

To participants of the CONNEX workshop in Uppsala, 1-2 December 2005.

My contribution to the workshop is basically two chapters from my forthcoming dissertation. I have chosen to present chapters 1 and 5. Below you will find a short résumé over each chapter (at the moment I have planned for 10 chapters all in all) so that you can get an idea of the structure and content of the general study.

I am, of course open to all questions pertaining to whatever parts of the study, but would perhaps prefer to focus on chapters 1 and 5. What are the strong sides and the weak spots of the research project presented in chapter 1? To which extent does the data presented in chapter 5 fit your expectations following the reading of chapter 1? To which extent is the data presented in chapter 5 relevant? Are there superfluous parts?

Chapter 1

Introduction (research problem, aims, research questions...etc)

Chapter 2

Theory and analytical model

Chapter 3

Methodology (interview, research design, and case selection)

Chapter 4

Background chapter (previous research, facts on permanent representations (PR) & council of minister structures)

Chapter 5

Sweden – domestic level (domestic level, coordination structures and processes, principal's perspective)

Chapter 6

Sweden – European level (institutional and procedural analysis of the Swedish PR, agent's perspective)

Chapter 7

France – domestic level (domestic level, coordination structures and processes, principal's perspective)

Chapter 8

France – European level (institutional and procedural analysis of the French PR, agent's perspective)

Chapter 9

Summary and conclusions of empirical chapters 5-8.

Chapter 10

Broader conclusions on democracy, delegation and democracy. Assessment of theoretical approach. Future research.

Respectfully,
Thomas Larue

CHAPTER 1

While democracy is one of the most scrutinized and contested terms in political analysis, it remains also one of the most elusive. How should one define democracy? Political scientist Giovanni Sartori accurately points out that "...we characteristically live, then, in an age of *confused democracy*. That "democracy" obtains several meanings is something we can live with. But if "democracy" can mean just anything, that is too much." (1987:6). Yet Sartori's justified plea is sadly enough seldom adhered to as illustrated by post modernist thinker Jacques Derrida who contends, according to a Swedish columnist, that democracy has never existed: "It comes from the future and can be heard calling from the past. It is a promise passed from generation to generation." (Jonsson 2003). Surely democracy is a complicated concept, but I argue that it needs not to be resembled to an academic version of the fabled Cheshire cat, implying that upon examination, its substance fades, leaving only a mocking smirk.¹ Great thinkers, political scientists and people in general, from ancient bearded Greek philosophers to eyeglass wearing American political scientists, have devoted some part of or their whole life trying, and to some extent succeeding, to understand, to grapple and/or to illuminate this living and constantly changing concept of democracy. Even though this dissertation does not aspire to a final answer or definition to what constitutes democracy, it nevertheless harbours the ambition to achieve some insights as to how modern democracy works. This will be done through the study of delegation between EU member states government offices and their permanent representations in Brussels. However before I define the specific aim and research questions of this study it is useful to discuss key concepts. This chapter thus presents and elucidates core concepts for the study of democracy and explains why analyzing the delegation between EU member states governments and their permanent representations is important.

The results of a study of democracy are of course not totally independent from how one chooses to define democracy. As hinted above there exists a panoply of political thinkers which have devoted their life to the search and elucidation of democracy's quintessence. One out of many examples is David Held (1987) who identifies ten different models of democracy including e.g. *protective democracy*, strongly influenced by thinkers such as Locke (1690), Montesquieu (1748), and Madison (1788) and their philosophical heritage. Conceptions of democracy inspired by Nozick (1974) and Hayek (1960, 1976), are qualified as *legal democracy* just to mention a few of Held's different democracy models. Three of the more common views of perceptions of democracy are the electoral², participatory and deliberative democracy (Gilljam & Hermansson 2003). All of these definitions of democracies bear their own strong points and notions which combine to establish a "unique" epitome of democracy. *Electoral democracy* builds upon the theorems and axioms of recurring competitive elections (e.g. Schumpeter 1976 [1942], Riker 1982, or Fiorina 1981). *Participatory democracy* emphasizes the increased participation of citizens and aspects referring to direct democracy (such as referendums or local self-governing boards) and although some older thinkers are associated with the ideals of participatory democracy (such as Rousseau 1762 or Mill 1861) the modern authority is Pateman (1970). *Deliberative democracy* is centred on the Habermasian appraisal of the good conversation (where issues of power and interest struggle are prohibited) as a mean to reach democratic goals (for a good overview of different variations of deliberative democracy, see e.g. Bohman & Rehg 1997). *Associative democracy* makes an attempt to enhance representative democracy with civil society governance (Hirst & Bader 2001). Among the multitude of perspectives I make the explicit choice to "hinge" this study on a specific definition of representative democracy.³

More specifically I will concentrate my analysis on one vital aspect of modern representative democracy: *delegation*. In our everyday lives we both solve problems or evade obstacles and accomplish dreams or wishes through delegation. When our cars brake down, we delegate the

task of repairing it to a mechanics, when we want to publish recipe books we seek the assistance of experienced photographers and publishing companies, when our children need education we delegate the responsibility to schools and teachers, when we sell or buy land property we employ the services of real estate dealers, when setting up new business we seek venture capital from banks, and when we contract a disease or fracture a leg, we seek the assistance of doctors. These are just a few of the numerous examples in which we make use of delegation⁴ to accomplish whatever goals we set for ourselves in life. The same is true in politics. Democracies, indeed all political systems, rely on a chain of delegation to establish structures which manages to articulate and materialize values, needs, and preferences into political decisions. More important is however the fact that these chains of delegation retain or strengthen then potential of the people to secure *accountability* throughout the political system. Accountability is here important in two respects. First the legitimacy aspect of the political system: MPs, ministers, government officials and civil servants at every level of the political apparatus must be accountable to the people. Devoid of legitimacy the ruled will not respect the rulers' authority and society may fall into anarchy. This is especially true when it comes to the executive. In many countries the executive enjoys a certain level of discretionary powers which it can use to govern efficiently. But when controlled powers become freewheeling authority a dangerous situation is created. Second is the efficiency aspect of the political system. If actors and representatives at all levels are not accountable, then defective agents (whether they are MPs or bureaucrats) might hamper the system indefinitely, weakening the political system's ability to deliver the political goods and control the people expects. It is through the chain of delegation which links the citizens, the parliament (legislative), the government (executive), and finally the bureaucracy together that democracy and democratic decisions come into existence and that political accountability is sought not least in law-making. Law-making is one of the most important tools with which policy-makers shape their world. Laws also define binding rules which can be enforced by the only legitimate use of force available in a society. Hence accountability is crucial in a society which has the right both to legislate and to use the sovereign state's right of legitimate force in order to ensure implementation of its legislation. Without proper systems ensuring and upholding accountability, real democracy seems unfeasible.

In his 1994 presidential address to the American Political Science Association, Charles O. Jones contended, in polemic with Otto von Bismarck's alleged aphorism on sausages and laws⁵, for more studies of lawmaking. Among other things he pointed out that:

"Lawmaking for any one issue is a trackable process as legislators, executives, bureaucrats, judges, and others variably participate in statute-making, rule-and-standard setting, administrative and executive interpretation and court decision-making, which, combined, constitute the legitimate base for public policy." (Jones 1995:1)⁶

Of course, according to Jones, courts and implementation processes are important. Yet, one must never lose sight of the lawmaking procedure as a prime concern for democracy: If the will of the people cannot be transferred into applicable laws then democracy has failed. Jones specifies, in his address, the lawmaking process as "the core decision-making process of a democratic state". While this is an accurate statement, in this study it needs to be clarified or amended with three important modifications. The first is that lawmaking is not longer the state's exclusive domain. Lawmaking, in the broad definition that Jones offers us, is practiced at many levels. For member states of the European Union (EU) one of these additional levels is the European. Increasingly lawmaking in EU member states is carried out in European institutions or, to put it in more casual terms, "in Brussels". Some of the European lawmaking needs to be implemented by national state authorities, such as the legislative branch, to finally come into effect, but many of the acts and decisions taken by the European Parliament and the Council of Ministers are directly applicable throughout the Union. Secondly, the concept of lawmaking is, as shown by Jones' citation, a much broader concept than is studied here. By lawmaking in this

dissertation I intend the phase of decision-making. Indeed a very specific kind of decision-making, namely decision-making at the European level. This does not in my opinion diminish the general value of such a study, but nevertheless I believe that this point should be made explicit, i.e. that this study concentrates on the decision-making aspects of lawmaking. Thirdly, lawmaking involves different actors, ranging from lobbyists scurrying around decision-makers to the decision-makers themselves. But who qualifies as a decision-maker? Members of parliament, and heads of parliamentary committees, party leaders, ministers, state secretaries, or even local bureaucrats? Among all that qualify as influential actors this dissertation examines the influence of the bureaucratic level in government. In almost every instance of lawmaking bureaucrats are involved, whether it is at the initial steps of policy formulation when bureaucrats at a small ministerial subdivision discuss new legislation, or at the other end, i.e. out on the field when the law has to be implemented in real-life. As specified by one of the previous century's most influential thinker: "...bureaucracy is not an obstacle to democracy but an inevitable complement to it." (Schumpeter 1976:206). It remains however to see to which degree and in which way bureaucracy manages to complement and not complicate democracy.

Research problem

Every scientific endeavour must take its start with a (or several) conceptual and central research problem(s) or question(s), as Jacob Manheim and Richard Rich so accurately point out:

"The first step in undertaking political science research is the selection of an appropriate research question." (Mannheim & Rich 1986:5)

This is appropriate for several reasons. First, it helps both the writer and the reader in their communicative efforts. It prepares the reader for what is to follow, thus referring to the red thread which should not be let out of sight despite the study's advanced excursions into empirical or theoretical jungles. It also gives the writer a clear definition of her/his⁷ main scientific problem thereby assisting him/her in the writing process. Second, it distils the often-complicated reality to simple principles and problems. This enables both the writer and the reader to contemplate the issues, as well as discuss and review details with distance and perspective.

In broader terms I have identified two main research problems. These two are in some way intertwined, and could rightly be described as two faces of the same coin. The first research predicament is the relationship between elected representatives and bureaucrats. As my main "dependent" variable concerns the link between politicians and bureaucrats, such as it exists between member state government offices and their representatives in Brussels at the permanent representations, the question that leaps to the reader's mind is probably: Why? I think that Ali Farazmand put it best when he averred that:

"The political and administrative history of human civilization from the ancient empires and city-states to the modern nation-states reveals a central feature of governance in all societies: the relationship between the administrative or bureaucratic elites and the political elites... /.../ ...it may even be argued that the relationship between bureaucrats and politicians is the heart of modern governance... /.../ However, this relationship has not been without tension. In fact, the *tension* between democracy as a form of government and bureaucracy as an institution of administrative governance has been a persistent dilemma in modern political systems." (Farazmand 1997:vii, emphasis added)

It is this tension (or at least one of its features) that this dissertation wishes to examine, explain and analyse. But before advancing further, a cautionary word is in order: Given that I wish to describe and evaluate the tension between the "democracy as a form of government" and "bureaucracy as an institution of administrative governance", defining democracy and administrative governance and how the two relate to each other becomes crucial to this study. Further specification is necessary. First, with regards to the EU level, this dissertation will mainly focus on a single European level institution and relations pertaining to its function. This

institution is embedded within the larger institutional structure of the EU and the member states. Second, with regards to the member state level, I focus on the national level and primarily on the governmental ministries. So far these constraints or specifications have been of empirical nature. These particularizations do not however bestow me with a proper definition of the nature of democracy nor the best way to describe administrative governance. Such explanations can only be attained through one or several theoretical choice(s).

The second research problem at the heart of this dissertation is the act of successful delegation. As described earlier at the inception of the dissertation, delegation as an act is constantly present in our daily lives, and as such it also constitutes the life-blood of political systems. As accurately put by Lupia and McCubbins:

“Democracy requires delegation. The people, through elections, delegate their authority to its representatives. Elected representatives, in turn, delegate some of their authority to the leadership of their assembly and to the bureaucracy. /.../ Each of these delegations involves a *principal*, the person or persons delegating, and an *agent*, the person or persons to whom authority has been delegated. ...//... The central dilemmas of delegation are that agents often do not have common interests with their principals and that agents may have information about the delegation that their principals lack. In studying democracy, we are interested in when these dilemmas do and do not cause delegation to fail.” (Lupia & McCubbins 1998:79, emphasis in original)

The core point here is that delegation can either fail or succeed, even though it should be mentioned that there exists several ways in which to measure success and failure in delegation. It is important to acknowledge that the basic premises for delegation include constraining factors and assumptions, such as disharmonious principal/agent preferences or information asymmetry. These dilemmas are tantamount to a tension which is vital to uncover, analyze and assess if we wish to understand modern democracy. Narrowing in on the specific aim, this study analyzes the ways in which delegation to the bureaucracy affects democracy. It becomes vital to define and explore, in a more precise way, what I mean by these three concepts: delegation, bureaucracy and democracy. This will allow us to arrive at a more precise description of the study’s aim and research questions and of the empirical and theoretical contribution of this book.

Democracy, delegation and bureaucracy

This dissertation takes as a normative starting point the view that democracy is a frail and essential component both for the member state and the European Union. It encapsulates the possibility for both individuals and collective groups to explore their wishes and preferences, to establish common rules and norms which facilitate the tiresome and tedious day to day toil, to respond to new and unforeseen developments; in short to create societies which are in concordance with our needs and hopes. This dissertation argues for a definition of democracy that most people would refer to as representative democracy, its governing principle being that “...decisions are made by elected representatives and implemented by appointed officials to whom the representatives delegate some of the tasks of governing.” (Manin *et al.* 1997:1). In this definition the concepts of representation and democracy are tightly knit. Indeed it is an established axiom within democratic theory that democracy invariably produces representative governments. As Manin, Przeworski and Stokes point out in their anthology on the subject, this truism is well-founded, from Riker (1965 or even Pitkin 1967) to Schmitter & Karl (1991), the claim is repeated, albeit in different lingual costumes, but all with the same message perhaps best captured by Dahl (1971:1) himself: “...a key characteristic of a democracy is the continued responsiveness of the government to the preferences of its citizens.”

Although our societies are here depicted as representative democracies, other equally interesting conceptual terms could be used to label our democracies. Again Manin, Przeworski and Stokes point to the fact that our democracies could easily be fitted with a toe tag reading “oligarchy” in a “distant future Aristotelian morgue”⁸, while Schumpeter (1976) [1942] goes further and very

accurately describes them as *competitive oligarchies*. The above-mentioned triumvirate chooses to put a somewhat similar slant to their description of what constitutes the particular characteristics of democracies: "...we are ruled by others, but we select them and we replace them with our votes. This is what is distinct about democracies: *rulers are selected through elections*." (Manin *et al.* 1997:5, emphasis added). But are they really? Are rulers always selected through elections? Allow me to retort: If we mean by rulers the men and women who are selected by election then there is no problem, other than being correct and simplistic. If we, on the other hand, perceive the concept of "rulers" as more pluralistic, i.e. as divided amongst many different actors in society, the above-mentioned question becomes more intriguing and its answer not so unequivocal as Manin, Przeworski and Stokes would want us to believe. What if the appointed civil servants, who administer and implement the preferences of the elected representatives, also should be considered as rulers? This unveils a "new" dilemma on the workings (and problems of) of representative democracy. In fact, couldn't one argue that not only bureaucrats but even cabinet ministers are not elected but almost always selected? In many democracies⁹ there exist no requirements for ministers to be elected before they can be eligible for a cabinet position. Some constitutions (such as in France, Switzerland or the Netherlands) actually expressly forbid that ministers can hold a seat in parliament while being a member of the cabinet.

The tension between the fact that the implementation of the elected representatives' decisions is left to appointed civil servants and that the elected representatives' preferences are supposed to ultimately shape the decisions which have to be implemented is interesting. Do democracies have ways of ensuring the correct implementation of political representatives' preferences? How do contemporary representative democracies assure adequate representation all the way down to the civil servants? This is something which preoccupied the founding fathers of democracy in the US; as they went on to construct the constitution of the western world's most constitutionally resilient¹⁰ federation. The so-called Jeffersonian view (as articulated e.g. in Kiewiet & McCubbins 1991) on democracy takes great care in accentuating the fact that the continuous accountability of democratically elected as well as non elected officials is at the heart of the representative democracy. Although the focus usually is put on the former, i.e. the democratically elected leaders (or to use Manin, Przeworski and Stokes' rhetoric: the rulers), the Jeffersonian view also emphasizes the principle of opposing delegation of legislative powers to nonelected officials. Although in my view a very interesting subject, the specific link in the delegation chain between executives and the bureaucracy remains one of the least developed (in contrast to links between the US Congress and civil servants). Though the literature on the subject of politicians and bureaucrats is abundant and quite broad (e.g. Putnam 1975, Aberbach *et al.* 1981, and Campbell & Szablowski 1979), it does in any explicit way centres on the delegation aspects. Early research was inclined towards a more institutional analysis at least as far as empirical studies were concerned; see e.g. Peters (1978) and Mainzer (1973) for overviews.

In more general terms this (Jeffersonian) view on democracy can also be translated into a view on representative democracy as "...a series of delegation and accountability relationships between principals and agents. In a chain of delegation, those authorized to make political decisions (*principals*) conditionally designate other (*agents*) to act in their name and place" (Bergman *et al.* 2005, p.43). This definition of the representative democracy indicates which functions are vital in a democratic society, namely the functioning of delegation. If the delegation of powers from the principals to their agents is successful, then the chain of democracy is unbroken. That is if the representation of political preferences through the most fundamental mechanism of representative democracy, i.e. the election of a legislative body, is transferred through these chains of delegations back to the people, back to "real life" in forms of policies, then democracy is working. What is so appealing with this view of democracy is also that it does not confine itself to the rather synchronic analysis which is otherwise found in the "regular" analysis of

representative democracy. Many scholars have a penchant for one or both of the two classical mechanisms¹¹ embodied in the representative democracy, the so-called mandate model (e.g. Schmitt & Thomassen 1999, Naurin 2003 or Pierce 1999, for an empirical test of the model see Royed 1996) and other versions of what also is sometimes known as the accountability [*ansvarsutkrävande*] model (e.g. Behn 2001, Petersson *et al.* 2002 or Kumlin 2003). These models are all focused on elections once every fourth, three or two years (depending on specific constitutional arrangements).

