

Dušan Ristić

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Final year Bachelor student

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Faculty of political science

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University of Belgrade

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dusanrstc1@gmail.com

Why Does the European Commission Withdraw Proposals? The Incomplete Information Assumption

Abstract: While I was analyzing the source materials, I came across theoretical conceptualizations of the European Commission as an 'honest broker' in the center of many EU networks with access to complete information in regards to the preferences of other parties in the legislative process. Based on that, we would expect all the Commission's proposals to find approval, but this is not the case. Using the argument that when the Commission is faced with a lack of information, due to the uncertainty over the positions of the key legislative parties, they withdraw their proposals, I set out to test what could lead to the legislative proposal's failure and compel the Commission to use its right to withdraw proposals. I focus on two predictive variables: the rising uncertainty over the key parties' positions due to the elections and possible transition of power in the Member States, and substantial procedural changes that could likewise lead to increased uncertainty. Additionally, I test the explanatory power of the time-lapse variable. When analyzed, the gathered data shows that the rising uncertainty due to the elections in the Member States has very little predictive power. Results for the substantial procedural changes are inconclusive but offer useful insight. In the end, I found the time-lapse variable to have a strong explanatory power when it comes to failed proposals.

Key words: failed proposals, uncertainty, complete information, legislation, policy-making

Introduction

Setting the legislative agenda is one of the primary tools of influencing the policy-making process.¹ The European Commission's primary political function of shaping and influencing Europe's agenda is, therefore, materialized through strategic agenda-setting.² To this end, it is vested with the right of initiative in the process of decision-making.³ The Commission exercises its power of initiative by relying on three main capacities: an exclusive right of initiative, the power to amend proposals, and the power to withdraw proposals.⁴ Moreover, to comprehend the implications of the co-decision procedure, scholars have applied spatial models of legislative choice assuming that the Commission knows the preferences of the pivotal parties⁵. The Commission has, therefore, been conceptualized as an 'honest broker' in the center of many EU networks with access to information about other parties' preferences.⁶ Under the assumption of complete knowledge of the preferences of pivotal parties by the

¹ Herbert Döring, and Mark Hallerberg (Eds.), *Patterns of parliamentary behavior: Passage of legislation across Western Europe* (Aldershot, UK: Ashgate, 2004); Kenneth Shepsle, Barry Weingast, "Uncovered sets and sophisticated outcomes with implications for agenda institutions", *American Journal of Political Science* 29 (1984).

² Henriette Müller, "Setting Europe's agenda: the Commission presidents and political leadership", *Journal of European Integration* 39/2 (2017): 3.

³ *Ibid.*

⁴ Paolo Ponzano, Costanza Hermanin, Daniela Corona, *The power of initiative of the European Commission: A progressive erosion?*, (Paris: Notre Europe Studies & Research), 24.

⁵ e.g. Crombez 1996, 1997, 2000; Garrett and Tsebelis 1996; Steunenberg 1997; Tsebelis 2002; Tsebelis and Garrett 2000.

⁶ Ponzano, Hermanin, Corona, *The power of initiative of the European Commission: A progressive erosion?*, 13.

co-legislators the European Parliament (EP) and the Council of Ministers (Council), it is expected that all proposals will be approved.⁷

This paper aims to examine why that is not the case or, in other words, what causes a proposal failure and the use of the Commission's right to withdraw proposals. There has been scientific work on this topic but I want to examine the latest - Juncker's Commission, considering that something may have changed since the last significant work on this topic has been written two Commission terms ago. In the first section, the Commission's right to initiative, as prescribed in the Lisbon Treaty, shall be briefly presented, followed by a debate on the right to withdraw proposals. Later on, scientific works concerning these topics shall be critically examined with the main hypotheses derived from them. By focusing on the co-decision procedure, I will test how uncertainty over the positions of key parties, measured through the number of elections in the Member States and procedural changes,⁸ as well as the time a proposal has spent in a legislative procedure, affects the prospects of proposals being withdrawn.⁹ At the beginning of the second section, I will provide argumentation for the method I have chosen to use. Later on, in the third section, the process of data collection shall be presented, followed by an analysis of the data in regards to our hypotheses. I find that the number of elections, whether observed only in the big four (Germany, UK, France, and Italy) or in all Member States, does not have significant predictive power over withdrawn proposals. Additionally, I find that data on procedural changes offers inconclusive results whilst the time spent in the legislative procedure has strong explanatory power for proposal withdrawal.

