. However, since it takes some time for such changes to take effect, a cut-off point in the middle of the period is taken. All proposals published in 2014 and 2015 were set as Before BR and all proposals published in 2016 and 2017 were set as After BR. This makes it a binary categorical variable.

Although Ballaert (2015a, 2017) included a control variable that accounted for Commission DG, he did not find that differences between DGs were of influence in this choice. Moreover, as part of the research design I have chosen to not focus on specific DGs, thus controlling for the different DGs would be methodologically impossible. For a comprehensive overview of the operationalisation of the variables used, please see Table 1.

Most of the information needed for these measurements can be found in the Commission's and EU's transparency and documentation registers. This ensures that the core data – the documents – are relatively consistent with regard to the information that they provide. In turn, this consistency contributes to the reliability of the measurements for most of the variables,

Table 1.

Operationalisation of variables

Variables	Indicators	Values	Sources
Expertise/Support	How the Commission references aspects of the consultations.	Continuous (1,67;10)	Listed below
Expertise	References to the effectiveness of policy proposals according to experts, expert groups, and civil servants.	Continuous (0;53)	Policy Proposals (COM Documents)
Support	References to values such as approval, agreement, and support, or that they were gathered from interest groups, private businesses, and citizens.	Continuous (1;60)	Policy Proposals (COM Documents)
Internal Salience	The number of meetings with the Inter-service Steering Group.	Continuous (0;9)	IA's, Refits and other SWD Documents
Settings	Weighted indicator according to proposal length (Standards) and policy length (Complexity of Policy).	Continuous (0,03;5,86)	Listed Below
Standards	A document search for the four keywords in the whole document.	Continuous (0;230)	Policy Proposals (COM Documents)
Complexity of Policy	Number of paragraphs in the preambles of the policy.	Continuous (0;287)	Policy Proposals (COM Documents)
Type of Proposal	Typology of proposal based on main function of the policy.	New Legislation (1); Amendment/ Adaptation (2); Implementation (3); Repealing (4)	Policy Proposals (COM Documents)
Better Regulation	Whether the proposal was tabled before or after the introduction of BR.	Before BR (0); After BR (1)	Policy Proposals (COM Documents)

especially the readily countable indicators. The same goes for the coding process of the dependent variable. The base format for policy proposals is similar which creates a consistency in structure, vocabulary and expressions used in the memoranda. The coding process becomes

more consistent because of this and leaves less to interpretation, and thus too becomes more reliable.

The validity of some of the indicators is less certain. The core concept of using indicators is combining possibly unquantifiable variables with quantitative methodology. As I discuss later in this paper, there may be problems with especially some of the indicators for the independent variables in this case. Regarding the dependent variable, this research aims to objectively look at how the Commission refers to consultations in the Explanatory Memoranda. By coding the Explanatory Memoranda based on specific words and phrases, this approach does exactly that.

Data

To analyse the data and test the hypotheses, a multiple regression was run on the dataset. Before getting to the results of this regression, I will first discuss the data from the dataset in general. The dataset considered all the directives proposed by the Commission between 1 January 2014 and 31 December 2017. As previously stated, in this period 99 proposals were tabled, of which 8 were revisions, leaving an N of 91. However, in the data-collection process it became evident that there were no consultations done, or at least described in the Explanatory Memoranda for 15 of these proposals. This left a valid N of 76 on the measurement of the dependent variable (Expertise/Support). Furthermore, documentation on the meetings of the ISSG was absent for 6 cases which were needed to determine the indicator for Internal Salience. Some of the missing values for Expertise/Support overlapped with the missing values for Internal Salience. This totalled a valid N of 72. The general descriptive statistics for the dependent variable, three independent variables, and the control variable can be found in Table 2.

The dependent variable Expertise/Support is represented by a scale from 0 to 10, 0 being a total focus on Expertise and 10 being a total focus on Support. As seen in Table 2, there were no instances where the Commission focussed exclusively on the Expertise gathered during the consultations, but there was one instance where the Commission focussed completely on the Support gathered during the consultations. Figure 1 shows the frequencies for the Expertise/Support variable as a histogram with a normal distribution line imposed over the data. It shows that most values for the variable lay between approximately 4.5 and 6.5 with a smaller number in the tails. There are no extreme build-ups of focus on Expertise or Support in the tails.

Table 2.