In contrast the model or appreciation of democracy inspired by a “Jeffersonian” view and theoretically articulated through the PA (principal-agent) framework used in this dissertation has the clear advantage of being diachronic to its nature. In so much that it conceives that potential democratic problems are always present, throughout the tenure of both elected politicians but also of nonelected officials, i.e., what is important in this conceptualization of democracy is the permanent delegation between different principals and agents and the ongoing exertion of control (whether it is *ex ante* or *ex post*, see below) of agents by principals (or third parties). There are different ways in which delegation can be conceptualized and studied. As presented above the main view of democracy throughout this dissertation is that democracy can be characterized as a chain of delegation. This chain runs from the single voter all the way to the bureaucrat. To uphold this chain of delegation, which constitutes the arteries through which the political blood of a lawmaking system runs through, the principals, at each link of the chain can apply specific control instruments through which they can contain the potential risk of having an agent shirking. These measures (all of which are more or less associated to the concept of accountability¹²) can be classified into four categories: contract design, screening and selection mechanisms, monitoring and reporting requirements and institutional checks. It is through these procedures that the principal can ensure that the delegation is set up correctly. It is through these mechanisms that the principal can structure the *delegation and accountability design*¹³ (henceforth I will use the words of *delegation design* instead of referring to the longer name: delegation and accountability design). This study will focus its analysis on these four types of control mechanisms in order to obtain an insight into how the delegation between member states’ government offices (*principal*) and their permanent representations in Brussels (*agent*) is designed. EU’s main source of authority and democratic legitimacy stems from an undivided faith upon the blessings of delegation. Since it is the notion that power, which in western (and definitively European) democracies emanates from the national people, is transferred down to liable representatives¹⁴ that upholds the idea of a democratic EU. Given that the delegation of democratic powers from the member states is one of the most vital sources of democratic legitimacy within the EU, focusing our investigation on the systems and procedures in which national power is transferred to the EU appears indispensable and important.

Aim, empirical research questions, and theoretical ambitions

This discussion now brings us to the specific aim of this study. This dissertation is a study of democracy, bureaucracy and delegation. The aim of this study is to describe and analyse the delegation and accountability design between member states government offices and their permanent representations in Brussels. The analytical framework used in this study stem from the principal-agent framework. The empirical study will be an explorative comparative case study of two EU member states, France and Sweden. In this study, particular attention will be given to the problem of institutional and organizational delegation design.

The theoretical and analytical premises for this academic endeavour will be elaborated and made clear in the following chapter, and the case selection will be motivated in chapter 3. Here next I present my research questions and theoretical ambitions.

In order to specify and to some extent clarify the aims of this research project, I have formulated a number of descriptive and analytical questions which will be answered empirically throughout the dissertation. While these questions are not exclusively the only ones which will be dealt with in this dissertation, they remain the main focus throughout the study. In order to give the dissertation a clear structure I have chosen to formulate three main sets of questions. The first question set refers to the *coordination and preparation of EU issues in member states' government offices*. How have national governments organized their offices and the policy preparation process at home? In which way do these institutional structures at the national level influence the delegation to respective permanent representation in Brussels? This study's second array of questions pertains to the *organisation and functioning of the permanent representations*. How are they structured? How do the permanent representations' structures and the standard operating procedures used within these institutions affect the relationship between national capitals and the permanent representations in Brussels? Third and foremost this dissertation will address questions linked to the *mechanisms of accountability established between the principals and the agents* for this specific act of delegation. These accountability mechanisms help alleviate the hazards of delegation and are thus critical to describe and assess in order to gain a deeper understanding of the way in which delegation to national bureaucrats at the European level work. To which extent are these mechanisms, i.e. contract design, screening and selection mechanism, monitoring and reporting requirements and institutional checks, present? In which way do different delegation and accountability designs contribute to the establishment of successful delegations between capitals and Brussels?

With regard to the theoretical ambitions of this study, I want to early on clarify two points: First, even though I have not explicitly stated that the dissertation will test or attempt to falsify (using Popperian language) the theoretical literature upon which I base this study, some degree of theoretical testing is entailed. Every scientific study which employs some form of theory or framework implicitly puts this same analytical approach under scrutiny. How well did the theory/approach manage to contribute to the study? What new knowledge was extracted through the use of the theory/model/framework? The same is true with this study. The theoretical assumptions as well as the model's operational framework will be assessed and, to the extent that it is justified by the empirical evidence unveiled, constructive criticisms aspiring to improve the theory will be formulated. I return to the model and theory discussion in the next chapter. Second, every important research endeavour should, in my humble opinion, compel the researcher to take a stance with regards to the study, its results and the surrounding society to which science finally must contribute. This translates into what I would call a second implicit aim (if one chooses to view the implicit testing of theory as the first) inherent for all scientific studies, namely the aim to extract out of the research's inferences a contribution to society. In this case, based on my findings I will formulate practical measures and reforms which will aspire at improving both the theoretical framework and the delegation and accountability design I examine. In my opinion this "deontological¹⁵ duty" which in general applies to all scientists and scientific projects is even stronger when research involves such all-compassing and powerful matters such as democracy.

As made clear above the main aim of this study is to ascertain, describe and analyse the nature and scope of the delegation design and accountability mechanism of political institutions which are central to the link between the member states government ministries and national administrators stationed in Brussels. More importantly, and this cannot be emphasized enough, the focus of this dissertation is on the *delegation design* of domestic and European institutions (i.e. permanent representations). Since the devil is in the details, it is very important to review and assess all of the organizational detail sat both the national and the European level in order to assess this specific delegation. Only by meticulously reviewing and analysing the processes and

institutions are set up and work can I hope to capture the quintessence of the prevailing delegation design and give the reader an assessment of its importance in the way in which governments delegate power in matters of European policy. This is something which will guide the choice of empirical data and the way I present my material. The reader should accordingly expect a very detailed investigation of institutional and organizational facts of both French and Swedish central governments and their “European annexes”. As stated above I focus on two countries. However while probably tempting to the reader, this study should *not* be understood as a classical comparative study, following traditional comparative method (see e.g. Ragin 1987). It is a two case study with limited comparative ambitions (see chapter 3), i.e. my cases, Sweden and France, are analytically exploited in a parallel rather than in a more interwoven and comparative manner.

Before advancing further I would like to stress the following. This dissertation, as are all academic publications, is in part “heavy” on theory and conceptual discussion. Even though I am convinced that both the academic community and practitioners (civil servants) can have an interest in the whole study I nevertheless want to point out that those mainly interested in the real-world practice of national coordination of EU affairs in Sweden and France and the delegation to EU bureaucrats may read chapters 5 through 8 directly after reading this introductory chapter. Hopefully, those mainly interested in the empirical substance may after reading these chapters also become intrigued by the theoretical aspects of the study.

Limitations of the dissertation

Each academic venture has a number of pitfalls; one of them is to overextend the empirical scope of the study. This study will make certain explicit limitations as to the scope of empirical data and variables being included into the analysis in order to answer my research questions. Of course the study in itself will also inherit certain intrinsic limitations due to the choice of theoretical approach; these limitations are discussed in chapter two.

This study will concentrate, amongst other things, on the roles and the ways in which national bureaucrats work and act in Brussels. Consequently, when dealing with the perspective of European decision-making this study will focus on the Council of Ministers and their internal procedures. This should *not* be seen as a normative standpoint or in any other way as a proof that I view other European institutions as having a lesser influence on policy-making within the EU. I am well aware that the different institutions such as the European Parliament and the Commission have an important clout and political power within the European policy cycle. In other words, this thesis will not take a position as to whether intergovernmentalism or neofunctionalism best describes the functions and proceedings of the European integration process. The debate between the two schools is important but I will not here aim at contributing to its prolongation. As I stated above this study will not give an answer to what constitutes democracy, nor will it add yet another definition of the concept known as “democratic deficit”.¹⁶ I will concentrate on the aspects of national delegation to the European Union rather than on the inter-institutional proceedings at the EU level.

One ubiquitous predicament with analysis of social phenomenon and institutions which in themselves are part of a larger context (as they always are in one way or the other) is that they can easily be accused of only representing the tales of a blind man and his “elephant”, according to Puchala’s famous parable:

“The story of the blind men and the elephant is well-known. Several blind men approached an elephant and each touched the animal in an effort to discover what the beast looked like. Each blind man, however, touched a different part of the animal, and each concluded that the elephant had the appearance of the part he touched... The total result was that no man arrived at a very accurate description of the elephant.” (Puchala 1972:267)

This dissertation, I hope is not the tale of one blind man, but the account of one researcher with what is reasonably clear eyesight. One might still be inclined to give some credit to the metaphor because it captures one of the problems of modern studies, i.e. they are very specialized and have difficulties in grasping or linking the effects and causal relationship studied to the “bigger picture”. On the other hand, the allegory is perhaps unfair. Is it reasonable at all to demand that we, as researchers or to use Puchala’s rhetoric, blind men, should be able to describe the whole elephant? Perhaps the best (and indeed only) thing we can do is to be explicit about the choices we make as researchers and why we choose to study only the proboscis or the back legs of Hannibal’s favoured war mounts.¹⁷

Also, in my case I have omitted different aspects and arguments from the analysis. One such element is the effects of negotiations and bargaining between actors at the European level. Many might protest to a study of permanent representations bureaucrats which lacks an in-depth account of European negotiations within committees and Council working groups into the analysis. The same could be said of national representatives sent to the Commission’s preparatory and implementation committees: why are they not included into the study? Negotiations are not included as such because they have no direct effect on the aspects of delegation that is studied here. Negotiations do have effects on the content of new European legislation. Would I measure successful delegation through an assessment of how alike the results of the negotiations are compared to the preferences of the national principals then negotiations would have to be included as a key variable. It is also true that national bureaucrats are delegated to representative functions in other committees and working groups than those under the Council of Ministers. In many cases the same civil servants actually represent her/his country not only in the expert committees which the Commission uses for preparatory legislative work but also in the Council’s working groups (and in some cases national bureaucrats also participate in the committee established through Comitology to implement the new legislation, see e.g. Andersson & Bergman 2005). I have however made the choice to limit my study to the national civil servants which are employed at the permanent representations and which represent their respective countries at Council meetings, whether in committees or working groups. For the rest, not least the inter-institutional power struggle and processes at the EU level, I refer to other existing literature (some of which will be mentioned in the next two chapter).

Yet another problematic variable while conducting research is the aspect of time. Studying processes and institutions over time is a gruelling task. Even in the cases where a substantial temporal gap between the study’s completion (i.e. the analysis) and the coming into existence and harvesting of the actual empirical data (i.e. the observation of both dependent and independent variables on which you base you subsequent analysis) is sufficient enough to enable a safe research environment. By “safe” research environment I refer thus to a situation where the researcher’s risk of being “caught wrong footed” by a sudden change in his/her variables is as slight as possible. This fact is confirmed by the endemic use of temporal limitations in social science studies.¹⁸ This study both manages to make such a limitation in time and yet it fails to do so in a more traditional way. I did manage in making such a chronological limit due to sheer practical reasons, all interviews and most of the document collection have been performed and collected during the period 2000-2004 (see chapter 3 for more details) and therefore mostly reflects the empirical reality of a certain time. Yet I have not put the same limitation in time as to which arguments and documents or indeed into which changes into my variables that should or shouldn’t be allowed into the analysis. This dissertation is based on interviews and documents collected, and thereby reflecting empirical changes in my dependent and independent variables taking place, before June 2005.

Scientific relevance

Let us finally return the question of why is it important to study the link between national administrations and their permanent representations in Brussels? First of all I argue that studies of how bureaucracy and democracy work are always important in order to understand how societies functions (Premfors *et al.* 2003).¹⁹ I concur with Gallagher, Laver and Mair in that the general relevance of studies of bureaucracy is always high in order to understand how power and influence is distributed in a state:

“...this is why, party politics notwithstanding, an analysis of the political role of the bureaucracy is such an important part of our understanding of the policy process in any modern European country.”
(Gallagher *et al.* 1995:134)

As stated above I argue that the study of the delegation from national executives to their representatives in Brussels constitute a robust case of classic politico-administrative delegation. Furthermore this study is also important for those who want to gain a better understanding of the modern processes involved in lawmaking and eventually democracy in the member states and the EU. For example Tallberg points to the permanent representation as a potential source of challenge to the autonomy of the Swedish government’s (and hence to all member states’ governments) EU policies: “The government’s control over its own EU policy could also be challenged by those who represent the member state in Brussels – the national permanent representation” (Tallberg 2001a:55). Neil Nugent also argues that the value of elaborating our comprehension of the practical ways in which member states partake in the decision-making process of the EU (and ultimately determine the outcome of European integration) is incalculable:

“This point is worth developing in a little detail because there are significant variations in the ways in which governments attempt to control, and do control, their input into the Council via their representatives.” (Nugent 1999:475)

Not only do the governments have their own ways in which they coordinate their EU policies but Nugent also points to additional arguments to why a deeper study of how member states link their representatives in Brussels with their capitals is important. Nugent (1999:477) argues that this isn’t only because we need information on the plurality of coordinating structures and processes but also because the control and coordination of EU policies have become increasingly complicated. This increasing difficulty to manage EU issues is not only caused by the escalating numbers of decisions taken by the EU but also by the sheer increase in the ways in which policy is shaped in Brussels. Put simply, or at least in an industrial idiom, more decisions pour out more rapidly out of the “EU factory”. This has also according to Nugent effects on the scope of EU coordinating efforts at the domestic level, since more and more departments and ministries are involved. This so called Europeanization (an intricate concept which will be developed and probed further in chapter 4) of member states’ domestic structures also emphasises why it is important to look at the link between member states and their representatives. The delegation of powers from national executives to bureaucrats in Brussels invariably is situated at the end of such a line of reasoning. Last but not least I would argue that the field is largely under-researched. This is of course a pathetically orthodox, almost pathological, argument to use because of its tediously recurring employment within academic circles. Yet, it is true.

Outline of the study

Below I introduce the study’s outline in terms of its chapter organization. Chapter 2 delineates the basic theoretical approach and some of the main concepts and analytical terms used in this thesis. Here the basic theoretical assumptions behind the Principal-Agent (PA) framework as well as the analytical PA model derived from these postulations will be described and explained. The third chapter will delve into the methods used to complete this study. Here both the tools or techniques applied in order to retrieve the empirical data used in this study as well as the research process itself will be described and critically assessed. Chapter 4 will concentrate on the previous studies made in research fields neighbouring this specific project. In this fourth section I will also,

so to speak, set the scene for the following four chapters (i.e. chapters 5-8), which constitute the empirical bulk of the thesis, by presenting both empirical and theoretical pictures of European and national level of decision-making. Chapter 5 gives a description of the coordination mechanisms and institutions which the Swedish government uses when preparing the delegation to its representatives in Brussels. Both formal and informal processes and institutions will be discussed. The thesis' sixth chapter describes the workings and structures of the Swedish permanent representation and in which way these reflect/affect the control mechanisms set up by Stockholm to assure an effective delegation. Here the "Brussels perspective" is in focus and it is primarily the agents' actions and behaviour which is portrayed. Chapter seven and eight contain the same discussions except that it is the French domestic level institutions and processes (i.e. ministries, coordination...) and the French PR and their employees which are at the core of chapter seven and eight respectively. Chapter 9 will summarize all the empirical data and inferences made in chapters 5-8 and present conclusions and comparative comments that can be reached from an analysis of the thesis' material. These summaries and conclusions answers the research questions formulated above (see section *Aim, empirical research questions and theoretical ambitions of the study*). Chapter 10 takes heed of the answers left in the previous chapter and, to the extent that it is feasible, presents recommendations for policy reform or institutional change in order to improve the delegation of power to national bureaucrats in Brussels. The dissertation's last chapter also provides the reader with concluding remarks and inferences on the way in which democracy, delegation and bureaucracy function in two modern European democracies with implications for the EU at large, in light of the study's results.

¹ I stumbled upon this metaphor in Aberbach *et al.* (1981:5). According to Aberbach both Friedrich (1940) and Appleby (1949) made earlier use of this metaphor.

² Gilljam & Hermansson make a distinction between the *ideal type* of representative democracy (i.e. electoral democracy) and representative democracy itself (which they see as more of a denomination for existing constitutions or *real types*), see Gilljam & Hermansson (2003:16)

³ I'm well aware that different democratic traditions exists and that no one is *per se* better or more accurate than the other, but I still believe that it is important to clearly state which assumptions I make when I discuss such a multifaceted concept such as democracy which furthermore has a tendency to be brandished by debaters and researchers. I believe that the aspects and features described by representative democracy "theory" captures the elements which are important in such a study as mine.

⁴ Delegation is of course a multifaceted concept; the concept I use here will be defined in details further down. Delegation as a legal concept in local governments was discussed as early as 1956, see Richards (1956:33-40), delegation is also a key concept in the management literature; see Steinmetz (1976) or McConkey (1974). Delegation is even studied in so, from social sciences, far-away subjects as medicine and dentistry; see Weisz (1972).

⁵ This specific aphorism is the following: Those who are fond of sausages and/or laws should not possess knowledge of their fabrication, see Jones (1995:1).