⁷ Serra Boranbay-Akan, Thomas König, Moritz Osnabrügge, "The imperfect agenda setter: Why do legislative proposals fail in the EU decision-making process?", *European Union Politics* 18/2 (2016): 2.

⁸ Procedural changes are conceptualized as substantial changes in the rules of procedure, such as voting rules or the valid legislative procedure, that could alter the balance in the decision-making process, rendering it difficult to predict whether a proposal would be adopted.

⁹ The terms withdrawn and failed will be used as interchangeable.

Commission as an Agenda-Setter

The Commission's monopoly over the legislative initiative and the right to withdraw proposals

In addition to promoting the general interest of the Union, the Lisbon Treaty (2009) states that legislative acts may only be adopted based on a Commission proposal, except in the specific policy areas where the treaties state otherwise (Article 17. TFEU). This means that the legislative process begins with the proposal, made by the Commission, on which the co-legislators take further action. An ever-increasing number of policy segments falls under this so-called Community method. The Commission is the sole initiator in the Community method based on which almost 90% of proposals were adopted in the 7th legislative term (EP 2014), testifying to the importance of the Commission as an agenda-setter. The right of the Commission to withdraw proposals, on the other hand, is a rather controversial one.¹⁰ On the one side, the Commission considers it to be within its competences and a mirror image of its agenda-setting monopoly and its role as a guardian of the common interest of the EU.¹¹ On the other side, the Council and EP disagree. The Council maintains that the Commission cannot deprive the Council of its right to act on legislative proposals and amend them if it sees fit to do so.¹² Contrary to that, the Commission is of the view that it can withdraw proposals, especially in the case (1) when co-legislators adopt amendments going beyond the objective of the proposal, or (2) change the substance of a proposal.¹³ Otherwise, the co-legislator would be able to adopt a legislative act without a proposal.¹⁴ EP, on its part, is primarily concerned with being consulted before the

¹⁰ Boranbay-Akan, König, Osnabrügge, "The imperfect agenda setter: Why do legislative proposals fail in the EU decision-making process?", 4.

¹¹ Advocate General, Opinion of Mr. Advocate General Jaaskinen delivered on 18 December 2014, Case C-409/13., accessed April 18, 2020.

¹² Ponzano, Hermanin, Corona, *The power of initiative of the European Commission: A progressive erosion?* 28.

¹³ Ibid.

¹⁴ Boranbay-Akan, König, Osnabrügge, "The imperfect agenda setter: Why do legislative proposals fail in the EU decision-making process?", 4.

Commission does withdraw proposals.¹⁵ To that end, a Framework Agreement between the two institutions has been signed in 2010 stating that a new Commission shall, at the beginning of a term, review pending proposals in order to politically confirm or withdraw them, taking into account the view of the Parliament.¹⁶

Source Review

There are not many sources primarily examining withdrawals as policy failure. Tholoniati (2009) suggests that the Commission has the capacity to gather and supply all the relevant information during the preparatory work, extensively consult with various stakeholders, such as interest groups, Member States, and MEPs, and is, therefore, very well placed to initiate successful legislative acts.¹⁷ With access to complete information, the Commission is assumed to know the positions of the key parties, leading to the expectation that all proposals will indeed find approval.¹⁸ Saiegh (2011) argues that when introduced with the uncertainty of the key parties' positions, EP and the Council, proposals may not be successful in the end.¹⁹ Additionally, Ponzano et al. (2012) argue that most of the withdrawn or failed proposals have been stuck in the legislative process for a very long time for reasons such as the inability to reach compromises or the unwillingness of parties to act upon them, and were deemed unlikely to be adopted.²⁰ As to why the Commission would propose legislation doomed to fail, it could be that at the time of the proposal all the information at hand suggested otherwise and rising uncertainty, that we are to test in this paper, tempered with the

¹⁵ Ibid.