Descriptive Statistics

Variable	N	Minimum	Maximum	Mean	Standard Deviation
Expertise/Support	76	1.67	10	5.354	1.457
Internal Salience	85	0	9	3.24	2.529
Settings	91	0.03	5.86	2.549	1.217
Type of Proposal	91	1	4		
Better Regulation	91	0	1		
Valid N (listwise)	72				

Note: Type of Proposal and Better Regulation are categorical variables, no mean and/or standard deviation are reported.
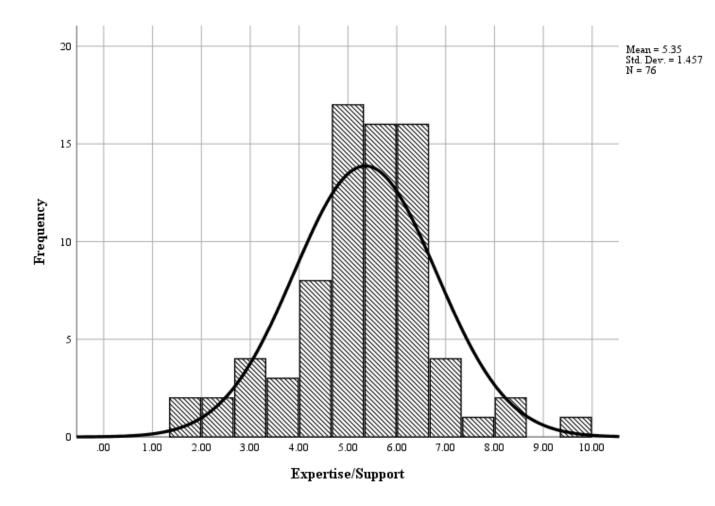

Figure 1. *Histogram of Frequencies for the Expertise/Support variable, with a normal distribution line*

The independent variable Internal Salience is represented by the absolute number of reported ISSG meetings ranging from 0 to 9. In principle this is a continuous variable, but the highest number of meetings reported is 9. The variable Settings includes the two different measurements as proposed by Ballaert (2015a, 2017) and Klüver (2013). The standards are weighed against the whole length of the proposal and the number of preambles are weighed against the length of the directive. Settings thus indicates the number of settings/preambles per page: a higher number indicates a more technical and complex proposal.

Frequency Tables 3 and 4 are added for the two categorical variables. To be able to test the hypothesis concerning Type of Proposal, the variable was later re-coded to a dummy variable that distinguishes between new proposals as 1, and other type of proposals as 0. Lastly, Better Regulation is coded as a binary categorical variable distinguishing between Before BR as 0 and After BR as 1.

Table 3.

Frequency Table for variable Type of Proposal

Variable Value	Frequency	Percent	Valid Percent	Cumulative Percent
New Legislation	34	37.4	37.4	37.4
Amendment/Adaptation	51	56.0	56.0	93.4
Implementation	4	4.4	4.4	97.8
Repealing	2	2.2	2.2	100.0
Total	91	100.0	100.0	

Table 4.

Frequency Table for variable Better Regulation

Variable Value	Frequency	Percent	Valid Percent	Cumulative Percent
Before BR	27	29.7	29.7	29.7
After BR	64	70.3	70.3	100.0
Total	91	100.0	100.0	

The regression model

To analyse the effects of the independent variables on the dependent variable, a multiple regression model was chosen. The different variables were added hierarchically in the following order: Internal Salience, Settings, Type of Proposal, and lastly the control variable Better Regulation. Table 5 includes the information on the 4 hierarchical models. The complete model is included in Appendix B, Tables 6 to 9, these also include the exact *t*-values and p-values for each of the coefficients.

Several different tests, and diagnostics were run to assure that the model and data do not violate the assumptions underlying multiple regression (Field, 2014). These results are also presented in Tables 6 to 9 in Appendix B. First, multi-collinearity between variables was excluded. The reported VIF values and tolerance values were well within acceptable range. Second, a review of the residuals revealed three cases with intervals outside the 95% confidence interval, with two cases being outside the 99.9% confidence interval. Due to the small N this could be problematic. However, a closer analysis of these three cases using Cook's Distance found that none of the cases had undue influence on the model. Thirdly, the Durbin-Watson test confirmed that there was no reason to assume that the independent error assumption was violated in the model.