⁶ In this dissertation I will use the following principles when making a reference or annotation. When I use citation marks this indicate a direct and exact citation of the source. In some cases I will present the citation as above, i.e. with a smaller font and a certain indentation of the text. In other cases I will only use citation marks within the regular text. When it comes to citations from interviews that I have conducted within the framework of this research project, I will always use smaller fonts and a slight indentation of the text but no citation marks, and excerpts from interviews will always begin and end by three points (...) followed by the reference to the interview id-number. More details on these principles can be found in chapter 3.

⁷ I will during this dissertation try to use both the feminine and masculine pronouns when the gender of the person(s) referred to is not evident, however should my vigilance fail me, the reader should be aware that she/her is always exchangeable to he/his and vice-versa, except when I'm referring to a specific person, in which case the gender of that individual may *not* be considered as interchangeable.

⁸ Here Manin, Przeworski and Stokes refer to Bobbio (1989), although they refer from using the morbid and sarcastic rhetoric I employ here.

⁹ Here Great-Britain and Ireland constitutes one of the few notable exceptions. In the case of Ireland article 28 paragraph 7 of the constitution stipulates that members of government as well as the PM and vice-PM must be members of the Dail Éireann (parliament) or Seanad Éireann (senate). In the UK it is, in practice, required from ministers that they hold seats in either the House of Commons or the House of Lords. See Andeweg & Nijzink (1995:160). In other countries combining a post as minister and as MP is allowed, such as e.g. in Belgium, Denmark, Germany or Austria. In other countries the combination is prohibited, such as in Switzerland, France, the

Netherlands, and Sweden (in Sweden however combining a cabinet appointment and a chair at the Riksdag was allowed until 1974). Indeed one empirical proof which supports the thesis of rulers (in this case ministers) not being elected through elections are the developments in Swedish cabinet formation. The issue became subject to an intense debate in Sweden when PM Persson in his third cabinet appointed several ministers who totally lacked party experience and/or experience from parliament, for an incisive analysis and good overview of Swedish political scientists view on the matter see Aylott (2005:182-183).

¹⁰ Even though the US Constitution boast 27 amendments, most of them have been ratified almost directly after the signing of the constitution, e.g. the Bill of Rights (as the first ten amendments are commonly known) was ratified 1791.

¹¹ Although it should be said, for the sake of righteousness that these two “schools” or models are not as easily diversified or separate as is made apparent in this chapter. Indeed they could be said to belong to two sides of the same medal. See chapter 2 for further details on the matter.

¹² It is here important to note that I adopt the conceptualization of accountability chosen by Lupia (2003), in so much as accountability is viewed in this dissertation as a process and not as an outcome.

¹³ The concept of delegation and accountability design, as featuring the four mechanisms of control (contract design, screening and selection mechanisms, monitoring and reporting requirements and institutional checks), is also used by Kiewiet & McCubbins (1991), they test the abdication hypothesis and focus on party leadership within Congress. Strøm *et al.* (2003) are interested in the delegation and accountability design of parliamentary democracies.

¹⁴ In fact political liability, or more precisely accountability, was one of the main pillars of the so-called Brunner verdict made by the German Constitutional Court in 1993 in reference to the ratification of the Maastricht Treaty. It declared that the treaty could be ratified because the German Parliament maintains the right to transfer (or more accurately, withdraw) German competences to (from) the EU, (cf. Hix 1999:116-117).

¹⁵ Deontology, according to Sartori (1987:18 footnote 8), “...means literally “discourse on what must be done,” on dutifulness.”. For a collection of essays in deontological moral theory, see Darwell (2002).

¹⁶ A worn-out term with all too many characterisations: The deficit refers, for example, to areas of EU activity which are not directly accountable to elected representatives (such as national parliaments or the EP), see Williams (1990) or to “...the lack of participatory rights granted to non-governmental actors...” (Wolf 1999:231). Another definition, based primarily on MEP’s conception of the democratic deficit, is to blame the deficit on: “...the fact that European elections are fought primarily on the basis of national political concerns, rather than on problems relevant to the European arena.” (Franklin 1996:197, Van der Eijk & Franklin 1996:7). Decker (2002) points to the absence of a common European identity and institutional deficiencies of the electoral and party system as causes to the democratic deficit. Others such as Toeller & Hofmann (2000) point to the lack of Council control over the Comitology (most obvious when the Council fails to counteract a disagreement between the Commission and a regulatory committee) as yet another contributing factor to the democratic deficit. Majone recapitulates the debate over the deficit and identifies three major sources: “First, the European executive (Council of Ministers and Commission) rather than the European parliament is responsible for legislation [a fact supported by Kirchner 1992:14], in flagrant violation of the principle of division of powers. Second, within the executive, the bureaucratic branch (the Commission) is unusually strong with respect to the political branch (the Council), the members of which are ultimately subject to the control of the national parliaments. Finally...the supremacy of European law over national law, the governments of the member states, meeting in the Council, can control their own parliament, rather than being controlled by them.” (Majone 1996:272, my remark). Lequesne (2000:49-50) points to the “accountability gap” which he characterizes as the critic levied by several EU opponents towards the “...Commission and its perceived lack of accountability, because the Commissioners are not elected by universal suffrage and because parliamentary scrutiny of their actions is still weak.” and concomitantly even its soubriquet has been questioned: “...the ‘democratic deficit’, perhaps better ‘legitimacy deficit’...” see Wallace (1996:8) or even the ‘legitimacy gap’, see Abromeit (1998:6). Yet another interesting portrayal of the democratic deficit (especially in our case) is found in Dinan: “Coreper’s unaccountability to the electorate and inaccessibility to the public are key contributors to the Community’s democratic deficit.” (Dinan 1994:251). A good discussion of the concept of “democratic deficit” and democracy is also found in Dehousse (1995), Coultrap (1999), or Katz (2001). Last but not least it should also be pointed out that the notion of democratic deficit is not (or was not) embraced by all, see e.g. Meunier-Aitsahalia & Ross (1993) for a rebuttal of the “democratic deficit” hypothesis. Majone (1998), in his turn argues that it is the different standards (parliamentary and non-majoritarian) that we apply on problems of legitimacy which creates different arguments about the so called democratic deficit. Some researchers (e.g. Crum 2005) discuss to which extent a constitutional reform could reduce the deficit and some even append the concept on individual institutions (Elgie 2002).

¹⁷ Hannibal was a general which challenged the power of Rome during the Second Punic War (around 217 BC); he raised an army comprised of, amongst other, combat trained elephants.

¹⁸ E.g. even Simone de Beauvoir’s famous *Le deuxième sexe* has a short note on time, where she specifies to the reader her use of temporal words (such as “now” or “recently”), see Beauvoir (1973:6)

¹⁹ In fact according to Andersson (2001b), the relationship between politicians and bureaucrats is one of political science’s classic conundrums.

CHAPTER 5

EU member states have to muster a large and capable coordination system to be able to meet all the different policymaking requirements and demands emerging at the EU-level. As one of the new member states in 1995, Sweden has had, together with Austria and Finland, the difficult task of rearranging its central administrative functions to accommodate the new challenges and standard operating procedures of EU legislative work. In this chapter I will present the main institutional structures and processes dealing with Swedish government's coordination of EU affairs. The empirical presentation will also pay attention to the mechanisms installed by the principals in order to maintain a good delegation. At the end of the chapter, some preliminary conclusions and inferences will be presented. To these I will return again in the closing chapters of this study.

Domestic Level – The Swedish Case

As mentioned in earlier chapters the differences between the member states in regard to their domestic coordination systems are quite important. Of course this should perhaps be viewed as natural considering differences between member states exist in other institutional and political aspects. One example is the role of individual ministries in the coordination process. In the United Kingdom (as in e.g. Italy), individual ministries have the main responsibility for EU policy and have taken on greater power. The opposite is found in Greece where line ministries act more as “conveyor belts rather than think tanks” (Spanou 2001). Another difference is the one, which concerns the clout, the degree of centralisation and the capacity to impose decisions (thereby eliminating diverging departmental views) of the main coordinating body. Three member countries stand out as “heralds” of “...an all-encompassing and explicit co-ordination ambition, and a highly centralized co-ordination system.” (Kassim 2000:244), namely France, the United Kingdom and Denmark. Other countries contrast sharply such as e.g. Holland, especially in issues regarding the frequency and control of instructions sent from the capital to Brussels as pointed out by a high level official within the Swedish Ministry of Foreign Affairs:

...I know that, for example, in Holland they [Permanent Representation officials] have a lot of clout, they work on their own, but of course if things get messy, if they estimate that there is a sensitive issue, then they request a formal instruction. ...//...France...is the opposite. It is highly centralised. Because the SGCI writes all the instructions on all levels themselves, even at the working group level. The departments or ministries aren't allowed to write them... (interview VIII, my remark)

However even within this above-mentioned group of countries, several differences exist: Amongst other there are large discrepancies between France and Denmark regarding the role and influence of the national parliament or even the access of interest groups. These are included in the drafting and preliminary stages of the Danish coordination while “...private interest are traditionally regarded as policy outsiders...” (Kassim 2000:246) in France (and to a lesser extent also in UK). Covering the whole spectrum of differences and similarities between the member states' EU affairs coordination systems would be interesting but hardly an efficient way to familiarise ourselves with the case at hand, namely Sweden. I will first give a short introduction of general character concerning some institutional characteristics of Sweden's central government and its organisation, followed by more specific information about institutions involved in one way or another in the process of coordinating Sweden's EU policy at the domestic level. Readers familiar with the Swedish system can skim this section.

Although Swedish society can be depicted as relatively decentralized (e.g. the Swedish Constitution provides the local governments with significant autonomy²⁰), it also bears some traits that could make decentralists disillusioned. One of them is the national administration. In that respect Sweden unquestionably earns its description as a unitary state. A heavily concentrated top-bottom organisation as well as a somewhat secluded policy-making and

implementation in national matters (not to mention a high geographical concentration of the different governmental agencies and departments to the capital) ensure an elevated degree of centralization.

The Executive

In Sweden the executive powers are constitutionally formally separated in two. The Head of State is still formally the Swedish monarch, but she/he has lost all real powers and retains only purely representative functions. The other part of the executive and indeed what is unanimously accepted amongst both citizens and elites as the sole source of executive power in Sweden is the government. The government in Sweden is headed by the Prime Minister, which is appointed through a so called negative investiture vote (Bergman 2004:206) in the Swedish parliament [*Riksdagen*].

Table 5.1: Swedish governments from July, 31st 1945 to our days

	Duration*	Min.I	Min.II	Sec.	Total
Hansson III	14:11	10	5	10	25
Erlander I	23:08	10	5	10	25
Erlander II	36:12	11	4	11	26
Erlander III	11:20	11	4	11	26
Erlander IV	48:05	11	4	11	26
Erlander V	12:04	11	4	11	26
Erlander VI	07:00	11	3	11	25
Erlander VII	27:17	11	3	11	25
Erlander VIII	48:02	11	3	11	25
Erlander IX	47:25	11	4	12	27
Erlander X	12:30	12	5	12	29
Palme I	11:06	12	6	15	33
Palme II	35:26	12	6	15	33
Palme III	36:22	13	5	15	33
Fälldin I	24:06	14	5	18	37
Ullsten	11:30	13	5	18	36
Fälldin II	19:08	14	5	20	39
Fälldin III	16:18	12	5	17	34
Palme IV	35:08	12	7	24	43
Palme V	05:25	12	7	26	45
Carlsson I	30:06	13	7	22	42
Carlsson II	36:15	13	7	22	42
Bildt	36:02	13	7	25	45
Carlsson III	17:14	13	8	24	45
Persson I	29:28	12	9	27	48
Persson II	47:25	10	9	28	47
Persson III²¹	na	10	11	28	49

Source: Own compilation and calculation using Bergman 2003:605-606 and Sveriges Statskalender 2003, 1999, 1997, 1995, 1992, 1989, 1987, 1986, 1983, 1982, 1980, 1979, 1977, 1974, 1971, 1970, 1969, 1965, 1961, 1959, 1958, 1957, 1953, 1952, 1949, 1947, and 1946.

* Duration of the government is measured in months and days, i.e. 12:04 means that (in this special case the fifth government of Tage Erlander) the government lasted for 12 months and 04 days.

Note: Min.I, are equivalent to ministers which are named head of department [e.g. minister and head of the Ministry of Environment: *statsråd och chef för miljödepartementet*] and Min.II represents the ministers without formal responsibility for a whole ministry [*statsråd*]. In Sweden state secretaries are not level positions included in the government, but nevertheless, they are enumerated²² here under the column Sec. as they hold politically appointed top-level positions²³.

After the Prime Minister has been chosen, she or he chooses and presents his government (ministers as well as state-secretaries and a couple of hundred of political assistants, although the latter two are not discussed or in any way presented to the larger public) in a press conference or similar. Afterwards the prime minister holds a speech to the parliament where he/she defines the government's political priorities and goals [*regeringsförklaring*]. As seen above in table 5.1 the general post-war trend for Swedish governments has been to use an increasing numbers of ministers as well as state secretaries. Hence if one includes the state secretaries within the

government (which perhaps is not accurate since according to formal procedures Swedish state secretaries do not enjoy the right of vote in governmental decisions), it is clear that Swedish governments have grown considerably during the last decades, especially since the 1970s. If one does not include state secretaries then the changes in government are “minimal”, or at least reasonably incremental. The numbers of ministers have risen slowly over the decades, going from on average 14-15 during the 50s and 60s to 20-21 the last ten years.

Government Offices and other institutions

Departments are arranged along functional lines, as is traditionally done in most western democracies. Thus departments for e.g. defence, finance and environment hold their own fields under tight scrutiny and are responsible for drafting legislation, administer and work closely with state agencies, local governments and interest groups on issues related to their policy field. This organization is, as hinted above, reflected within the body of central agencies and each agency has its own “mother-department” to which it is, to some extent, connected. Although some argue that this functional organization has always been strictly followed, Pierre (1995a:143) points to two exceptions: the Prime Minister’s Office [*Statsrådsberedningen*], to which we shall return to shortly, and, what at the time was, the Ministry of Home Affairs [*Civildepartementet*].²⁴ Whether the third non-functional departmental arrangement under the guise of the reorganized Ministry of Industry, Employment and Communication [*Näringsdepartementet*, commonly referred to as the Super Ministry²⁵] created after the 1998 elections, has shifted the long term managerial pattern at the departmental level away from functional organization, remains to be seen. In 2003 the Government Offices or Cabinet Offices was comprised of 11 departments (including the PMO) and the Office for Administrative Affairs [*Förvaltningsavdelningen*].

One often noted, but never completely verified (or at least much debated) trait of Swedish central public administration is the separation between the formulation and the implementation of public policies. This institutional separation is set by the Constitution in article 11:7 of the Instrument of Government [*Regeringsformen* hereinafter abbreviated IG] and reads as follow:

“Neither a public authority nor the Riksdag nor the decision-making body of a local authority may determine how an administrative authority shall decide in a particular case relating to the exercise of public authority vis-à-vis a private subject or a local authority, or concerning the application of law.” (Holmberg & Stjernquist 2000:85)

And to some extent, at least according to some (Ragnemalm 1986:9-10 or Berggren 2001), through the prohibition against direct minister ruling [*ministerstyre*] in article 7:3 of the IG:

“Government business shall be settled by the Government at Government meetings. Government business relating to the implementation of statutes or special Government decisions within the armed forces may however be approved by the head of the ministry responsible for such matters, under the supervision of the Prime Minister and to the extent laid down in law.” (Holmberg & Stjernquist 2000:75)

As a consequence ministers cannot (with the few exceptions mentioned above²⁶) by themselves take decisions regarding Government business. Policy planning and articulation is worked out in the ministries [*departement*], while the implementation lies within the agencies [*ämbetsverk* or *myndigheter*]. Approximately 4200 work within the different ministries, while almost 210 000 are employed in state agencies.²⁷ This implies that the separation of administrative and policy making is not only “theoretical” but also in a sense more practical since the majority of expertise and competence can be found in the complex network of relatively autonomous agencies and not within the more politically controlled departments.

This above-mentioned particular characteristic of Swedish administration has puzzled many political scientists. Petersson describes the unusual dilemma of constitutionally sanctioned autonomy for the public administration in its relation to policy-makers as “one of the major

mysteries of the Swedish public life” (Petersson 1989:67). The Constitution declares that the agencies are autonomous with regards to their exercise of public authority versus the citizens and with respect to the implementation of law (under article 11:7 cited above), yet they operate under the Government. It even goes as far as saying (in article 1:6 of the IG) that “The Government rules the country”. One can speculate how the government is supposed to rule the country without infringing upon the rights of agencies to rule independently in administrative matters. Another more intuitive interpretation is to see the central agencies as independent from the departments (officially at least) but not from the government.

The unique Swedish model of administrative governance, with ostensibly independent agencies, and its effect on the coordination of EU issues is not conclusive. Some of my interviewees show that also those involved in Swedish EU-matters do not see it as a cause of difficulties:

...one of those investigation [which looked at the Swedish administrative model] is the one which was done by the then Director-General for Legal Affairs [*rättschef*] at the PMO Bengt-Åke Nilsson. He was responsible for one of those reports and he put his finger on the deciding point: When you are amongst the appointees in a Council working group in Brussels,..., then you are representing Sweden and consequently it is of no importance, as pointed out by Bengt-Åke Nilsson, if you originate from department X or department Y or agency A or agency B or C. You are a Swedish delegate... (interview VII, my remarks)

...no, it was never discussed [asked whether the EU during membership negotiations “challenged” the unique administrative system in Sweden and wonder whether it would cause any problem]. All I say must be interpreted as what I heard in Brussels, but I’m pretty sure that I would have heard something if it was mentioned... (interview IV, my remark)

While other obviously thought that the Swedish constitutional rules regarding the administration were somewhat problematic:

...I usually say the following when asked this question. And I want to make clear that this is my personal view. Sometimes proponents of Swedish administrative culture claim that Sweden has reached its success thanks to the Swedish administrative model. I usually say, privately, that we have achieved our successes *despite* our Swedish administrative model. /.../ one of our biggest problems is really in technical issues, that we do not have the expertise within the department but out in the agencies and that the procedures to get this knowledge “in function” are time consuming... (interview VIII)

...It is a dilemma. I shall willingly admit that I thought that it wouldn’t just become a dilemma but also a problem but it didn’t. There exist a few cases where we actually had problems but they are very, very few. I believe that there are reasons to look at our current model with small departments and large agencies, but not only from an EU point of view but also from other points of view. Although the EU perspective has accentuated the fact that the government lack the formal right to issue instructions.../.../..., it is more a problem of principles than a practical problem... (interview V)

With regards to the overall Swedish administrative structures, this indicates that the alleged difficulties inherent with the Swedish administrative model is not the cause of aggravating circumstances for the principals and thus do not entail larger risks for shirking amongst agents. It is, at this stage, too early (and too far from the goals of this study) to delve longer on this conundrum, suffice for now that it is stated and pondered over.