¹⁶ European Parliament and European Commission (2010) Framework agreement on relations between the European Parliament and the European Commission. *Official Journal of the European Union* L304.

¹⁷ Luc Tholoniati, "The temporal constitution of the European Commission: A timely investigation", *Journal of European Public Policy* 16 (2009).

¹⁸ Boranbay-Akan, König, Osnabrügge, "The imperfect agenda setter: Why do legislative proposals fail in the EU decision-making process?", 2.

¹⁹ Sebastian Saiegh, *Ruling by statute: How uncertainty and vote buying shape lawmaking*, (Cambridge: Cambridge University Press, 2011).

²⁰ Ponzano, Hermanin, Corona, *The power of initiative of the European Commission: A progressive erosion?*

results. Others suggest that the right to withdraw is just a credible threat used by the Commission in the bargaining process.²¹

Hypothesis

The main theoretical assumption of this paper is that uncertainty over the positions of key parties is what primarily influences the failure and withdrawal of proposals. When the Commission is faced with the uncertainty over the positions of key parties, the complete information assumption proposed by Boranbay-Akan et al. (2016) falls apart, allowing for proposals to fail or be withdrawn. I set out to test several hypotheses observing the last Commission in office, Juncker's Commission. I consider it to be worth the effort to test why the proposals have failed, especially in this term, because Juncker himself announced, at the beginning of his term, that there will be withdrawals as an attempt for better regulation.²² Understanding why this happens could help to predict whether proposals will fail or succeed in the future. With that being said, the first hypothesis would be as follows:

H1: The higher the number of parliamentary elections in the Member States, the higher the number of failed and withdrawn proposals.

The arguments behind this proposition suggest that during the period of elections and possible transition of power in the Member States, the uncertainty over the positions of Member States, and future preferences of the Council itself, increases. If there is a transition of power in any of the Member States, their preferences could change and, in turn, the preferences of the Council itself. This proposition suggests that the Commission no longer has complete information on the positions of one of the key parties, which, in turn, can lead to an increased number of failed proposals.

²¹ Susanne Schmidt, "Only an agenda-setter? The European Commission's power over the Council of Ministers", *European Union Politics* 1 (1) (2000): 56.

²² European Commission (2014) President Juncker's Political Guidelines, accessed April 18, 2020.

H2: Substantial procedural changes lead to an increased number of failed proposals.

Similarly as in the previous hypothesis, procedural changes such as changing voting rules or legislative dynamics between the institutions, by, for example, introducing new parties in the decision-making process,²³ increase uncertainty over the positions of key parties, suggesting that the Commission no longer has complete information, which, in turn, can lead to an increased number of failed proposals.

H3: The majority of the failed proposals have spent significantly more time in the legislative process than the adopted proposals have.

As mentioned in the previous paragraph, Ponzano et al. (2012) argue that most withdrawn proposals have been stuck in the legislative procedure for a long time and are without a real perspective of adoption. The argument would be that the Commission is simply formally admitting that after a longer period of inactivity or inability to reach a compromise, the proposal simply has no perspective of being adopted. This means that the longer the proposal spends in the legislative procedure, the lower the chances of reaching a compromise and adoption. In the end, this hypothesis is more of an *ex post* explanation rather than a prediction of when the proposals will fail.

Testing the Hypotheses

Method

The method I use is mostly comparative – I compare the data on withdrawn proposals and variables of uncertainty, as well as the time-lapse, on a year-by-year

²³ The co-decision procedure introduced the European Parliament as a co-legislator where previously the Council itself made the final decision. Additionally, the Lisbon Treaty introduces new parties such as the Committee of the Regions and National parliaments which in some cases have to give their opinion before the legislative process can move on.