Lastly, a robustness check was carried out to ensure that no other assumptions were violated due to the small N. A bootstrapped multiple regression was computed based on 1000 samples. This confirmed the results from the regression model. The 95% confidence interval based on the bootstrapped multiple regression were added in parenthesis to the model in Table 5. Together this has led to the conclusion that the multiple regression model as presented in Table 5 does not violate any of the underlying assumptions governing regression analyses.

Based on the model as presented in Table 5, the following general observations can be made. First, the hierarchical model does not fit the data well. The R^2 for the model is small: it cannot explain the variance in the data well. Moreover, the F values for the change in R^2 confirm this observation: none of these models explain the variance significantly better compared to previous models. Similarly, none of the *b* coefficients have *p*-values that suggest that the null hypotheses for them can be rejected in favour of the alternative hypotheses.

Table 5.

Hierarchical Multiple Regression Model for 'Expertise/Support' (N=72)

Variables	Model 1		Model 2		Model 3		Model 4	
	b	*SE b*	*b*	*SE b*	*b*	*SE b*	*b*	*SE b*
Constant	5.160*	.315	4.810*	,451	4.958*	.557	4.158*	.745
	(4.330;6.117)		(3.975;5.687)		(3.673;6.165)		(2.819;5.706)	
Internal Salience	.070	.071	.059	,072	.058	.072	.074	.072
	(-.134; .233)		(-.151; .228)		(-.153; .232)		(-.131; .243)	
Settings			,155	,143	.128	.156	.222	.165
			(-.092; .362)		(-.131; .366)		(-.042; .493)	
Type: New					-.166	.364	-.069	.365
					(-.886; .543)		(-.776; .610)	
Better Regulation							.637	.399
							(-.113;1.421)	
R^2	.014		.030		.033		.069	
F for Change in R^2	.972		1.173		.208		2.549	

Note: Bootstrapped 95% confidence intervals in parentheses (based on 1000 samples); significance levels: *p<0.001

Results

The aim of this paper is to determine if there is a pattern in the way the Commission references its use of consultation, and what can explain such a pattern. Based on the model as presented in Table 5, this question cannot be answered. The rest of this section specifically discusses the results per variable, the detailed regression models are added in Appendix B.

First, as for all independent variables, for the variable Internal Salience the null hypothesis is not refuted. The *b*-coefficients in the model are positive but very small, and they are not significant (*p*-values range from 0,309 to 0,428). Based on this, it cannot be assumed that if the ISSG has more meetings, the Commission emphasizes support/the input legitimacy of the consultations more in the Explanatory Memorandum.

Second, for the variable Settings the null hypothesis is not refuted. The *b*-coefficients in the model are positive and small and also not significant (*p*-values range from 0,183 to 0,413). Thus, it cannot be assumed that a relative increase of standards and number of preambles per page leads to the Commission emphasizing expertise and/or the output legitimacy of the consultations more in the Explanatory Memorandum.

Third, the null hypothesis with regard to Type of Proposal cannot be discarded. The *b*-coefficients are negative and small to very small and are not significant (*p*-values range from 0,650 to 0,851). Thus, it cannot be assumed that when proposing a directive about new regulations, the Commission is more likely to emphasize support and/or the input legitimacy of the consultations more in the Explanatory Memorandum.

Lastly, the control variable Better Regulation needs to be discussed. As a control variable there was no formal null/alternative hypothesis. The model formally showed that the Better Regulation initiative does not explain a significant amount of variance in our data.

Discussion

The regression model has shown that for all three independent variables it is not possible to reject the null hypothesis. However, some observations can be made from the data-collection process.

While coding the proposals, it stood out that there are various approaches the different DGs take to discuss the results of the consultations. As stated before, there is a

general consistency in structure, vocabulary and expressions used in the Memoranda. These similarities in structure of the Explanatory Memoranda made it easier to find the relevant sections. The similarity in vocabulary and expressions made it possible to consistently code all the proposals and distinguish between terms that indicate Expertise and Support. However, there were also differences between the Memoranda. Some proposals only generally discuss who was consulted and whether they were in favour or against certain items, or the proposal in general. Others extensively described first the consultation process, and then the outcome with regard to specific measures or policy alternatives. Due to this, some Explanatory Memoranda included over two pages of information on the consultations and others less than half a page.