Ministry of Foreign Affairs

Foreign ministries in every single member states, enjoy a central role in the coordination of national EU policy. The case of Sweden does not constitute an exception to this observation, although the Swedish Ministry of Foreign Affairs (MFA) is not as involved in domestic coordination efforts as deeply as one might originally presume, given its otherwise quite dominating position regarding every process which is even remotely close to affect Swedish foreign policy and/or Swedish positions in international organizations. However the Ministry of Foreign Affairs was heavily involved in the negotiations and preparations prior²⁸ and direct after

the formal admission of Sweden as a member state. The Swedish MFA is especially interesting because it is involved in EU affairs in a multitude of ways. First it is responsible for sending and checking all instructions to COREPER (through the UD-EU unit to which we shall return), but it also houses other units, which are responsible for handling issues within the framework of the CFSP, such as the European Correspondent (*EUKORR*) and the EP unit. Below I only comment on the MFA out of the first perspective, i.e. its institutions and routines with reference to COREPER instructions, while the units involved in CFSP are dealt with later in this chapter.

The Ministry of Foreign Affairs houses two, from the perspective of this study, crucial institutions, namely the EU-unit within the Swedish Ministry of Foreign Affairs and the Swedish Permanent Representation at the EU (PR). We shall of course here concentrate on the former and, to the extent it is possible, ignore the latter (chapter 6 deals extensively and intensively with the Swedish PR). Thus a central institution in the coordination process is the UD-EU unit. The unit's tasks are indeed numerous. Amongst other it has the responsibility to assist the PMO with contacts and common drafting committees throughout the CO.

UD-EU's coordinating responsibilities furthermore implies that it has to steadily update their overall view of legal propositions within EU institutions, as well as the relevant status of drafting committees in both the GO and central agencies. The most essential duty is however to provide instructions to Swedish representatives in EU negotiations, foremost the permanent representation at the COREPER in Brussels. Much like the way in which the relation between the SGCI in France and the French Permanent Representation in Brussels is structured, only the UD-EU unit is allowed to send final instructions to the permanent representation before negotiations in the COREPER (UD PM 1999:55).

The UD-EU unit is a rather small and concentrated departmental section, which in reality does not belong to the department of foreign affairs, though it is commonly mistaken for the Swedish Ministry of Foreign Affairs' own EU unit (even by MFA civil servants!), as a senior official within the Ministry of Foreign Affairs points out:

...I have to say this first, because it is a source of misunderstanding. The Ministry of Foreign Affairs' EU-coordination group is, in practice, the elongated arm of the PMO. It is the PMO that has the principal responsibility, we work for the PMO, ...//...And a lot of other Ministry of Foreign Affairs units misunderstand this and think that the UD-EU unit is going to do the job for them. The Ministry of Foreign Affairs is the only department which hasn't a coordination unit for EU issues; all other departments have one... (interview VIII)

The UD-EU unit is divided in strict policy-specific areas, which coincide with the division of departments within the Swedish GO and the organisation of the Permanent Representation. The former division applies when coordination intermediaries at the UD-EU unit are in contact with other departments and the latter while they are in contact with the PR at Brussels and/or civil servants from individual departments attending their working group meetings. E.g. one single administrator at the UD-EU may be first and foremost the coordination intermediary concerning all EU issues which the Department of Defence has any interest in, hence this administrator handles all matters, such as any joint drafting committee work which may appear concerning certain cross-sectional proposals. But the same administrator may also be a so-called COREPER II coordination liaison officer, which means that he/she handle all matters pertaining to the sending of instructions to the Swedish Ambassador assigned to COREPER II. The UD-EU unit also is responsible for leading the weekly Tuesday consultative meeting. This meeting's main goal is to clear COREPER instructions but also instructions to Sweden's embassies in EU member states. These so-called Tuesday consultative meetings assemble all departments EU intermediaries and usually representatives from the PR in Brussels through videoconference (Statskontoret 2000:30).

Table 5.2: Heads of the UD-EU unit

Period	Name (<i>title</i>)	Unit
Jan 1995 – Feb 1999	Maj-Britt Thårlin-Grufberg (<i>Departementsråd</i>)	UD-EU-SEKR (after 1997 UD-EUS)
Jul 1996 – Mar 1998	Sven-Olof Petersson (<i>Ambassadör</i>)*	UD-EI
Feb 1999 – Sep 2002	Mårten Grunditz (<i>Departementsråd</i>)	UD-EU
Sep 2002 – Apr 2005	Magnus Robach (<i>Departementsråd</i>)	UD-EU
Apr 2005 –	Håkan Emsgård ²⁹ (<i>Departementsråd</i>)	UD-EU

Source: Email from Maria Voldberg, at the Swedish MFA dated from the 27th May 2005.

Note: At first, two units with responsibilities on EU affairs existed within the MFA, both the EU Secretariat [*EU-sekretariatet*] with its awkward acronym UD-EU-SEKR (which changed in 1997 to UD-EUS) and the Unit for European Integration [*Enheten för europeisk integration*]. In 1999 these two units were merged into the UD-EU unit.

* Indicates that this person later also became permanent representative in Brussels.

Since Sweden's accession to the EU, the unit(s) responsible for coordinating and vetting Swedish positions and instructions has had five different directors. None of them did have experience as senior staff to the permanent representation prior to their appointments, although one of them, Sven-Olof Petersson, is currently occupying the position of Sweden's permanent representative and COREPER II ambassador. However it should be stated that many had, in one way or the other, previous knowledge and experience of EU-related work. For example, Sven-Olof Petersson had assisted then state secretary Gunnar Lund in the negotiations of the Treaty of Amsterdam between 1995 and 1996.

Prime Minister's Office and interministerial coordination

The PMO, or even called the Prime Minister's staff, is a surprisingly young institution. It came about in the mid-1960s for several reasons³⁰. One was that the Prime Minister had, oddly enough, been one of the most poor-staffed ministers for a long time. Another reason was to create a small politically sensitive body, which could function as a sounding board for the highest political leadership, a body which wouldn't have to deal with the everyday departmental toil, which easily can break down political ingenuity and inspiration. This historical tradition of a small PMO is perhaps best illustrated by the fact that Per Albin Hansson wrote his speeches on a Remington and his successor Tage Erlander, Prime Minister from 1946 to 1969, initially only had one secretary, one speechwriter and one office caretaker in his staff³¹.

The tip of the coordination "pyramid" of the Swedish government's EU policy is situated within the PMO, although a lot of preliminary management of EU issues takes place in ministries and other bodies within the Swedish Government's Offices. The PMO³² has an explicit responsibility for the government's long-term EU-policy. Consequently the government has appointed a particular state secretary as head of an EU-policy coordination office within the PMO. It is also of some interest to point out the specificity of the PMO compared to other departments within the CO. This "special status" is somewhat comparable to other more "cabinet like" institutions, which surround heads of states around Europe. In the case of Sweden, the decision to move the central responsibility for the coordination of EU issues came after the appointment of Göran Persson as Prime Minister and the installation of his first cabinet in March, 1996. The new prime minister disposed of the position of European Trade Minister (earlier holders of this position were Mats Hellström and for a short period Björn von Sydow) and discussions took place as to where the central coordination of EU issues should be located. Traditionally, and as pointed out earlier, EU coordination was the domain of the Ministry of Foreign Affairs. However the specific competence commanded by the MFA, i.e. its experience to run negotiations and dealing with international organizations, was becoming more and more obsolete as each branch of the GO gained additional practice in EU negotiations. This was observed by the then Foreign Minister Lena Hjelm-Wallén, who was actually the person who strongest advocated³³ the relocation of the horizontal coordination of EU issues to a department other than the Ministry of Foreign Affairs. However the choice of the PMO as the core of high-level coordination of the Government's EU

policy was neither an easy nor a natural one. Especially since the PMO has always been a very small organization, as a high level Swedish civil servant points out:

...but the problem is that we have a tradition in Swedish state bureaucracy, which entails that the PMO and the closest circle of advisors to the prime minister should remain very small...//...a small core. There are always reasons to put everything in the PMO... (interview V, similar quote in e.g. interview XIV)

Despite the “size problem”, it became quickly clear that even a small staffing resources could be put to good use. Coordinative tasks allotted to the PMO with focus on EU issues were accomplished. This is not least shown by the rather successful management of the Swedish Presidency between January and June 2001 (Hedström 2001a, Tallberg 2001b). Although it should be pointed out that a special task force was created within the PMO in order to deal with the Swedish EU Presidency. Some concerns still remain as to whether the solution chosen could have potentially negative effects in the long run on the Government’s ability to coordinate EU issues in an effective manner, and if not a reconsideration of the mechanisms in place would be necessary, as mentioned by an high level official:

...of course the [Swedish] Presidency underlined the need for central coordination. We are now in a position, I believe, where it is quite appropriate for a deeper analysis of how we should, in the future, coordinate EU issues within the Cabinet Offices. There are some countries, foremost amongst them Finland, which have taken the whole step towards locating all coordination, every horizontal queries, on the PMO. In Sweden we have taken, what one might call, a half step. The political coordination takes place at the PMO, while the bureaucratic apparatus is left at the Ministry of Foreign Affairs. This is not a major problem ... but I still consider that it is quite natural to “look back”, to assess the first years and then to decide, I presume in connection with the next elections, what to do... (interview V, my remark)

The key institution for broad and political salient coordination regarding the European Union is the so-called EU-drafting meeting [*EU-beredningen*]. Almost every other Monday, the state secretaries of all departments meet to discuss and share information pertaining upcoming summits and Council meetings. One of the state secretaries within the PMO takes the role of chairman, often, if not always, this is the state secretary for European Union Affairs. The meeting is divided into two parts:

...one is where we go through upcoming Council meetings, i.e. each concerned state secretary presents his/her cases and their positions and this is the opportunity to take care of any eventual misapprehensions. Then we discuss the horizontal queries at hand. It can be summit meetings questions or any else of more horizontal nature... (interview V)

These proceedings are not fully closed, civil servants below the state secretary level do attend this meeting, but only if they are required. The agendas for these meetings are prepared at the PMO (UD PM 1999:43). If the above described institutionalised meeting handle internal coordination within the cabinet offices, the next coordinative congregation is specifically designed to coordinate the Brussels and Stockholm perspective. Following the influences of the English and, to some extent, Finnish, coordination systems the Swedish COREPER ambassadors travel back to Stockholm on Fridays for an informal lunch meeting together with state secretaries and other core executive officials within the cabinet offices. These informal get-together on Fridays have been in place since 1998 (interview VII & LXXV). They gather, amongst other, the Prime Minister’s state secretary for European affairs, the state secretary for Foreign Affairs [*kabinettsekreteraren*], head of the political department of the Ministry of Foreign Affairs [*utrikesråd*], the head of the UD-EU unit, one or two state secretary of the Finance Ministry, EU coordination intermediaries from the Finance and Agriculture ministries, some other people from the PMO and of course the permanent representative from Brussels. This informal Friday meeting is comprised of both higher civil servants within the PMO and senior staff of the permanent representation at Brussels (Statskontoret 2000:29-30).

...but there is also, an equivalent, I suppose one could say, to the Government's lunch drafting session [*regeringens lunchberedning*] but it is not the government. We have each Friday a lunch meeting, which is totally informal...//...and which comprises key persons here at the departments and often the Brussels ambassador attends in principle each Friday. /.../ there are no formal issue presentations, no decisions are made, but it is an informal consultation...//.../...It is, in some way, there that the real continuous discussions on EU-issues take place, but again, no decisions are taken... (interview V, my remarks, similar remarks are made in interview LI)

Interestingly enough, the Friday meetings were not put in place solely because Stockholm demanded it, but according to an interviewee (Interview VII), it was done out of a joint necessity for better information sharing between the top level of the political leadership in Stockholm and the senior bureaucrats in Brussels. The impulse to create this informal meeting did not come from any specific direction, as characterised by the interviewee, it was a common need which was felt by the two sides in order, both Stockholm and Brussels wanted to be in the loop so to speak and to have the opportunity of speaking about sensitive issues which couldn't be written down or sent through normal correspondence, i.e. electronic mails.

Individual ministries

As mentioned above, each and every department has its own EU-coordination office. The office includes at least one EU liaison official whom has the responsibility to assist the UD-EU division in assessing and controlling that jointly drafted instructions are available before EU negotiations start. Personnel working at each individual department's EU coordination office will attend joint meeting for EU liaison officials organized by the UD-EU unit (UD PM 1999:47). The departmental intermediary is responsible for the fulfilment of the following specific tasks:

- “- to continuously monitor of the work with EU issues and proposals within the department's own responsibilities and supervise that drafted Swedish positions are established as early as possible in the decision-making process and at that point to hold a close contact with the UD-EU unit.
- to canalise information, documents and viewpoints between the individual department and the rest of the Cabinet Offices.
- to act as contact person for the Office of the Parliament's Advisory Committee on EU Affairs and monitor that written material stipulated by Circular 2 [UD PM 1999:1-8b, pp.25-42] is drawn up and imparted to the Parliament.
- to uphold good contact with other EU intermediaries at other departments
- to participate to EU coordination meetings on Tuesdays and EU intermediary meetings organized by the UD-EU unit.” (UD PM 1999:47, my remark).

According to the same source the position as an EU intermediary at the departmental level also implies routine work such as, amongst other:

- “- spreading the circular concerning EU coordination within the CO
- monitoring the EU's agenda
- promote the use of the template forms
- guarantee that joint drafting has taken place
- forward the final instruction to the responsible official
- inform the Swedish embassies in EU member states of the department's current instructions” (UD PM 1999:47)

Besides these both formal and informal³⁴ demands on individual departmental EU-coordination officials, the requirements of joint drafting procedures for EU proposals does put an added workload on these departmental “spider-in-the-web” officials. To help them in their drafting and

preparations of EU proposals the departments have drafting and reference groups, to which we shall return shortly.

Below I have listed and gone further into different departments to illustrate the different ways into which one can structure departmental coordination of EU issues as well as the diverse institutional surroundings into which each department is embedded when dealing with EU affairs. Furthermore it is here interesting to put the reality described by the formal instructions for coordination of EU issues written by the MFA's against the actual picture one gets by talking to civil servants within the different departments.

Ministry of Environment

Sweden boasts a long history as a forerunner in environmental policies at both the international and national levels. Thus it seems only natural that the Ministry of Environment should be one of the central ministries in dealing with the EU. This was reinforced during the first half of 2001, as Sweden announced that it would make the environment one of its three priorities for its first presidency. The ministry of environment set up the coordination tasks for EU issues within the department's international unit, which handles other international issues and negotiations. The EU coordination has a very frequent contact with its attachés and other representatives down at the RP in Brussels in order to continuously be updated about the situation down there or as executive official of a department's international unit points out:

...EU coordination is very much a 'hands on' operation, you really can't sidestep that fact, sometimes you have to go in there and be ready to, at all times, 'get dirt under your fingernails'... (interview XX)

Although the department's EU section is in contact with the UD-EU unit in regards to instructions to COREPER, i.e. when an issue reaches the COREPER and the Swedish COREPER I ambassador needs an instruction and briefing before the COREPER I consultations, most of the contact is either between the representatives sent from the department down to Brussels or with the responsible civil servants in units back home (i.e. the department's own units and the bureaucrats responsible for dealing with the topics related to the proposals being discussed in the working group). It is here interesting to point out the fact that much of the preparation and coordination within the environmental department is supposedly taking place directly between the units and their bureaucrats and the representative stationed in Brussels. The same is true with regards to the work with the drafting procedures of EU proposals; it is the individual unit at the department that has the most intensive contact with any eventual drafting and reference groups and state agencies such as the Swedish Environmental Protection Agency [*Naturvårdsverket*], the National Chemistry Inspectorate [*Kemikalieinspektionen*], or the Swedish Nuclear Power Inspectorate [*Statens Kärnkraftsinspektion*] when drafting the Swedish position for negotiations in the Working Group on Environment or in COREPER I.

The responsibility for holding the department's leadership informed of new and upcoming proposals also resides at each unit. Each unit within the department also has the opportunity to raise issues and questions related to actual EU proposals with the political leadership of the department. Consequently each week the various departmental units have time set aside in order to discuss difficult topics within proposals with the state secretaries (each Thursday) and the minister (each Monday/Tuesday). The same is true about the ways in which the department of environment handles the contact down to the RP in Brussels, i.e. it is very much up to the individual bureaucrat handling an issue or proposal to contact and work together with his/her environment attaché at the permanent representation. There are no recurring videoconferences when every unit at the department has the opportunity to raise questions and adjust any eventual discrepancies between the perspectives of Brussels and Stockholm.