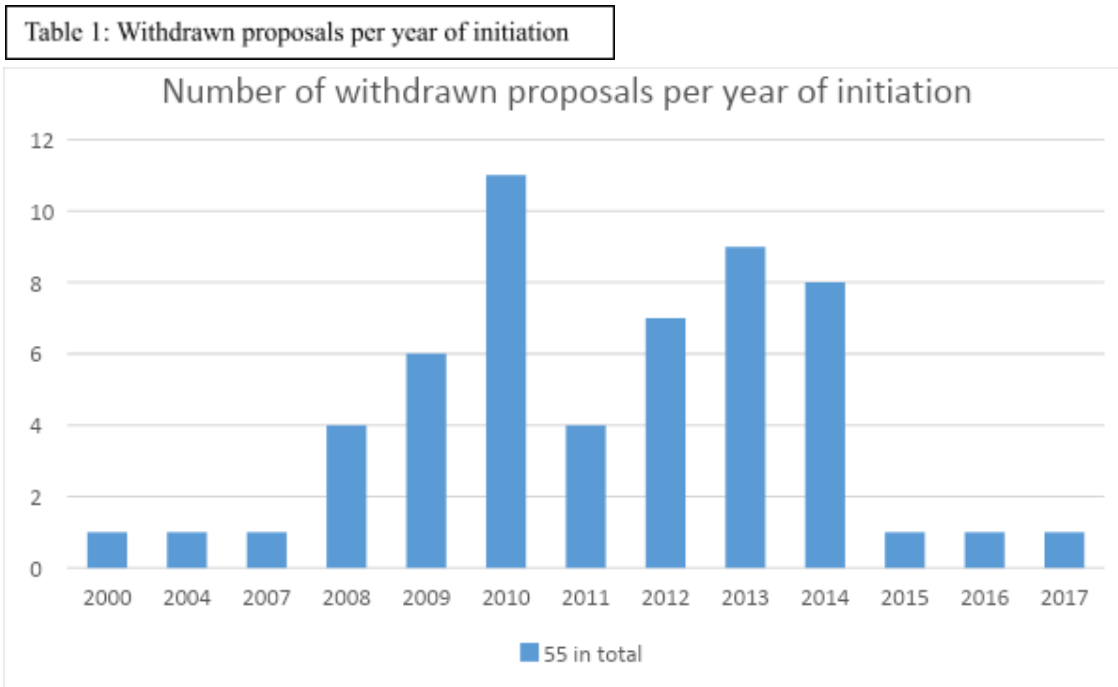
basis. By analyzing the data this way, we can, in my opinion, get a clear perspective on whether there is a significant correlation between the dependent variable: the number of withdrawn proposals, and the independent variables: time-lapse, parliamentary elections, and procedural changes. Additionally, by using a year-by-year analysis, we can observe certain trends that could be missed if that data was analyzed on, for example, a month-by-month basis. There is a possibility that there was a high number of withdrawals in one peculiar month, without anything actually significant happening in that month. Furthermore, when we use elections as a variable, we must take into account that it takes time to run a campaign, as well as time to form governments and settle in. Analyzing the data on a monthly basis would, therefore, prove ineffective and fruitless. Moreover, the effects of procedural changes may take a greater number of months to manifest, which is why the year-by-year method is more suitable. When it comes to the third hypothesis, I compare the average number of months adopted and failed proposals have spent in the legislative procedure. This way we can get a clear perspective on whether legislative proposals doomed to fail do indeed spend significantly more time in the legislative procedure and whether time-lapse has explanatory power over the matter.