A second distinct observation was that somewhere in 2016 there must have been a regiment change concerning the template of the Explanatory Memoranda. Starting this year an increasing number of proposals divides up the section about consultations in two sections: stakeholders and experts. This creates more clarity in the differences between different consultation activities, although confusingly enough some activities/studies are mentioned in both the sections. These two observations taken together, show that there are differences in what gets put in the Explanatory Memorandum, which do not seem to be explained by the official guidelines prescribed by the Commission (EC, n.d.-a -f). Even though the results of the analysis show that these differences cannot be explained by the independent variables, it is too soon to conclude that these factors have no impact on how the Commission refers to consultations. Therefore, some reflections is also due regarding the independent variables.

In hindsight, the indicator for salience – the number of meetings of the ISSG – does not seem too reliable nor valid. From the 91 proposals, 26 did not have an IA, a REFIT or other SWD document that could indicate the number of ISSG meetings. Nor was it possible for these proposals to find another report on ISSG meetings; a value of 0 was assigned for these cases. In some cases, an IA was not used, but it was clear that a proposal was salient. Two proposals were in response to the terrorist attacks in Paris and were therefore rushed without an IA: in these 2 instances a 9 was indicated (the highest number of meetings reported). For 6 other proposals an IA, REFIT or SWD document was present, however, no mention of the ISSG was made. Thus, creating a 999 missing variable. On the other hand, the results for this variable may not be too surprising, even if the indicator is reliable and valid. Ballaert (2015a, 2017) was only able to confirm an effect of salience in one of his papers on the choice for consultations by the Commission.

An alternative measurement for Salience was considered; External Salience as based on the measurement of issue-specific salience as defined by Rauh (2018). Rauh (2018) assumed that even though it is difficult to determine the exact importance of an issue in European society, it may be determined by a proxy of references to the topic of the proposal in media. Specifically, through the number of articles that mention specific keywords from Directives in the newspaper the Financial Times the year prior to publication of a proposal. Since the Financial Times is an internationally focussed newspaper, this may have been able to approximate the salience of a topic on a broader scale than other national newspapers. The keywords for this search were to be taken directly from the Directive title and used in LexisNexis to search the publications of the Financial Times. However, it had to be discarded, due to it not providing consistent measurements. Using the wording from the titles of directives did not lead to reliable nor valid results: i.e. proposals concerning very salient societal issues did not use the same wording as articles would have and thus led to 0 search results.

Considering the variable Settings, I have chosen to weigh the two different indicators for settings – Standards according to Ballaert (2015a, 2017) and Complexity of Policy according to Klüver (2013) – against the length of the proposal/policy. A longer document may have naturally more vocabulary diversity and/or a need for more preambles. By weighing Standards and Complexity of Policy against the page length it became a relative indicator of settings per page: a higher density is a more technical/complex policy. An alternative approach is offered by Klüver (2013) specifically regarding the preambles per page: using a LOG transformation on the absolute number. This reflects the alternate view on settings. Lengthy proposals may already be more complex and thus require more settings.

Yet, Ballaert (2015a, 2017) weighs his indicator for Standards in a similar fashion as in this instance, and still found effects. The difference in found effects may be due to the nature of the dependent variable. Ballaert's (2015a, 2017) research focussed on whether a higher number of standards influenced the Commission's choice in consultation instrument. This choice was only focussed on the likelihood of the Commission choosing specific type of consultation and seeing each consultation as a separate case. In this paper, it was hypothesized that a relative higher number of Settings would influence the way the Commission references consultations. The dependent variable was not distinguished between separate consultations; all the consultations for one policy proposal were taken as a whole. In the coding process, it became clear that in

most situations expert groups – used for expertise – are used as a starting point or end point, but that a range of other actors are consulted beside it. Especially with technical or specific proposals, the Commission often talks to representatives and businesses – used for support – in a specific sector next to talking to Expert Groups and authorizing studies. Ergo, not tipping the scale towards the side of Expertise or Support for the dependent variable in such cases.

At first glance the distribution of the variable Type of Proposal may look like a problem: the number of proposals that consider new legislation is 34 out of 91. This may seem uneven at first. However, once the missing variables are taken out, 32 out of the 72 valid N are about new legislation. Therefore, it does not pose a problem. Concerning the lack of effect in the model, it must be noted that no research had been able to find an effect for any type of policy distinctions before Ballaert (2017). Ballaert's (2017) research was the first to specifically compare proposals for new legislation compared to amendments, and he only found limited results.