Ministry of Agriculture

The Department of Agriculture is understandably also one of the major players in Swedish EU policy, although the important role played by this specific ministry is less due to Sweden's differentiated policy-specific priority on agriculture (which is non-existent) and more to the central role of the CAP which stand for approximately half of the EU's expenditures.

Much like the department of environment the department of agriculture has chosen to set up its EU coordination office within the framework of its own international office. The International Unit [*EUI-enheten*] is responsible for the coordination of all of the department's dealing with the EU as well as other international organisations, such as the WTO, FAO or OECD. It is also responsible for making long terms and long-range (or put in yet another way strategic) analysis as well as making arrangements for employees involved in international work, from the departmental leadership's travels arrangements (e.g. when the Minister of Agriculture attends her/his recurring Agriculture Councils) to the employments of agriculture attachés [*lantbruksråden/lantbruksattachéerna*].

The EUI unit has therefore a central role in coordinating the different departmental units' drafting of instructions to their representatives in the Council's working groups but even more importantly to the meetings within the SCA, Special Committee on Agriculture³⁵, which is what could sketchily be referred to as the "COREPER of the CAP". The fact that the department of agriculture has its "own" senior committee instigates a quite intensive handling and coordination of EU issues, not mentioning the sheer quantity of work that has to be achieved in this single policy area: On top of what was described above, the department also has to prepare a lot of issues and proposals that are discussed within the framework of the COREPER I (such as animal protection, food issues). This has resulted in videoconferences twice a week, on Tuesday and Thursday, where bureaucrats at the department together with civil servants from related agencies, such as the Swedish Board of Agriculture [*Jordbruksverket*], the National Board of Fisheries [*Fiskeriverket*], or the National Food Administration [*Livsmedelverket*] review the agenda for upcoming meetings together with the departments' representatives based at the permanent representation in Brussels. These two meetings are scheduled to fit the policy process schedule of Brussels. On Tuesday, issues belonging to COREPER I are discussed and hopefully solved, and on Thursdays the videoconference centres on next week's SCA meeting. COREPER usually meets on Wednesdays and SCA meets on Mondays and Tuesdays (interview XVIII).

The internal coordination of EU issues takes place at the so-called EU-drafting meeting, which in the Department of Agriculture takes place on Thursday afternoon. This meeting can however be postponed or eliminated if there are no issues at hand. When convened, this drafting meeting assembles the political leadership of the Department, i.e. the minister, the state secretaries and the minister's closest political advisors [*politiskt sakkunniga*], the head of the EUI unit as well as the spokesperson in the SCA and the civil servants which are responsible for the issue/proposal.

Ministry of Foreign Affairs

Although I have already discuss at some lengths the different aspects of the MFA's involvement in EU affairs, and more specifically the role the department plays in coordinating instructions to COREPER, I have intentionally omitted the parts that relate to the handling of CFSP issues earlier as they are to be presented here.

Within the framework of the CFSP, two units appear as especially important. The largest of them is the UD-EP unit or European Security Policy Unit, and it is here that the main work on the drafting and preparations of CFSP instructions regarding ESDP³⁶ issues to the different committees³⁷. This unit is not the sole unit involved in CFSP analysis and drafting of instructions amongst other to the Swedish representative to the PSC (Political and Security Committee).

According to sources within the Swedish ministry of foreign affairs (see interview XXV) UD-EP has a lot of contact with other units with the Cabinet Offices mostly UD-EC (the Swedish Ministry of Foreign Affairs' division for Central and Eastern Europe and especially the Western Balkan section) and UD-GS (Swedish Ministry of Foreign Affairs' unit on global security) but also with the Department of Defence and its SI-unit (division for International and Security Affairs).

However despite being one of many departmental units in charge of drafting instructions and standpoints within the field of common foreign and security policy, the UD-EP unit holds an important, if not "spider-in-the-web" role in these issues and an almost exclusive (together with the Ministry of Defence) role in ESDP issues. They have a highly developed and intense contact with the civil servants based in Brussels, although no formal or institutionalised form of contact (e.g. through weekly videoconference or other scheduled meetings) exists, the persons working within the EP section do have a lot of informal contact with their counterpart at the Swedish permanent representation. The more "formal" interaction is handled through the second important unit, namely the European Correspondents (hereon abbreviated through EUKORR).

The EUKORR is a small unit that has the formal coordination responsibility for CFSP issues. It comprises relatively few employees (in fact only four employee work there when fully staffed³⁸: three bureaucrats, amongst them one head of unit and an assistant head of unit, and one secretary) and is a unit which is tightly associated to the Director-General for Political Affairs [*Utrikesrådet för politiska frågor*], one of the six senior (non-political) officials. The EUKORR handles a variety of issues which are comprised within the wide framework of the CFSP and has therefore a broad network of contact with many of the Ministry of Foreign Affairs' units. The unit's main task is to relay, control and review instructions to the PSC and RELEX³⁹. The European Correspondents also have the task to assign different PSC and RELEX agenda items to the various units. Even though the agenda of the PSC is widely distributed to all units within the MFA and to some selected units within Departments of Defence or Justice, it is the EUKORR which has the last word when "handing out assignments".

The EUKORR has the formal right to review and alter the instructions, which it receives from the units, which have formal responsibility for drafting the same instructions. This is done in close cooperation with the Director-General for Political Affairs. Formally EUKORR is the sole actor, which has the authority to convey instructions to the permanent representation concerning issues dealt with by the PSC and working groups under the PSC's jurisdiction.

Having only three senior bureaucrats, the unit bears a heavy workload. The first official (head of the unit) supervises the work and has the responsibility to prepare the so-called GERC (General Affairs and External Relations Council) meetings; the second (assistant head of the unit) handles all PSC issues as well as some other issues but mainly PSC; and the third official handles issues within RELEX and some horizontal CFSP issues to which the EUKORR unit also writes their own instructions (without the help of other departmental units). However since the workload within the second pillar is gaining in intensity, the work in Brussels within the Council also means that there are some (in fact quite a lot) working groups attending to several issues (most working groups are regionally divided so that each and everyone is responsible for a certain geographical area). The instructions to these working groups, which are subordinate to the PSC are however sent directly from the units to the representatives in Brussels.

Although characterized by some as a form of advanced mailbox:

...I'm not sure that they [EUKORR] would say the same, but they function to 95% as a mailbox....
(interview XXIII, a very similar, if not to the very phrasing, attitude is expressed in interview XXV)

The EUKORR has some crucial responsibilities to fulfil, one being not least the role of a coordinating body with the possibility of using its “holistic and broad” view on Swedish foreign policy within the framework of the CFSP to ensure that Swedish CFSP policy is consequent. One example is that Sweden has for a long time now argued for the downgrading of the political dialogue with third world countries⁴⁰ in an attempt to rationalize EU’s political dialogue, i.e. that EU’s meetings with third world countries should be recurring but based on a need to meet basis. This is however hard (quite logically) for individual units to understand:

...the units tend to see this isolated from their horizon, of course. For example, if you work within the Middle-East unit, then you are very solicitous of the EU’s dialogue with Middle-East countries because you think that this contact is extremely important. Our task is then, given that we welcome a rationalization and downsizing of the number of recurring meetings in general, that we shouldn’t have any exceptions for particular fields... (interview XVI)

The EUKORR unit therefore plays an important role by both coordinating the work effort, and therefore rendering it more effective, in CFSP issues to the right departmental units but also by ensuring that coherence and consequence characterize the government’s CFSP policy.

Ministry of Finance

The Ministry of Finance is also a central actor in the handling of EU issues, not least the Swedish Government’s explicit budget restrictive policy has given the Ministry and especially its budget section a prominent position in the domestic drafting and handling of almost every EU proposal. In fact some interviewee characterizes the Ministry of Finance as a sort of veto player or at least they portray the ministry as the spider in the web (e.g. interview LXXVII).

In a similar way to the Ministry of Foreign Affairs, the Ministry of Finance holds a dual role in that it is supposed to handle its own EU affairs, i.e. by participating and preparing in its own committee meetings, such as the important Budget committee which has the arduous task of preparing and negotiating the EU’s budget. Of course other committee and working groups exists which demand the explicit participation of bureaucrats from the Ministry of Finance (ranging from anti-fraud working group to AGRIFIN, a working group involved in financial aspects of agricultural issues), but the Budget committee is never the less the most important, since, as one senior official within the Swedish government offices so conclusively describes it below, the budget eventually allows (or prohibits) every major political initiative:

...it [the budget committee] is more prominent in so much that if you are going to pursue political initiatives, and it is the same thing in Brussels as in Stockholm, if you want to accomplish something you are going to need money... (interview XIX)

But apart from the fact that representatives from the Ministry of Finance have numerous tasks in Brussels to attend to (and to prepare for), the department is also supposed to a large extent participate in the handling of any other EU proposals, which have a significant budgetary impact in other departments. This is of course a very heavy workload, since the number of proposals with some or any budgetary consequences is very large.

While the main workload regarding the handling of EU proposals is placed within the EU-division, which is one of seven line division (and one staff division) within the Ministry of Finance’s budget department [*Finansdepartementets Budgetavdelning*, abbreviated Fi-Ba hereinafter], some work also takes place within the smaller⁴¹ international department [*Finansdepartementets Internationella avdelning* abbreviated Fi-Ia hereinafter]. The latter is foremost responsible for Sweden’s participation in international economic and financial cooperation; in addition it deals with EU matters concerning financial support to countries outside the EU. It also looks after economic policy cooperation in the EU, for example, Economic and Monetary Union (EMU), and also coordinates preparations at the Ministry leading up to ECOFIN Council meetings (meetings of EU finance ministers), the Economic and Financial Committee and the Economic

Policy Committee⁴². The former, Fi-Ba, prepares and coordinates every aspect of Sweden's contribution to the EU's budget and thus also coordinates ECOFIN meetings, and Budget Committee meetings.

Drafting and reference groups

According to normal drafting procedures regarding propositions put forward by the government to the parliament, the domestic drafting of EU proposals is also characterized by the fact that interest organizations and others (such as e.g. central agencies or other actors claiming some form of expertise) may influence the government's viewpoint. In the case of the coordination of EU issues this is done through the many drafting- and reference groups [*berednings- och referensgrupper*] set up by the government to that effect. These groups can also take on drafting initially described through article 7:2 of the IG:

“In preparing Government business the necessary information and opinions shall be obtained from the public authorities concerned. Organisations and private individuals shall be afforded an opportunity to express an opinion where necessary.” (Holmberg & Stjernquist 2000: 75)

Reference groups specifically created for this purpose have allowed departments to consult and share information with interest organizations which hold, so to speak, vital interests in the field. These comprise all the possible organizations, ranging from labour organizations and employer's association to local and regional government's association. The drafting groups are composed of mainly central agency personnel with expert knowledge in certain areas although some departmental official also join in. These groups are supposedly used to enhance the efficiency of the joint drafting procedures of EU issues. In 1997 there were approximately 100 drafting and reference groups, although number tend to fluctuate over time (Halvarson *et al.* 1999:125). Not all of these 100 drafting and reference groups were however involved in EU issues.

The circular on EU coordination points to the fact that just because a position has been discussed and drafted within the framework of an drafting group does not mean that it automatically fulfils the requirements put on every EU issues in regard to the joint drafting procedure. The UD-EU unit, the PMO and the Department of Finance's budget division must receive prior notification and summons to each and every drafting group meeting as well as eventual memorandums from the proceedings (UD PM 1999:48). Each department is free to choose under which form it will consult and inform interest organizations and the practices for its drafting groups.

However some restrictions apply, first the groups proceedings are regulated by the Official Secrets Act's part on relations with foreign powers. This implies that the members of drafting and reference groups are sworn to the duties of secrecy in regards to what is being said in those groups (Halvarson *et al.* 1999: 125). Second, the departments must report to the UD-EU unit which EU drafting and reference groups they have set up within their field, the name of the chairman and the contact person of respective group. The UD-EU unit must establish a register over these groups, which must be updated once each year and imparted to all the departments (UD PM 1999:48).

Although some advisors and bureaucrats mention the use of drafting and reference groups when discussing the drafting of standpoints and positions for negotiations, they are in no way specific and their use seems to be restricted. Overall it seems that much of the work done within normal drafting and reference groups is not applicable when dealing with EU proposals. One factor could be that the EU directives and legislative propositions are based on a broad and European view and set out to accomplish goals and effects on the European level, thereby leaving little for national interest organisations to discuss. Another, in some way opposite, explanation might be that the interest organisations and central agencies already have had a chance to influence the bill

through their contacts with the Commission and the responsible DG. Either way, drafting and reference groups do not play a ubiquitous role in the domestic coordination and handling of EU issues.⁴³

Parliament's Advisory Committee on EU Affairs

EU membership puts strains on the relationship between the legislative and the executive powers of member states. This is mainly due to the fact that it is the government, and not the parliament, which represent the country in the Council, the central legislative body of the EU. Not making an exception to the rule, Sweden's Parliament "armed" itself with an EU Affairs Committee⁴⁴ to monitor the government's positions at Council meetings. The authority of the Swedish Parliament's Advisory Committee on EU Affairs (hereinafter abbreviated by EU committee) is given by chapter 10 of the Riksdag Act, and more precisely chapter 10:5 as stated below:

"The Government shall inform the EU Advisory Committee of matters before the Council of the European Union. The Government shall also confer with the Advisory Committee regarding the conduct of negotiations in the Council prior to decisions which the Government deems significant, and on other matters which the advisory Committee determines.

If at least five members of the EU Advisory Committee request consultations with the Government under paragraph one, the Advisory Committee shall make arrangements accordingly, unless it finds that associated delay would result in serious detriment." (Holmberg & Stjernquist 2000:132)

The EU committee contained, for the 2001/2002 Riksdag session, 17 permanent appointees and 31 substitutes (interview VI). The large numbers of substitute follows from the rather unique status of the EU committee. This committee has unlike the Standing Committees of the Riksdag to review proposals ranging over the whole spectrum of policies, from competition laws to agriculture commodity prices, passing through regulations on tobacco infomercial, social security directives and economic support from EU's regional funds. Demands for a broad knowledge amongst the committee's members are imperative and all of the appointees and substitutes also sit in one or more of the Standing Committees of the Riksdag.

Even if this institution has covered some ground during its first years and mustered significant experience in handling EU issues and monitoring the Swedish government's behaviour in Councils sessions, alas it is sometimes still portrayed (especially in the press⁴⁵) like a playground for ideological fights instead of a significant "veto-point" (Immergut 1992) to the government's positions in Council meetings. Perpetual skirmishes are fought over whether or not the government did indeed supply enough information to the EU committee⁴⁶ and sometimes whether the government followed the committee's "mandate" for a standpoint towards a specific proposal to be decided at the Council⁴⁷.

The institutional structure inherent in the solution chosen by the Swedish Parliament concerning its ability to monitor its government's behaviour within the Council is however hampering an early mandate from the parliament, since the EU committee only "enters" into the policy making process at a late stage, i.e. when the proposals go up to the Council (Hegeland 1999:104). However it is also true that many EU proposals (especially those who are contested) often do appear several times on the agenda of the Council before finally reaching the stage when it is the object of decision by the Council, thus the EU committee has numerous opportunities to exert a, compared to the policy process, parallel influence (provided of course that the EU committee uses its power of oversight).

Since the government and the EU committee usually meet quite late in the decision-making process, some issues may already be "decided", although formally the EU committee still has the right to insist on changes in the government's position it could some time be too late. This is

actually something which the EU committee's own chairman usually points out to overly eager critics of the government within the committee:

...sometimes, for example on the topic of energy, there is a domestic political debate within the EU committee, then the chairman usually points out that: "This is something that you'll have to discuss in the plenum or in the Standing Committees.". The risk is namely that some appointees to this committee who also sits in one of the Standing Committees don't interest themselves with the issues until they show up in the EU committee. These members, which haven't discuss the issue earlier, thus begin to get all excited and worked up in the EU committee, but then the chairman usually reminds them that "This is an issue which belongs in a Standing Committee"... (interview VI)

Hence time seems to be often the cause of trouble for the EU committee. This is especially true in EU issues that are urgent and thus have to be decided on rather quickly, as is the case for numerous matters within the domain of the CFSP. In other situations such as e.g. when Sweden hosted the EU Presidency in the first half of 2001, time becomes a critical ingredient. This has been solved by the government through the creation of a special "EU committee" (referred to as *lilla EU-nämnden* in Swedish, see e.g. Ruin 2002:58) or more adequately a "core EU committee":

...we have from our side, and most prominently in horizontal issues, declared that we are willing to have an earlier consultation with the EU committee, sometimes we have chosen to do so informally in a constellation called the "core EU committee", i.e. one representative from each party. This is used to orientate on issues not ready for decision yet and we used this mechanism very often during the presidency when the government wanted to stress that we must continue to consult on Swedish positions, but we cannot consult the EU committee on presidency position. If we did that we would have to consult all the fifteen member states' parliaments... (interview V)

The government showed that time issues could be solved through the use of institutional innovation. By creating this "core EU committee" an institutional link between the executive and the legislative was created, thereby accommodating both the principal's (in this case the parliament) needs for "inexpensive" monitoring capability and the agent's (in this case the government) need for efficient handling and a certain flexibility of control requirements. It is noteworthy to mention that the core EU committee was actually established following a proposal voiced by the opposition parties to the prime minister in anticipation of the Swedish presidency (Ruin 2002:58).