Data Collection

In order for us to test the presented propositions, we need the data on withdrawn proposals. As already mentioned, this paper deals solely with the period from July 1, 2014 to July 1, 2019, or the Juncker's Commission term. The data was collected mostly from the EurLex, a database devoted to European legislative acts, and the ParlGov database on elections in countries worldwide. Firstly, I narrowed the search in the EurLex database by accessing the domain of EU law and case law and in the next step the subdomain of legislative procedure. I continued to narrow the search by inputting the following criteria: Procedure reference: Ordinary Legislative Procedure; Procedure

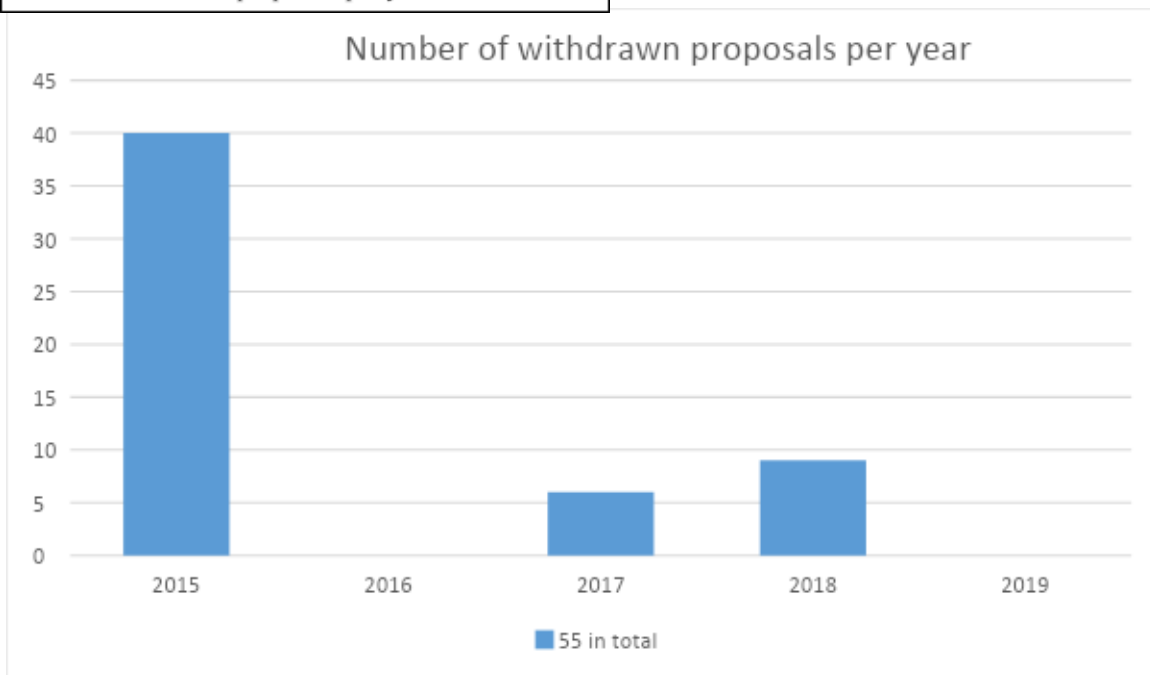
status: Stopped procedure; Specific date: from 1/07/2014 to 1/07/2019. I found that in that time frame a total of 55 proposals were stopped, withdrawn by the Commission.

Furthermore, I looked at every specific withdrawn proposal looking for the year of initiation and the year of withdrawal. Regarding the year of initiation, the most important data I have found is that out of 55 withdrawn proposals, 1 proposal was initiated back in 2000, one in 2004, and one in 2007. Then I observed an increase of 4 withdrawn proposals that were initiated in 2008. Additional 6 proposals were initiated in 2009, followed by 11 proposals initiated in 2010, then 4 proposals that were initiated in 2011, 7 proposals in 2012, 9 proposals in 2013, and 8 proposals in 2014. Out of all withdrawn proposals, 1 was initiated in 2015, 2016, and 2017, respectively.



When it comes to the year of withdrawal, I have found that 40 out of 55 proposals were withdrawn in 2015, followed by additional 6 proposals in 2017, and 9 in 2018, respectively. When talking about percentage, almost 73% of all proposals were withdrawn in 2015, almost 11% in 2017, and 16% in 2018. No proposals were withdrawn in 2014, 2016, and 2019. The lack of proposal withdrawals in 2014 might stem from the fact the new Commission was yet to settle in and needed time to go over already initiated proposals.