Lastly, the dummy variable for Better Regulation had only 27 out of the original 91 cases that were published before Better Regulation. Once the missing variables were deleted, only 20 out of 72 cases were before Better Regulation. This uneven distribution of before and after regulation cases can cause a biased coefficient and creates problems for determining the p-values. The estimation is only as strong as the smallest N for a categorical variable, and an N of 20 is very low. However, it was not jus the control variable, the whole model suffered from the small valid N. If a dataset has such a small N, then the effects of the independent variables need to be rather large to be detected (Field, 2014). The control variable especially suffered in this case.

Of course, there can be also other factors that explain differences. In the conclusion I say a bit more on this.

Conclusion

This paper aims to answer the question: is there a pattern in the Commission's reference of consultation in the policy process and what can explain this? In practice, the Commission can use the Explanatory Memoranda and consultations to strategically rationalise proposals based on a claim of input (support) or output (expertise) legitimacy. Based on previous research, it was hypothesized that if such a pattern exists the salience, technicality of a proposal, and the type of a proposal (newness) may explain it. This paper

was not successful in finding such a pattern and thus answering this question. Still, during the data-collection process the Explanatory Memoranda showed clear signs of certain patterns and regularities that could not be explained by the standard writing guidelines of the Commission. If there is to be further investigation of this matter, a few notes are due.

First, both the independent variables as well as their indicators may need revision. It has become evident that it is not certain that the same factors that influence the Commission's choices in consultation instruments, also influence the Commission's strategies in referring to them. Explorative and/or qualitative research into what may influence this behaviour might lead to a better insight into how to look for a pattern. Maybe there is a difference after all between Commission DGs, or it is possible that there are differences based on who is consulted and how.

Secondly, regarding the indicators for the variables, indicators of Salience have been shown to be reasonably good predictors of strategic considerations towards the Commissions choice for consultations in the past. Yet, the indicator used in this paper was problematic to collect data on and had no result. It would be worth re-visiting this variable, both from a theoretical perspective and in its operationalisation. The same goes for the indicator Settings. It may also be worthwhile to revisit the influence of the Better Regulation initiative, since it is a relatively new phenomenon in the practice of the Commission.

Lastly, methodologically speaking the main problem with the results may be solved by creating a bigger dataset. The original N of 91 was already less than desirable, but the effects would have had to be very substantial to find significant results with only a valid N of 72 (Field, 2014). A way to solve that would be to include other kinds of policy proposals over the same period. Besides directives, regulations and maybe even council decision could also be used in such a dataset. A larger N would make the estimation of predictors as well as the *t*-test and *F*-test more reliable (Field, 2014). Moreover, as suggested earlier, a qualitative approach to explore patterns in the Commission's behaviour may also be in order before continuing this methodological approach.

Notes

1: Policy proposals were found and extracted through the Commission's transparency document registry (available on: http://ec.europa.eu/transparency/regdoc/). This registry provided a link to the corresponding EUR-Lex documents.

2: Impact Assessments published before 2017 were published on a separate webpage on the Commission website (available on: http://ec.europa.eu/smart-regulation/impact/ia_carried_out/cia_2016_en.htm). From 2017 onward, Impact Assessments were also published in the Commission's transparency document registry (specifically on: http://ec.europa.eu/transparency/regdoc/?fuseaction=ia&language=en). Both pages provided a link to the corresponding EUR-Lex documents.

3: In some cases, no Impact Assessments were done since other Staff Working Documents (SWD Documents) served a similar purpose. If no Impact Assessment was found, the accompanying SWD Documents mentioned on the front page of a proposal were searched through the EUR-Lex database (available on: https://eur-lex.europa.eu/homepage.html)

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Appendices

Appendix A - Terminology

BR (initiative) – the Better Regulation initiative announced by the Juncker Commission in May 2015, which lead to the Better Regulation guidelines and toolbox.

Commission – the European Commission

(Commission) DG – (Commission) Directorate General

Council – the Council of the European Union/Council of Ministers

ECSC – the (former) European Coal and Steel Community

EP – the European Parliament

EU – the European Union

European Council – the specific configuration of the Council of the European Union that gathers together all the heads of state/government of EU member states

ISSG – Inter-service Steering Group

Appendix B – Full Model and Test Statistics for Multiple Regression Model

Table 6.