The Swedish EU committee plays an important role in controlling the government's EU policy and, as voiced by many of the interviewees, its injunctions are respected. When the parliament doesn't give the government a mandate of negotiations, then the issue or proposal is often postponed by the PR bureaucrats in Brussels. This is quite common and a "no" from a national parliament is often respected amongst national negotiators in Brussels, at least for a while. Should a country become isolated, pressure is put to bear and normally the committee "yields", as a civil servant from the permanent representation remarks:

...the EU committee almost always think that it is more important to get a specific directive through than to respect Sweden's specific viewpoint on exactly this issue, so you often get increased negotiation margins in order to find a solution, it is quite normal... (interview LXXX)

Though this can be perceived as complicated in terms of agency loss in the eyes of the parliament, the alternative is no better since it often includes an even worse position. In relative term, the parliament may therefore be better off by "giving away a hand in order to save the arm". This refers us to the fact that national parliaments in fact have limited ability of stopping package-deals from being voted through the Council once they've been agreed upon, or as Abromeit (1998:4-5) states: "Council decisions are usually more or less precarious compromises based on complicated package-deals. Governing majorities in national parliaments are put under some pressure not to wilfully destroy those precious achievements of negotiative art;...".

Coordination of EU affairs in Stockholm

Below I will first give a broad (and somewhat ideal) description of the coordination process in Stockholm, thereafter I will concentrate and analyse the components of this process.

The permanent representation receives and registers all proposals for new laws and statements (such as e.g. green- and white books) that emanates from the Commission. This register is later used by the UD-EU unit that sends a list of all proposals and statements issued by the Commission every month. However this function is more important for the successful achievement of registration compliance, rather than for the coordination process. As well as registering COM-series documents (papers issued from the Commission), the PR also sends every proposal and statement to the UD-EU unit as well as the Offices of the Parliament [*Riksdagens kammarskansli*]. The UD-EU unit then sends all the proposals further to the individual departments (including of course the PMO), or more specifically the EU coordination intermediary at each department. Each and every department then proceeds to an assessment of the proposals and identify those within the departmental sphere of interest. If called for the proposal is summarized in what is called a fact memorandum [*faktapromemoria*] and sent over to one of the Standing Committees of the Swedish Parliament⁴⁸. Meanwhile the proposal is then assigned, by the responsible EU coordination intermediary, to an official within the department, who processes the proposal, together with other departmental official to attain joint drafting [*gemensam beredning*] if the need for it is present or even with the help of one or more of the drafting and reference groups devised for this purpose. The results of this drafting, whether it is joint or individual is summarised in a draft for instructions or more precisely a position memorandum [*ståndpunktspromemoria*], which is forwarded to the negotiating official, whether it be at the working group or the COREPER (or any other committee for that matter) level. COREPER related position memorandums are however first discussed and presented at the EU consultation session [*EU-samrådet*] each Tuesday afternoon. This session comprises all ministries represented through one of their EU-coordination intermediaries and, often through videoconference, representatives for the permanent representation at Brussels (UD PM 1999:46 or Statskontoret 2000:30-36).

Although a much unembellished and somewhat idealistic description of the basic functioning of the coordination process in Stockholm, this above mentioned picture does give a representation of what constitute the “normal” proceeding regarding EU issues. This, seemingly idealistic, portrait can however be treacherous. Several complications and pitfalls remains to be explained before the full picture of the Swedish coordination of EU issues at the domestic level can appear. One such “complication” in the understanding of coordination at the domestic level is that there is a differentiation depending on the level to which the specific EU proposal is being treated in Brussels, e.g. only the MFA has the right to give instructions (through the UD-EU unit) to COREPER, while instructions pertaining to issues and proposal in working groups are handled through the individual ministries’ channels for EU issues. This is not the only single development of the above-described very simple picture. There also exist substantial differences with regards to which field the proposal or issue belongs, as explained below.

Procedures e.g. regarding CFSP issues or second pillar issues are somewhat different. For one the permanent representation doesn’t send any so-called Monday notes⁴⁹ [*måndagsnoter*], instead the PSC section at the representation is responsible for sending a commented agenda⁵⁰ to the EUKORR unit which then is responsible for allotting different topics to the various departmental units. The commented agenda is of course sent to other units (not only to the European Correspondents), but it is the EUKORR unit that formally assigns different issues to respective unit. After having reviewed the case and drafted, in cooperation with the case official at the permanent representation (and together with any additional unit if there is a need for common drafting), an instruction, the unit then sends its final instructions to the EUKORR unit

which then, after a final check, sends it through to the permanent representation and its PSC section.

The above-described processes can almost be seen as ideal types or at least as a description of a course of actions which hold a high analytical value in that they describe a set of chronological events and allow us to highlight deviations from these procedures. Below I concentrate on some of the aspects vital in the handling and coordination of EU issues on the domestic level, i.e. in Stockholm.

Joint Drafting & sending instructions

EU propositions and other EU related matters are always coordinated through the responsible departments although all coordinating joint draft committee sessions must permanently include the UD-EU unit, the PMO and Fi-Ba. The latter is included because of general financial reasons:

..., generally, and this the line ministries tend to forget, some proposals might have a rather important impact on the budget and the Finance department has also points of view on the use of the EU budget, so that the long term budget isn't jeopardised... (interview VIII)

The formal procedures are as follows: Each and every one of the proposals from the commission is forwarded to the UD-EU unit through the permanent representation in Brussels. These propositions are then sent to all ministries. The concerned ministries then proceed to the actual coordination and drafting of a common Swedish position on proposals that they have primary responsibility for. This should (in theory and according to the MFA's own memorandum) always be done in joint drafting session together with the UD-EU unit, the PMO and the Fi-Ba, irrespective of how many departments are needed to prepare a position memorandum and irrespective of policy fields. However given the rather heavy workload often put on the few officials sitting at the rather, in comparison to other countries, under-staffed departments, the rule of joint drafting, as a principle, is not lavishly followed, as a senior civil servant within the Ministry of Foreign Affairs points out:

...the principle of joint drafting procedure is generally valid under all circumstances, but I doubt that it is followed in practice. Maybe there is no need to be so formal especially on lower levels... (interview VIII)

This observation seems almost diplomatic compared to other much more direct answers on the use of common drafting and the stringency which is implied by the MFA's memorandum on the fact that common drafting always must include the UD-EU unit, the PMO and Fi-Ba:

...no [when asked whether common drafting includes all three, UD-EU, PMO, and Fi-Ba], I would say that we coordinate our drafting foremost with the Ministry of Finance, then the MFA and to some extent with the Ministry of Industry, Employment and Communications.../.../...but PMO is usually involved when there are major problems between ministries in views and positions... (interview XVIII, my remark)

The same view is expressed by a "senior" desk officer:

...to get the PMO involved isn't part of the normal drafting procedure, when a question of a certain dignity arises then the PMO itself gets interested... (interview XXV)

In fact it would seem that the procedure for common drafting is very much more based on a need to know basis and take place in less sophisticated way than is implied by the MFA's memorandum on EU issues (UD PM 1999). Thus informal networks are quickly established within which certain types of issues are discussed and solved. E.g. many bureaucrats within the UD-EP unit consider that the basic demands of common drafting are satisfied if and when they check their instructions with the Ministry of Defence. Of course should a question or proposal within the framework of the CSFP raise serious costs liable to charge the budget, the UD-EP unit coordinates this issue with the Fi-Ba.

This fact can also be linked to a more general observation on the ways in which ministries within the GO cooperate and coordinate their actions. Joint drafting and what could be called internal serving [*delning*] is an old tradition within the Swedish central administration. However the workload and circumstances under which the different ministries are active has changed during the years and difficulties pertaining to the internal serving of propositions (whether they are EU issues or not) have lately become more common. The procedure used today for internal serving within the GO often is characterized by a procedure, which could be referred to as a silent procedure [*tyst procedur* or *tyst delning*]. Silent procedure implies that if a ministry or department has not responded or reacted to a proposal within a certain timeframe it is supposed to have nothing to say (this definition is confirmed in other interviews e.g. interview XII) on this specific issue. This indicates that the wording of a proposal or instruction to a committee or working group in Brussels is adequate. The rule also states that at least five whole workdays must be left for the receiving ministry to handle the matter and some ministries have used this procedure to various extents. The problem however, as is pointed out in Landahl's (2003:51) report (see subsection "*Last minute*" limitations of the study in chapter 3), is that this is not stated explicitly enough. This would point to the fact that while internal serving preceding any eventual joint drafting regarding EU issues might take place it is often in the form of silent procedure, especially towards the PMO. The PMO involves itself only in drafting if there are clear signs of interdepartmental disputes that couldn't be solved at the lower level (i.e. desk officer-, unit director- or state secretary level). Another problem (not explicitly mentioned in the Landahl report) is of course the lack of resources, while five workdays might seem a long period; the staggering amount of information which flows onto the central civil servants' desks (or email folders) is a sufficient reason of non-compliance to the silent procedure.

Regarding new proposals from the Commission, the memorandum on coordination of EU issues and drafting of common positions on EU issues within the GO states that a position should be jointly drafted at the latest five weeks after the proposal has arrived from the Commission (Statskontoret 2000:33). The coordination of COREPER instructions follow the exact same procedures as any proposal except that the coordinating and drafting work within the GO for each and every issue ends with the above-mentioned Tuesday session, where the final touch is put to the instructions. The position memorandum, or instructions, for proposals still at the working group level are handled through the individual departments. Each department is responsible for and has to supply instructions for Swedish positions to the Swedish representative in his/her specific working group in time. Consequently the relation between Brussels and Stockholm in issues still at the working group level is very much handled through departmental contacts, as the following statement from an anonymous high-level official at the Swedish PR makes clear:

...in the working group where the negotiating and drafting of proposals begins I act on instructions and after my report back home, I discuss with my counterpart within the department and we try to decide what to do at the next working group meeting. You are therefore constantly in a dialogue with your counterpart back home at the department... (interview II)

Thus it appears that the coordination of EU issues is somewhat differentiated depending on which level the proposal is within the internal Council system of decision-making. Although initial joint drafting is required for all EU proposals, regardless of their status vis-à-vis the EU decision-making process, this principle of joint drafting may not be operational in all circumstances, especially not at lower levels, such as working groups or regarding proposals which are politically totally uninteresting, e.g. technical renewal of directive frames or guidelines and the like.

Other noteworthy observations must be highlighted regarding the sending of instructions and positions to Brussels. Even though we have earlier pointed to some substantial differences

between procedures for working group instructions and COREPER instructions, one similarity appears when reviewing our empirical material: Namely, the speed and the sometimes “last minute” character of these procedures:

...time is often short so if there is something that needs to be changed, then it is often through the use of mobile phones. It is possible to reach the Antici official inside the meeting room. Because they have mobile phones with vibrating alarms, so they just step aside, and don't even have to leave the room. So purely theoretical it would be possible for an official to speak with Gunnar [name of the then COREPER II Ambassador, Gunnar Lund] directly and I know for a fact that the foreign minister talked with Gunnar Lund on certain specific issues close to the meetings. Then we, in formal terms, send an additional instruction, a consolidated version, which replaces the earlier instruction. This is quite common... (interview VIII, my remark)

Another civil servant from the permanent representation confirms the common use of mobile phones, even to send instructions (!). This specific bureaucrat mentions that she/he is lacking instructions approximately once every month:

...due to omission in the Government Offices. In those cases I even sometimes received my instructions through the phone on my way to the meeting... (questionnaire swe 14)

Actually the pace which characterises certain parts of the policy and domestic coordination process is rather peculiar, especially when compared to the common metaphorical portrayals of EU proposals and the EU decision-making system as closer to the tortoise than to the rabbit⁵¹. It would appear that decision-making processes in Brussels are tortuously slow in one aspect but speedy in another. One possible interpretation is that coordination of EU issues in certain instances or within certain specific policy spheres is not as ingrained as other coordination. This may explain the difference between the decision-making processes' speeds at the meta-level compared to micro-level.

In CFSP issues, although the formal act of delegation states that the European Correspondent unit has the responsibility and authority to send instructions, it never the less happens that instructions are sent directly from the responsible unit at any given department to the bureaucrat at the permanent representation involved in the negotiations, although it is rare:

...in very rare cases,...but this happens very, very seldom, in this case it is a question which appears at the last minute, for example that the chairman [of the committee] announces that yet another item will be discussed under this meeting, then our representation would have to take contact directly with the departmental unit... (interview XVI, my remark)

It is clear however that the role and existence of the European Correspondent and their closeness to a political sensitive senior official such as the Director-General for Political Affairs indicates the establishment of a sort of police patrol by securing that all instructions to the PSC and RELEX actually pass by the EUKORR. This ensures that the instructions are checked and reviewed in the light of a broader political perspective and that the Director-General for Political Affairs has the possibility of reviewing any negotiation directions that do not fit the government's overall CFSP policy. The problem is of course to which extent does this system actually fulfil the requirements of an “police patrol”, put in other words does this mechanism really allow to minimise the risk of “rogue positions” being presented in working groups and committees in Brussels?

Formal instructions have to pass the reviewing eye of the EUKORR unit, but most of contact and discussions pertaining to the writing of instructions between officials at the permanent representation and bureaucrats in departmental units, such as UD-EP, aren't included in the traffic available to EUKORR. As pointed out by a high level official within the MFA:

...the responsible officials down at the representation were the ones which had permanent contact [with the officials at the departmental units]... /.../...there is a rule, an unofficial rule that during the process of drafting the instruction,...I only interrupted and influenced as a last resource, except when

the process was evolving in a manner which I didn't expect. In those cases I phoned the Political Director [Director-General of Political Affairs] or the EP Director [Head of the UD-EP unit]. But a lot of these dealings went on and still go on between officials and aren't visible within the framework of the official instructions... (interview XXIII, my remarks)

To balance this picture one could always point to the fact that the results of these unofficial contacts had to be sooner or later presented in formal instructions before they could be used in negotiations. Last but not least, the exact nature of the EUKORR is somewhat to pinpoint given that this function was actually not instigated by the Swedish government but is an institutional impulse from the EU. The network of European Correspondents was set up by the EU to allow for a smoother preparation of PSC meetings. Consequently it was not originally set up as a *police patrol* although it might be deemed to function as one nowadays.

Institutional rivalry & conflict managing

It has also been noted in some internal reports⁵² made for the GO concerning the personnel working at the GO that a certain territorial thinking exists or at least persists within the organisation. Even if this territorial thinking is always hard to prove, it is also a well-known and accepted fact that departments commonly resort to fighting amongst themselves, a symptom of "Whitehall pluralism"⁵³.

...it [the interdepartmental rivalry] is always there. It has to be there, it is a part of the drafting process, Fi-Ba and I have for most of the time precise mandates and they are contradictory with for example the views the UD-EU unit is suppose to argue. So I see it as completely natural.../.../ But of course there are many other issues which can become subject to controversies, for example the enlargement process is a question which in any case risks to create a conflict between the political goal, which is to be as promoting as possible in the enlargement process, which one could say has being the standpoint of the UD-EU unit in the discussions, while Fi-Ba's role which must also be to point at the cost side which is not easily handled. So that the political goal of getting as many candidate countries as early as possible may very well be in conflict with the budget that we have for the years 2000-2006, which actually doesn't allow for more than six countries without making changes in the budget... (interview V, my remark)

While this type of conflicts is more common in more continental administrative systems where the vertical integration in each and every line ministry is much stronger, it is important to be aware of the repercussions of internal strife, as explained by a civil servant from the permanent representation:

...what is worst is when one has instructions but we can't agree on positions in certain specific questions, due to internal differences or incomplete analyses. Then one often gets left behind in the negotiations while you [Stockholm] are trying to make up your mind... (questionnaire swe 03, my remark)

Governmental decisions in other member states executive organisations are often made by individual ministers or ministries, in Sweden, governmental decisions are taken collectively, in the name of the government. This together with the consensus building mechanisms inherent in the joint drafting procedure, see above, allows for minimal but still not nonexistent territorial tussles. The principle of coordination and attaining a common position within the GO given interministerial rivalry or dissent become apparent is the following:

...first one speaks from one official to another official. If an agreement within the forum of joint drafting cannot be reached, the issue is lifted to the level of the Heads of divisions [*enbetschefsnivån*]. If an agreement still cannot be reached the issue is lifted to the political level, and that is where the state secretaries discuss the matter. Finally it is up to the ministers themselves and if the ministers cannot agree then it is the PMO. It is then, in practice, State secretary Lars Danielsson who gets to be the final arbitrator, but that is extremely, extremely rare... (interview VIII, my remark)

The PMO, as stated above always tries to let the lower echelons within the GO reach an agreement before moving the issue up to a higher level, so the interventionist behaviour of the

PMO in its coordinative tasks is kept at a minimum, as a top level official within the government points out:

...we always try to “push down” the issues rather than to step in too early. The normal procedure is that we try not to supervise and steer at the early stages of the preparations and coordination of EU proposals. What we use to supervise and control are other processes, for example the informal consultation, I believe that these have a more apparent “steering” effect but in a pre-emptive way so to speak... (interview V)

Another form of institutional rivalry, and perhaps a more “dangerous” one, is the one between the Riksdag and the government. As described above several reasons for friction between the legislative and executive institutions exist. One of them is the occasional disagreements over the degree and the depth of consultation through the EU committee. Another rather delicate issue is the one of fact memorandums. Each proposal that arrives from Brussels, through the PR and the UD-EU unit, each department must carefully be revised and analysed and a so-called position memorandum worked out. However proposals that are deemed *important* from a Swedish point of view or otherwise politically *significant* must be translated or summarised into a fact memorandum.

These memorandums must in turn be handed over to the Standing Committees of the Riksdag. Since the Standing Committees have limited amount of resources of time and manpower to cover every aspect of their fields, and taken into account that the EU proposals are both numerous and quite complicated, the fact memorandums are essential for the possibility of members of parliament (MP) to acquaint themselves with relevant EU-law proposals, thereby making a qualitative review of EU proposals within the legislature a reality. The problem is that there are no consistent criteria or definition guidelines for what constitutes an important proposal (Hegeland 1999:100). Thus without a clear and explicit definition of which EU proposals are important the system is faulty and prone to severe inefficiency. Different departments have had for a long time seemingly very different principles for choosing which EU proposals are to be presented as fact memorandums, as is shown by the Standing Committee on the Constitution’s report over different departments and departmental sections (See *Konstitutionens betänkande* 1999, section 2.3). Even though certain guidelines are available in both Circular 3 “Guidelines for drafting within the GO of Swedish positions regarding EU issues” and Circular 2 “Early information for both the Standing Committees and the Parliament’s Advisory Committee on EU Affairs” of the MFA:s manual for coordination of EU issues (UD PM 1999), these said guidelines do *not* provide a clear definition⁵⁴.