Table 2: Withdrawn proposals per year



Source: EurLex

I continued my data collection by examining the number of parliamentary elections in the Member States in the same period as in the previous paragraph. I did so by examining the ParlGov database which contains information on almost all the countries around the globe. I examined all the Member States, contrary to what Boranbay-Akan et al. (2016) suggested but, narrowing the number of observed countries to the big four, as they did, does not represent a problem once the data on all countries has been collected.²⁴ Similarly, the argument Ponzano et al. (2012) use in their paper is that big countries have more 'pull' in the Council and may contribute more to the uncertainty over the positions in the chamber.²⁵ I discovered that a total of 46 parliamentary elections were held in all the Member States in the mentioned period. Year-by-year data shows that in 2014 a total of 4 elections were held; in 2015 a total of 10 elections were held; in 2016 a total of 7 elections were held; in 2017 a total of 8 elections were held; in 2018 a total of 6 elections were held, and in 2019 a total of 11 elections were held. When narrowing the search to only the big four, Germany, France, Italy, and the UK (I also examine the UK in my paper due to the official date of UK's exit from the Union being January 31, 2020, meaning that the UK could have affected the legislative process up until then), the result is as follows: in 2015 a total of 1 election was held; in 2016 no elections were held; in 2017 a total of 3 elections were held; in 2018 a total of 1 election was held, and in 2019 a total of 1 election as well.

Table 3: Number of parliamentary elections in all Member States

²⁴ Boranbay-Akan, König, Osnabrügge, "The imperfect agenda setter: Why do legislative proposals fail in the EU decision-making process?".

²⁵ Ponzano, Hermanin, Corona, *The power of initiative of the European Commission: A progressive erosion?*.