Model Summary of Hierarchical model in Tables 5 (N=72)

| Model | *R* | R^2 | Adj. R^2 | SE of Estimate | Change Statistics | | | Durbin-Watson |
					R^2 Change	*F* Change	Sig. *F* Change	
1	.117	.014	.000	1.405	.014	.972	.328	
2	.174	.030	.002	1.403	.016	1.173	.283	
3	.182	.033	-.010	1.412	.003	.208	.650	
4	.262	.069	.013	1.396	.035	2.549	.115	1.403

Note: Dependent Variable: Expertise/Support; 4 Models include hierarchically added independent variables Internal Salience, Settings, Dummy for Type New, Better Regulation

Table 7.

Hierarchical Multiple Regression Model for 'Expertise/Support' (N=72)

Model		b	SE	β	t	p-value	Collinearity Statistics Tolerance	VIF
1	(Constant)	5.160	.315	-	16.402	.000	-	-
	Internal Salience	.070	.071	.117	.986	.328	1.000	1.000
2	(Constant)	4.810	.451	-	10.672	.000		
	Internal Salience	.059	.072	.099	.828	.411	.981	1.020
	Settings	.155	.143	.130	1.083	.283	.981	1.020
3	(Constant)	4.958	.557	-	8.895	.000	-	-
	Internal Salience	.058	.072	.096	.798	.428	.978	1.022
	Settings	.128	.156	.107	.823	.413	.840	1.191
	Type New	-.166	.364	-.059	-.456	.650	.847	1.180
4	(Constant)	4.158	.745	-	5.580	.000	-	-
	Internal Salience	.074	.072	.123	1.025	.309	.958	1.043
	Settings	.222	.165	.185	1.347	.183	.733	1.364
	Type New	-.069	.365	-.025	-.189	.851	.824	1.214
	Better Regulation	.637	.399	.204	1.597	.115	.848	1.180

Note: Dependent Variable: Expertise/Support, 4 Models include hierarchically added independent variables Internal Salience, Settings, Dummy for Type New, Better Regulation

Table 8.

Casewise Diagnostics & Cook's Distance

Case Number	Std. Residual	Expertise/ Support	Predicted Value	Residual	Cook's Distance
79	3.352	10.00	5.321	4.679	.176
88	1.979	8.00	5.238	2.762	.066
52	1.800	8.00	5.488	2.512	.053
10	1.389	7.50	5.561	1.939	.036
34	1.114	7.14	5.589	1.554	.012
41	1.076	6.86	5.356	1.501	.009
65	1.026	7.14	5.711	1.431	.015
66	1.024	6.67	5.238	1.429	.011
24	1.020	6.67	5.244	1.423	.037
69	1.012	6.82	5.406	1.412	.009

Note: Based on the results for Hierarchical Model 4 in Table 4; the top 10 cases of biggest Residuals were included in this table

Table 9.

Bootstrapped Hierarchical Multiple Regression Model for 'Expertise/Support' (N=72)

Model		b	Bias	SE	Sig. (2-tailed)	95% Confidence Interval Lower	Upper
			Bootstrap				
1	(Constant)	5.160	.014	.444	.001	4.330	6.117
	Internal Salience	.070	-.002	.090	.432	-.134	.233
2	(Constant)	4.810	.034	.442	.001	3.975	5.687
	Internal Salience	.059	-.002	.094	.508	-.151	.228
	Settings	.155	-.008	.115	.174	-.092	.362
3	(Constant)	4.958	.024	.619	.001	3.673	6.165
	Internal Salience	.058	-.002	.096	.531	-.153	.232
	Settings	.128	-.007	.121	.266	-.131	.366
	Type New	-.166	.006	.364	.653	-.886	.543
4	(Constant)	4.158	.032	.728	.001	2.819	5.706
	Internal Salience	.074	-.004	.095	.431	-.131	.243
	Settings	.222	-.006	.133	.092	-.042	.493
	Type New	-.069	.005	.354	.847	-.776	.610
	Better Regulation	.637	.002	.397	.106	-.113	1.421

Note: Bootstrap results are based on 1000 samples; Dependent Variable: Expertise/Support; 4 Models include hierarchically added independent variables Internal Salience, Settings, Dummy for Type New, Better Regulation