Within the CFSP field, the main departments involved in cooperation and coordination when it comes to drafting of instructions and standpoints are three: The MFA, the Ministry of Defence and to some extent the Ministry of Justice. In some cases there are differences in views and perspectives between them:

...it isn’t that unusual that they have different opinions between the departments and it isn’t that unusual that officials do not resolve their differences, so that the issue simply has to be lifted up to the state secretary or the minister... (interview XVI)

This view is substantiated by other civil servants within the MFA, which points to differences especially between the Ministry of Justice and the MFA and most specifically in issues pertaining to the civilian part of the crisis management aspects of the CFSP (mostly within CIVCOM, the so-called Committee for Civilian Aspects of Crisis Management⁵⁵). Coordination hitches are also encountered in the relation between the Ministry of Defence and Ministry of Justice:

...parts of the problem that exists between the Ministry of Foreign Affairs and the Ministry of Justice is dependent on, partly dependent on slightly different view on the substance.../.../...CIVCOM handles issues related to Rescue Services [*Räddningstjänsten*]. The Rescue Services in Sweden are under the supervision of the Ministry of Defence which often leads to friction... (interview XXV)

It seems clear that inter-ministerial conflicts and disputes do occur quite often under the process of common drafting and when trying to find consensus on a joint position. These interdepartmental skirmishes are seldom noticed by the PMO and thus cannot be qualified as serious breaches of interdepartmental cohesiveness.

The Level(s) of Coordination Ambition within Different Pillars

As Kassim & Peters (2000) very accurately points out one may reason to the success or respective the failure of coordination mechanisms might reside in what he identifies as *policy ambitions*. These are in turn closely linked to the *conception of coordination*, since it can, without to much academic acrobatic manoeuvres be shown that, at least to some extent, the policy ambitions of a state directly affects the ways in which one sees upon the coordination of EU issues.

In the case of Sweden, a somewhat fuzzy yet still moderately telling image appears. Looking at the different pillars under which the European Union has deliberately organized and separated its integration procedures, a certain shift in salience can be detected, both at the more political level but also at the bureaucratic level. Excerpts from the circular written by the Ministry of Foreign Affairs regarding EU coordination unveil some quite explicit phrasings:

“...[Concerning the First Pillar]...Cooperation within the European Community has supranational features. Requirements on early position taking and an efficient coordination and consultation process within the Cabinet Offices are therefore *very high* in this field. /.../ ...[Concerning the Second Pillar]...In principal all decisions are taken by unanimity. ...//...Requirements in this field are *high*. /.../ ...[Concerning the Third Pillar]... Requirements on an efficient consultation process within the Cabinet Offices are even here *high*.” (UD PM 1999:50-52, my remarks and emphasis added)

This differentiated view on EU issues depending on whether they belong to the first, more supranational, or the second/third pillars, slightly more international, is however ambiguous to assess. It appears both to be adequate and functionalistic to the different requirements, which the diversified communitarian policy-making process exhibits, still it might, in a similar way to the above-mentioned process, also be a source of confusion. The above-mentioned differences in policy ambitions are also reflected in the administrative procedures used when coordinating issues falling under different pillars. The presentation of this whole paper applies only to issues within the first Community Pillar. Issues within Pillar Two (CFSP or Common Foreign and Security Policy) and Three (JHA or Justice and Home Affairs) are dealt with differently. One common complicating issue concerning both the second and third pillar issues is that they can in some cases be equal to international law treaties. Special provisions exist when internationally binding treaties are signed, and in all cases the authority to finalise such agreements are delegated to the government. However in some instances the Riksdag must approve the agreement. Therefore in all issues within the second and third pillars an early assessment whether the proposal at hand requires a parliamentary approval must be made (UD PM 1999:57-58).

CFSP issues stand out from other from the very beginning since information concerning e.g. common positions or strategies, joint actions, or declarations is spread through the so-called COREU, which is a common information system between the member states and the Commission. Furthermore most of the proposals and issues within this field are prepared by other political committees rather than usual working groups, and even if the COREPER has always a role to play in preparing GAC meetings it is somewhat sidetracked in these matters (Lewis 2000).

The coordination for CFSP issues is not coordinated by the UD-EU unit (although the unit is deeply involved in CFSP questions) but ultimately by the Director-General for Political Affairs at the Ministry of Foreign Affairs (through the work of the European Correspondents and other units, foremost the UD-EP unit). He/she has the responsibility for assuring that a jointly drafted

Swedish position is produced within reasonable time limits. Furthermore, even though position memorandums should be in the largest extent possible drafted in accordance to guidelines also applying to the EU issues in the First Pillar, this is no obligation. Position memorandums are always drafted jointly together with the PMO and UD-EU unit. The Fi-Ba should be included if, and only if, the issues discussed carry potential budgetary consequences (UD PM 1999:52).

The level of ambition in any given policy field is of course strongly correlated to the resources and capacity that the member state both is able and chooses and can to give to the designated policy area. This is an undeniable fact, and consequently smaller member states are perhaps put under a different strain than larger. However, successful policy coordination also resides heavily on the information available to the decision-maker. As such it is vital that the political leadership is aware of the consequences appended to a certain position:

...there is a political prize to pay if you argue for an issue if you are one against fourteen, thus it is important that we present, in cases when one has a large majority against ones position, the costs entailed by a continued resistance and argumentation. It is important that the political leadership is aware of that... (interview XVI)

This is a crucial but often underestimated feature in determining a successful level of coordination ambition. This designates one of the core problems in every aspect of delegation where there is a substantial risk that the designated agent has a clear informational ascendancy towards her/his principal. The effective transfer of information from the agent to the principal is one of the most efficient ways to diminish the risks of agency loss.

JHA issues are to be coordinated in the same way as with first pillar issues, i.e. through the intermediary of the UD-EU unit. The drafting shall take place within concerned departments following normal coordinative procedures, which calls for joint drafting when required. Following procedures established in Circular 2, fact memorandums (see appendix IV) issues regarding police and criminal law cooperation must be completed and transferred to the parliament. Routines applying to fact memorandums shall also be applied to position memorandums in this case. Furthermore any position memorandums on a proposal regarding police and/or criminal law cooperation must be jointly drafted together with (besides the concerned department) the UD-EU unit, the PMO, the Ministry of Justice, the MAP [*Enheten för Migration och asylpolitik*] unit within the Ministry of Foreign Affairs as well as with the Finance department, both the Fi-Ba and the Tax- and toll unit (UD PM 1999:52). It is however unclear to which extent this rather ambitious common drafting group is really assembled for each proposal concerning police or criminal law cooperation.

It is here interesting to note that there does not seem to be any *conclusive* pillar differentiated level of coordination ambition. Although some official texts give at hand a slight difference, interviews with official within department do not reflect any clear picture. While we might have anticipated a slightly higher level of policy coordination within the field of the second pillar given the actual Swedish security and defence doctrine, this didn't seem to be the case.

Reporting and monitoring requirements & Institutional checks

The *ex post*⁵⁶ reporting requirements placed on the agents (civil servants in Brussels) by the principals (ministers and executive bureaucrats in Stockholm) can largely be categorised into two categories: (1) the reporting requirements which the agents themselves carry out and (2) the monitoring requirements which demand the collaboration of the principals (*police patrols*) or another so-called third party (*fire alarms*).

The agents, in this case officials at the PR in Brussels as well as officials from central agencies and departments sent to Brussels *ex officio* have largely only one monitoring requirement, and it is the

writing of a report after the Brussels meeting. Reports have to be completed after every meeting in which Sweden has been represented as a member state (UD PM 1999:56). The report is supposed to be delivered to the concerned department or departments as well as the responsible intermediary officer at the UD-EU unit. Each meeting must be fully reported within 24 hours of the meeting, unless other circumstances prevent the completion of this deadline. If impossible to meet, a short version of the report must nevertheless be handed in within this time limit. When the report is filed at the responsible department, it is up to the department to take whatever actions are warranted by the report. Each department is expected to, within its field of expertise, keep itself well-informed on the proceedings of Council working groups, executive committees and expert committees within the Commission as well as, if possible upholding a good contact with the Swedish persons involved in the work around these committees and the proposals drafted and discussed in these above-mentioned meetings (UD PM 1999:57). Hence one interpretation is that the departments are potential *police patrols* should anything come across their scrutiny of the reports executed by their “own” agents.

Still the major drawback is that the principals are dependent on the agents’ reports. If shirking or other unacceptable behaviour is not included in the report the chances of knowing what happened are small. In fact it seems as if the agents themselves are perhaps better suited for controlling each other than the principals as the following example shows, especially when it comes down to the problem of knowing as a civil servant whom you represent:

...you represent the Swedish government, and quite a lot of Swedish experts have had a hard time understanding this, especially in the beginning of our membership. /.../ It happened, right between our days of candidate country and member state, it was still under our EES days, that a Swedish delegate in a committee,..., preferred to take the position of his agency and I had, as representative for the Swedish government, to take it back at the next meeting... (interview VIII)

However the intense communication between the PR in Brussels and Stockholm manages to take care of quite a lot of misunderstandings and eventual mismatches between political preferences and negotiations positions taken in Brussels. Most of these are naturally cleared at the lower echelons, but some reach the very highest strata of the coordination system. In this respect it is interesting to note that sometimes it is the agents which call upon the principals to change their preferences unless they want to be faced with a *fait accompli* and “left out in the cold” in the Brussels negotiations. However there seems to be some discrepancies as to the exact number of times each year this happens as the following statements regarding how many times officials at the PR in Brussels interfere and send back the instructions under the pretext of being impossible to “sell” in Brussels show:

...it happens a couple or three times each year... (interview VIII)

...yes, it happens. Less now than before, and once again I think that these [informal] Friday meetings canalises this type of signals so that they arrive early. You could very well say that... // ...COREPER II and I ambassadors, work like in a similar fashion to alarm clocks and they yell out when they think that our positions are untenable or otherwise seriously flawed. It happens once a while, I don’t know exactly, say around once every two weeks... (interview V, my remark)

The differences between the two statements are probably due to differences in the relationship between the two interviewees and civil servants at the PR. The latter has a much more informal and direct relationship to the agents mentioned, while the former has a more professional and hierarchical. As shown time and time again above in our description of institutions and processes in domestic coordination of EU issues, informal channels seems as viable if not more as formal ones. Thus perhaps the officials at the PR in Brussels are no much different from Lipsky’s street-level bureaucrats⁵⁷, applying their own set of norms and informal rules in their day-to-day routines, even while reporting back to their principals.

The political principals have one main institutional check to guard them from shirking amongst their bureaucrats, or more accurately phrased, a *permanent police patrol*, namely the Council of Ministers. There, ministers can, at least theoretically, see for themselves if any clear discrepancy between the government's political preferences and their agents' actions exists. Although in practice one can ponder to which extent the ministers actually can detect such discrepancies without the direct aid of their agents at the PR. Another, domestically based arena which could to some extent constitute an *ex ante* institutional check is the Tuesday consultative meeting where instructions to the COREPER are cleared and altered to make up for last minute changes. In fact, these meetings have been upgraded since Spring 2003 to include a mandatory meeting within the PMO on COREPER instructions (interview XXXVIII). These so-called *PMO meetings* were institutionalised in order to assure that the political leadership was constantly involved into EU matters, consequently to avoid last minutes surprises.

Although the Friday lunch meetings described above as a pre-emptive *ex ante* tool of coordination fitting a form of middle-thing between an institutional check and police patrol are interesting, they do not hold as such. The main effect of these bimonthly meetings at the state secretary level is to assure that the broad political preferences are spread throughout the GO and that any eventual major conflicts or misunderstanding are solved or circumnavigated. In other words, that the general goals for the Swedish EU policy in different policy fields are congruent.

These mechanisms described above are of a more general character. It goes without saying that each and every policy fields have their "own" police patrols. E.g. the field of CSFP is characterized by an interesting institution in the form of the EUKORR, which reviews the proposals for instructions sent down to bureaucrats for negotiation in the PSC. Given that the PSC meet approximately twice a week and that each meeting's agenda hold in average ten items, the EUKORR will consult the Director-General for Political Affairs on about three-four issues a week, which are in need of reviewing (interview XVIII). In most cases some minor alteration of the original instruction will be made. Thus within the framework of EU policies belonging to the second pillar the Swedish government has set up an additional police patrol which diminishes the risk of agency failure.

Asymmetrical information & Preference formation

As discussed earlier in the theoretical chapters at the inception of this dissertation, two major building stones in understanding the ways in which the relationship between principals and agents is shaped reside on the degree and knowledge of the information available to both actors and their preferences.

Having made a difference between the political leadership within the different ministries in the Swedish GO and the bureaucrats employed at the same ministries, we are able to pinpoint to which extent they actually are involved in the coordination of EU issues at the domestic level and to which extent they hold clear preferences on issues discussed in Brussels. In the Swedish context, the political leadership of the ministries has been identified as the ministers, the state secretaries and the ministers' closest political advisors and experts.

Earlier observations give at hand that the willingness to discuss EU issues at the highest strata of the government was somewhat bleak. Even though the Swedish government has institutionalised a system with a strong coordination of EU issues at the political level, these routines⁵⁸ are restricted to the dealings of the state secretaries. This does not mean that the government's preferences are shaped in seclusion from the ministers and the political nerve of the political "currents" which occupy the executive branch of Swedish government at any given moment. Rather it seems as if much more of the work in defining the goals for and solutions to problems

within the EU is left to the political, and sometimes politico-administrative, levels below the ministerial. This point is perhaps best expressed by a central top level career bureaucrat:

...I think that, especially since you are doing a study within political science, it is conspicuous, ever since we became members, how little time the government devotes to EU related issues. If you compare to each individual minister which all have their responsibilities, most of them with important EU-briefs and they are also very engaged in that work, but there seems to be a paucity of discussions in the government's general drafting [*allmän beredning*] or in other ways in the government's inner circle. I can say that without further ado... (interview IX, my remark)

As this quote indicate, it would seem that the highest echelons of the government, in other words the ministers and the cabinet as a whole, spend little time and energy on discussing EU affairs or the impact of EU legislation on the domestic political reality. This is symptomatic with regards to the lack of political preferences or/and processes of political preference formation. Furthermore it points to a simple but yet poignant fact: ministers do not spend enough time on EU issues. Although Swedish ministers do meet the Parliament's Advisory Committee on EU Affairs on Fridays, the Finnish system is, according to the same source, much more ambitious:

...for example the Finns have, ever since they became members,...gathered most of their government each Friday to deliberations on EU issues.../.../...they have first a reunion with the government and senior officials which brief the ministers, then they move to the so-called Grand Committee [*Stora Utskottet*] in the afternoon... (interview IX, my remark)

Even though it seems as if at least Finland has chosen a more elaborate formula to galvanize discussion on EU issues amongst ministers as a collective, Swedish instructions remain (paradoxally it might seem) well prepared and drafted, in the best Swedish joint drafting administrative tradition. However this critique of the low intensity of discussions on EU affairs is persistent and it remains even after some years have passed (when one could anticipate a normalization of EU affairs in the government's routine dealings):

...sometimes we discuss how the European convention is going or you take some time to discuss someone [within the government] else's question, and sometimes there is some problem in some field and then we discuss an issue or proposal. So there is some discussion, but I would very much like to see more of this, especially recurring meetings where we could have a broader discussion on European matters.../.../...now and then embryonic intentions [regarding those matters] have surfaced within the PMO and the circle closest to Prime Minister Göran Persson, but they have all been suppressed... (interview XV, my remark)

This lack of discussion and of *institutionalized* (as the interviewee notes above) meetings where such a discussion of EU matters would take place should not however be overstated but put in its right context. It is somewhat troubling that the government does not to a wider extent try to incorporate a recurring meeting where all the ministers have the opportunity to take part in discussions on the EU and in specific EU issues. To the extent individual ministers do take part of EU issues at their departments this is done very much in a reactive manner, i.e. the bureaucrats are the ones which handle issues and often argue whether this or that issue constitutes a political problem which has to be presented for a decision before the minister.

This could be linked to the rather extreme informational asymmetry situation that characterizes the relationship between agents and principals, in this case between the representatives at the RP in Brussels and their counterpart in the line ministries:

...we live with them [PR bureaucrats in Brussels] in an almost physical way, everything they do, what they need to do, we know it and as I said earlier, they lead us to the questions which need instructions...so we are very much into their hands.../.../...I would say that the foundation for our decisions on EU issues, if one were to pinpoint something which in most cases had a significant impact then I would say that it comes from there [the Permanent Representation in Brussels]... (interview XXV, my remarks)

Of course the degree of informational asymmetry can vary depending on a number of factors (such as age, see quotation below), but it is striking to see that as some time the position of the

agents versus their principal was so strong. Sometimes the agent boasts a remarkable closeness to the ministers:

...our position was quite strong, we [the interviewee and his closest colleague at the RP] could in principle phone the minister when ever we felt that there was some snag on any [policy sphere mentioned] issue and we felt the need to straighten it out. We had amazingly easy contact to the state secretaries, which maybe not everyone has, mostly thanks to our seniority... (interview XXI, my remarks)

These two extracts mentioned above are also substantiated in other interviews and they together add up to give a picture where it seems clear that the agent do have a strong impact on the ways in which the principal base their opinion and that the main locus of discussions and motor of preferences in EU issues seems to be, in the day to day business, the career bureaucrats in Brussels and their counterpart within the ministries and, at most, the state secretaries. Does this constitute a problem? Yes, because it hampers the free flow of information up to the principal and accordingly diminishes her/his ability to make accurate decisions. But perhaps the worst thing is that it shackles the principals' ability to formulate clear and durable preferences. Making the process of preference formation as efficient as possible includes giving the actor as much information as possible, since a preference formulated under the shadow of necessary information almost automatically means that the preference is substandard and can be subject to revision (which in itself perhaps isn't bad but definitively energy consuming). So how bad is the information asymmetry characterizing the relationship between Stockholm and Brussels? It could be argued given that the principal still maintains the formative moment in the shaping of political preferences.

To some degree the political leadership of the individual line ministries could be said to be in such a position. The departments have constructed their own procedure, which convey the more politically sensitive issues to the minister. Mostly this has been done within the framework of already existing departmental structures, e.g. the Ministry of Environment have placed their unit responsible for the coordination of EU policies within the framework of already established structure. In the case of the Ministry of Environment, the unit for coordination of EU issues is placed within the International Unit, which handles issues linked to other international organisations. Although some departments exhibit an institutional ingenuity as to the structuring of their internal handling of EU issues, such as the Ministry of Agriculture and Finance, most have not bothered to make explicit changes to accommodate the EU membership. What is however problematic is that independent of whether departments choose to make institutional innovations or not, the procedures through which the information reaches the apex of the ministerial hierarchy are all heavily reliant on the career bureaucrats within different divisions.

...it is the individual official within the ministry or in reality the official's closest superior who decides when one needs political validation. Of course you could argue for absurd situations [where political validation by the minister would not be sought], but then that would be a clear case of administrative misconduct [*fjänstefel*]... (interview XII, my remarks)

In turn these bureaucrats are dependent on the information handed to them by civil servants from the PR. Still it is clear that most of the preferences formulated at the domestic level on different EU issues, originate from the lower levels of units and sections within ministries. Some issues, which are deemed political, are sent up through the hierarchy, but the decision to "lift" an issue is often left to the bureaucrat (or his/her superior), inciting some form of uncertainty into the system. What if the officials and their superiors within the ministry make another judgement about what is politically sensitive than the political leadership of the ministry? Of course the definition of what constitutes a preference is not easily established:

...for example lets say we want to build up a capacity on civilian crisis management. It isn't interesting whether we offer a hundred rescue service men or 50 lawyers. That is not what a political preference is, even though a bureaucrat can spend hours on that important subject... (interview XIV)

This controversy over what constitutes a political preference clearly articulates the difficulty to draw the line between technical issues and political standpoints. All the same, it is clear that the procedure to establish what indeed is political and what is technical is often left over to the bureaucrats. They are they one who make proposals and submit some of them to the political validation of a minister or a state secretary.

...it is there, in the dialogue between bureaucrats and ministers that much of politics is shaped.../.../...but of course, it is our [bureaucrat's] job to present proposals, so there are no comprehensive proposals from her [the minister], but a wish or a political orientation so to speak and consequently a political preference in my opinion... (interview XIV, my remarks)

The dialogue mentioned above depends to a large extent on the willingness of bureaucrats to lift up issues to their ministers but also to some extent to the willingness of Swedish politicians and politically appointed to articulate and craft their own preferences by spending time and energy on EU issues.

Late reform of the coordination of EU issues in Stockholm

On the 14th of September 2004, the Swedish Prime Minister Göran Persson announced from the Swedish Parliament's rostrum that "Responsibility for the coordination of EU issues is moved from the Ministry of Foreign Affairs to the Prime Minister's Office." (Regeringen 2004a). This sudden development of the internal and domestic handling of EU affairs exemplifies in a dramatic way the suddenness of the institutional change and the conditions under which researchers live (previously mentioned in chapter 3). However early signals from different interviewees and persons indicated that a change was not imminent. In a press release from 28th January 2003 from the PMO, commenting on the so called Landahl report (Landahl 2003), state secretary Lars Danielsson pointed out that:

"Important issues which are discussed in the report are the role of the state secretaries within the ministries and the organization and leadership of EU affairs. Furthermore the report suggests measures to improve procedures and reduce administrative costs. Transferring the civil servants responsible for horizontal EU affairs from the MFA to the PMO is however not considered at this time." (Regeringen 2003a)

What happened less than two years afterwards was that Prime Minister Göran Persson in his speech announced that the responsibility for the coordination of EU issues would be transferred from the Minister of Foreign Affairs to Prime Minister's Office. It would appear as if something drastic happened during those twenty months or that the state secretary responsible for the statement above was not aware of the Prime Minister's intention to relocate the unit (the unit's English official designation is "EU Coordination Secretariat" [*Kansliet för samordning av EU-frågor*], a short Swedish appellation often used⁵⁹ is [*SB EU-kansliet*, hereinafter abbreviated SB-EU]) responsible for coordinating and harmonize Swedish EU policy at the time he made his statement. However this interpretation might be somewhat flawed since there is evidence that the question of horizontal coordination of EU issues has been for a long time an studied and "debated" issue within the prime minister's office: At an early stage (long before Landahl made his report) the matter was even studied in an internal study directed by the former state secretary for regional issues Jan Grönlund. This report was not published and was used for internal purposes only. Amongst the contributors and participants were civil servants from different ministries and some from the Swedish permanent representation in Brussels (see e.g. interview V). Unfortunately I have not been able to get a copy of this informal report, and consequently I am unable to compare the suggestions made by Landahl to the ones presented in the Grönlund report. Nevertheless this indicates that the reformation of the central government's processes and institutional structures for coordinating EU issues have been under way for a long time. Indeed one might be as bold as to state that maybe some kind of awareness and discontent towards the way in which EU coordination was handled existed very early within the top levels of the

Swedish government. Actually a plan for a reform existed as early as 2002, since one of my interviewees stated at that time that

...yes, there is a plan for a reform, but no one has seen it yet... (interview XIV)

Many interviewees have expressed the view that they believe that the coordination of EU issues should be moved to the PMO. However many also point out that this would go against a very strong tradition within Swedish government (sometimes designated as the Erlander tradition, see e.g. interview XIV), namely that the PMO should be kept at a minimum staffing. It is at this stage too early to delve deeper into details and into considerations of the causes and the effects of this reform, although it should be emphasised that the subject is worth more attention. Future research should actively seek to explain and comprehend the reasons of the move of the unit responsible for coordination of EU affairs from the MFA to the PMO as well as seek to establish an evaluation of the reform. The only study which I'm aware of that, to this date, tries to explain the reform is Larsson (2005), though some of my interviewees discuss the subject. In fact some of them voiced interesting speculations as to why the Landahl report wasn't implemented directly after its completion. One of my interviewees stated that it was because of a strong disapproval of the reform from the late foreign minister Anna Lindh. According to the interviewee, Foreign minister Anna Lindh did not wish the EU coordinating functions to leave the Swedish MFA (interview XXXIX)⁶⁰.

As to this date, my own preliminary assessment of the reform is that it will bring the coordination structure closer to the political nucleus of the government. This implies both positive and negative effects. On the positive side is the increased control which political principals can exert through the SB-EU unit. This would indeed increase the potential coordinating clout of the unit. A potential danger is resides in the fact that the reform is (once again) the result of a consensus. The permanent representation remains under the tutelage of the Ministry of Foreign Affairs, and consequently the risks of interministerial clashes are still present. Furthermore the old principles with regards to drafting instruction are not changed: It is still up to individual counsellor at the ministries to write instructions, and the counsellors at the SB-EU unit will only review these and their content on horizontal matters and to some extent negotiation aspects (such as whether or not adequate second-hand positions are explicitly stated in the instructions or are they enough robust arguments for the Swedish position...et cetera). In fact the formal COREPER instructions are sent from the SB-EU unit while instructions to meetings in working groups are sent by the individual ministries' counsellors.

The organizational reform which created the SB-EU unit also had personnel reverberations as the new units meant that some personnel at the old UD-EU unit had to be retained within the Ministry of Foreign Affairs. Out of the 25 persons⁶¹ employed at the SB-EU unit today, 11 came from the UD-EU unit, 7 were recruited from other units within the MFA, 6 from other ministries and units within the GO and 1 was drafted from the European Commission. The dominance of the MFA is still felt as all of the executive functions (one director and three deputy directors) and the 4 lawyer positions were filled by MFA personnel. Still, six months after its initial creation two MFA originating counsellors out of the 13 counsellors at the SB-EU unit have quitted and have been replaced by employees from other ministries.

²⁰ While Lidström (2003:26-49) talks of the Nordic tradition of local governments and their autonomy, the Swedish tradition of local independence is covered by Gustafsson (1999), Petersson (2000). For a discussion on the concept of local government autonomy, see Bengtsson (2002).

²¹ This data was taken from the government's investiture period. According to the Swedish government's own website (checked on November 19th 2005), the number of ministers without formal responsibility for a whole

ministry (i.e. Min.II) has grown to 12 and the numbers of state secretaries to 30 bringing the total up to 52 for the Persson III government.

²² In this table I have excluded one specific post: deputy state secretary to the ministry of foreign affairs [*biträdande kabinettssekreterare*] and one specific category of state secretaries: deputy state secretaries [*biträdande statssekreterare*] from all calculations of state secretaries. These posts do exist but their use is quite restricted.

²³ Interestingly enough it was not always so e.g. Wallin *et al.* 1999 shows that in the early 1970s, only 46% of the state secretaries were member of a political party (whereas the number in 1990 was 100%), see Wallin *et al.* 1999:97

²⁴ Pierre's insinuation of the Department of Home Affairs (DHA) as "dysfunctional" is probably based principally on the problems encountered during the so-called "free-commune" experiment under the 1980s, which engendered a lot of "turf-battles" between the DHA and other departments. For a study on the "free-commune" experiment, see Strömberg 1990

²⁵ On the 31 of December 1998, the Departments of Communication [*Kommunikation*], Employment [*Arbetsmarknad*] and Interior [*Inrikes*, actually the old Department of Home Affairs] were abolished and "reappeared" under the mantle of the Department of Industry, Employment and Communication.

²⁶ Larsson (1994:173) states that all in all there are four types of decisions that does not require a collective decision: (1) some decisions by the foreign ministers, (2) some issues for which the minister of defence is responsible, (3) personnel management on organisational issues within departments, and (4) a few unimportant matters which the government as a collective body can delegate to individual ministers.

²⁷ These numbers were established through my own calculations, which were in turn based on material provided to me by Annica Wallerå at the Central Statistical Office [better known under its Swedish ellipsis: SCB, *Statistiska Centralbyrå*] by email on the 3rd January 2001. The data (from 1999) includes fulltime as well as part-time employees.

²⁸ For an excellent comparative analysis of Swedish (and Polish) adaptive organizations and cognitive processes in connection to EU accession, see Eklund 2005.

²⁹ As a result of the administrative reform, the functions of the UD-EU unit were transferred to a new unit under the PMO. Magnus Robach, former head of the UD-EU unit was named head of the new unit under the PMO, while Håkan Emsgård was appointed as head of the now "desitute" MFA unit.

³⁰ Pierre (1995a:157, footnote 3) argues that the perhaps most important reason for the creation of the Prime Minister's Office was found in a national security scandal of undeniably sizeable proportions: The so-called Wennerström incident. This incident was later analysed by a Commission which found that the Prime Minister was so understaffed that crucial information, such as suspicions about Wennerström being a Soviet agent, never came to the Prime Minister Tage Erlander's knowledge.

³¹ Later on his staff was expanded somewhat to include, amongst others, Ingvar Carlsson, Allan Larsson, Jan O Karlsson, Olle Svenning, Anders Ferm (Erlander 2001:XXIV-XXV).

³² Technically I refer to the EU-unit within the PMO which assist with the coordination of EU issues. It is for presentational reasons, for the sake of simplicity, I refer to the PMO when actually talking about the EU-unit within the PMO

³³ The social democratic government also undertook several talks with the opposition concerning the coordination of EU issues. One of the most adamant believer in the role of the PMO as the nucleus of the Swedish organization of EU coordination was Carl Bildt, see Interview V

³⁴ Some of the demands stated in these paragraphs are nearly impossible. How does one e.g. define and uphold "good contact to other EU intermediaries"?

³⁵ See previous chapter

³⁶ The correct acronym is CESDP, which stands for Common European Security and Defence Policy, although most Swedish bureaucrats use the shorter ellipsis ESDP which I will use consequently when addressing the EU:s security and defence policy.

³⁷ See previous chapter

³⁸ At the time of my visit to the European Correspondents were short of one counsellor.

³⁹ RELEX is a committee, which examines the financial, legal and institutional aspects of proposals made within the framework of the CFSP. It prepares both the work of COREPER and of PSC (although lately increasingly the latter). One could also specify its mode of operation by mentioning that an usual modus operandi is that when a political agreement is reached within the PSC the issue is sent to RELEX which hammers out the details, and then later RELEX sends back the proposal for final approval.

⁴⁰ An issue which was discussed at the PSC meeting, April, 4th 2003.

⁴¹ Fi-Ba holds approximately 70 employees (divided on eight divisions), while Fi-Ia has a staff of only 35 (but spread out on only three divisions), see <http://finans.regeringen.se/dettaar/ansvar.htm> visited 2003-05-01

⁴² See previous chapter, in addition the Fi-Ia was responsible for co-ordinating the Ministry's preparations for the Swedish Presidency of the EU.

⁴³ Thus it would seem that the influence of Swedish interest organisations at the domestic level is weaker than their Danish counterpart which are "guaranteed" a certain level of influence in the preparatory phase of the decision-making process in Denmark through their participation in committees, see Damgaard & Nørgaard 2000:51-54, much of this is also detailed in Rasmussen 1999

⁴⁴ Those wishing for a more thorough analysis of the Swedish EU Affairs Committee are referred to e.g. Bergman 1997a, Hegeland & Mattson 1998, or even to some extent Lindgren 2000

⁴⁵ See e.g. citation in left column in *Dagens Nyheter* 2001.11.05, p.A7

⁴⁶ See e.g. Andersson 2001a (however the critic does not pass unanswered, see Danielsson 2001 for a retort to Andersson's article) or Bryntesson 2001. Another incident that admittedly pointed to a lack of information from the government to the committee was the one reported to the Standing Constitutional Committee by Swedish MPs Mats Odell and Ingvar Svensson, (see letter to the Standing Constitutional Committee from 2002-11-19, Dnr: RD 2002/03-050-1083).

⁴⁷ One such incident was reported to the Parliamentary Standing Committee on the Constitution (hereby abbreviated SCC), the main body of parliamentary control of the executive, and was deemed a breach of the mandate given by the EU committee; see *Konstitutionutskottets betänkande* 1998:40.

⁴⁸ In the UK, the departments are responsible for sending explanatory memoranda to UK MEPs, see Kassim 2001:37 footnote 16.

⁴⁹ The so-called Monday notes are an institutional innovation, which was implemented by former head of the Swedish RP Gunnar Lund. It is basically a summary of the points which are to be discussed in COREPER together with tentative formulation of instructions. These are sent on Monday mornings from the RP to the individual ministries and bureaucrats involved in drafting instructions in Stockholm, see next chapter.

⁵⁰ The commented agenda is the forthcoming PSC meeting's agenda with comments from official at the RP describing what issues are important and which course of action should be followed. It is not as detailed and extensive as the Monday notes which the RP sends regarding issues to be drafted at upcoming COREPER meetings the same week.

⁵¹ Certain directive and legislative proposals take 20 up to 25 years before they are enacted.

⁵² See e.g. press release concerning the 2001 yearly attitude survey amongst employees at the CO. Press release entitled *Resultat av årets attitydundersökning inom Regeringskansliet* by Head of Information Service Hanna Brogren, released the 2001-11-27 but also Landahl 2003:50.

⁵³ The Whitehall model has foremost three distinguishing characteristics: First, that the civil service is a single body. Second, the civil service was recruited on the basis of meritocracy. The third characteristic being that the politicians are dependent on the bureaucracy both for the implementation and advice of policies; see Wilson & Barker 2003:349-50. By Whitehall pluralism I refer to a concept introduced by Wilson, which could be exemplified by the following excerpt: "...most important, is the acceptance of a form of neo-pluralism by civil servants within the Ministry. They argue in private that the ramifications of any change in policy are too great for any one ministry to appreciate. /.../ Another civil servant explicitly compared the Ministry's role to that of an advocate in a British or American court. He should, without illegality or conscious dishonesty, present his client's ... case capably, trusting that wisdom and truth will emerge from a clash of opinion and evidence." (Wilson 1977:45).

⁵⁴ See appendix IV

⁵⁵ The Committee gives recommendations on the political characteristics of non-military crisis management and conflict prevention; it is placed under the PSC. It also is preoccupied with strengthening the rule of law.

⁵⁶ Although advocates of academic taciturn prose will correctly point out that *ex ante* reporting and monitoring requirements are quite logically impossible.

⁵⁷ See Lipsky 1980 or for a more recent application (and use of PA models in conjecture with Lipsky's "axioms") Winter 2000

⁵⁸ See e.g. section *Prime Minister's Office and interministerial coordination* above for details of the state secretaries' so called Monday meeting.

⁵⁹ According to desk officer Kristian Seth, see email dated November 2nd 2005.

⁶⁰ Indeed this individual emphasized the impact that individual actors have over institutional reforms. For example, the same interviewee also stated that the strong electoral support of Joschka Fischer, then foreign minister, was one of the main reasons why the reform to strengthen the role of German EU coordination and policy-making within the German Chancellor's Office (to the detriment of the German MFA) was postponed.

⁶¹ The 25 employees at the SB-EU unit are: 1 director, 3 deputy director and section directors, 13 counsellors, 4 lawyers and 4 assistant, see email from Kristian Seth, dated November 2nd 2005.