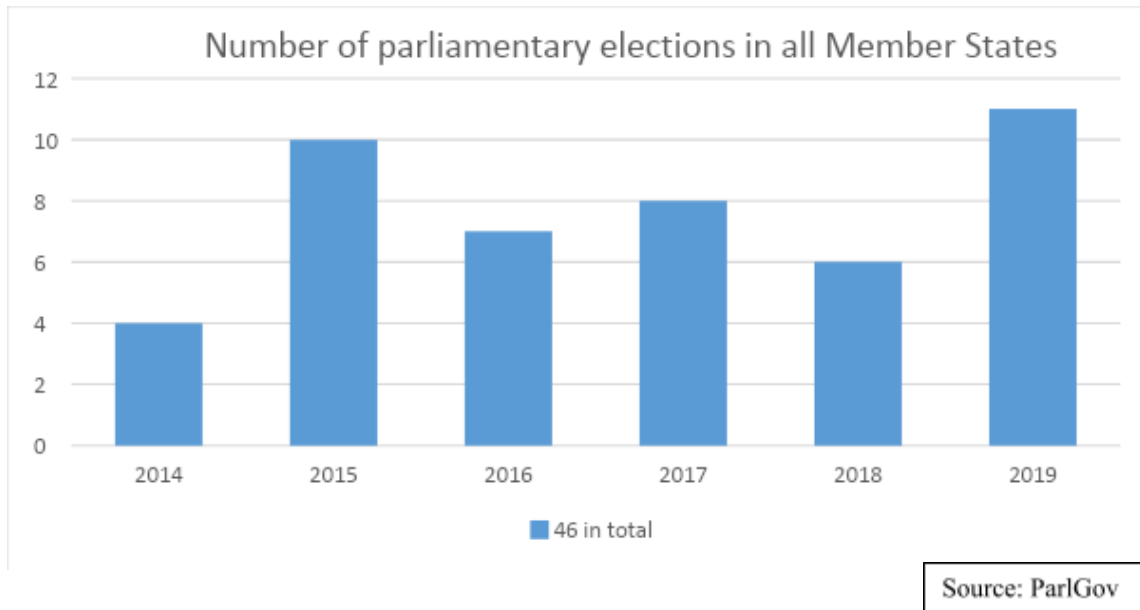
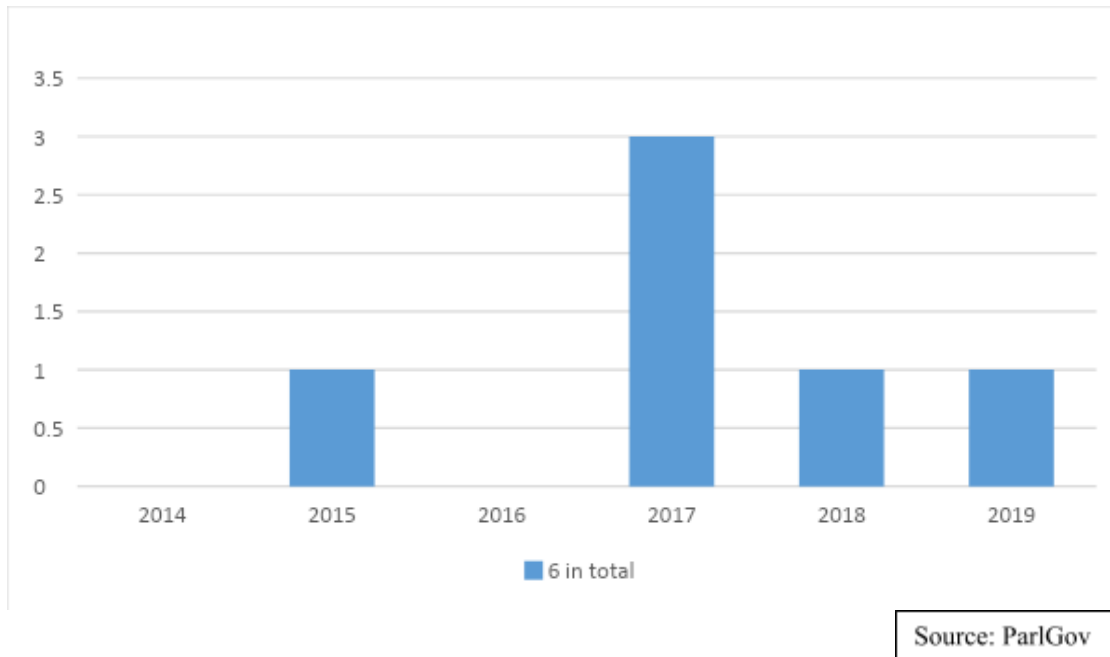


Table 4: Parliamentary elections in Germany, France, Italy, and the UK



Furthermore, I examined substantial procedural changes such as changing voting rules or legislative dynamics between the institutions that may have been introduced by the Lisbon Treaty. I concluded that the Lisbon Treaty did indeed introduce novelties in the decision-making procedure during the examined time frame of this paper. For example, the voting procedure in the Council changed, each Member state now having one vote instead of differentiated voting powers as introduced by the Treaty of Nice (2003). According to the Lisbon Treaty (2009), the procedure for a Qualitative Majority Voting (QMV) will have changed as of November 1, 2014 with a transition period until March 31, 2017.²⁶ The QMV will become the default voting method of the Council and will be based upon a double majority of the Member States and the EU population.²⁷ It will represent a majority of 55% of the Member States and 65% of the EU population.²⁸ The

²⁶ Wim Van Aken, "Voting in the Council of European Union: Contested Decision-making in the EU Council of Ministers (1995-2010)", (2012): 22.

²⁷ Ibid.

²⁸ Ibid.

majority threshold rises to 72% when the Council does not act on a proposal from the Commission or the High Representative.²⁹ A blocking minority constitutes at least four Member States representing more than 35% of the participating Member States plus one Member.³⁰ The latter is designed to prevent the larger Member States (France, Germany, Italy, and the UK) from being able to block a Commission proposal.

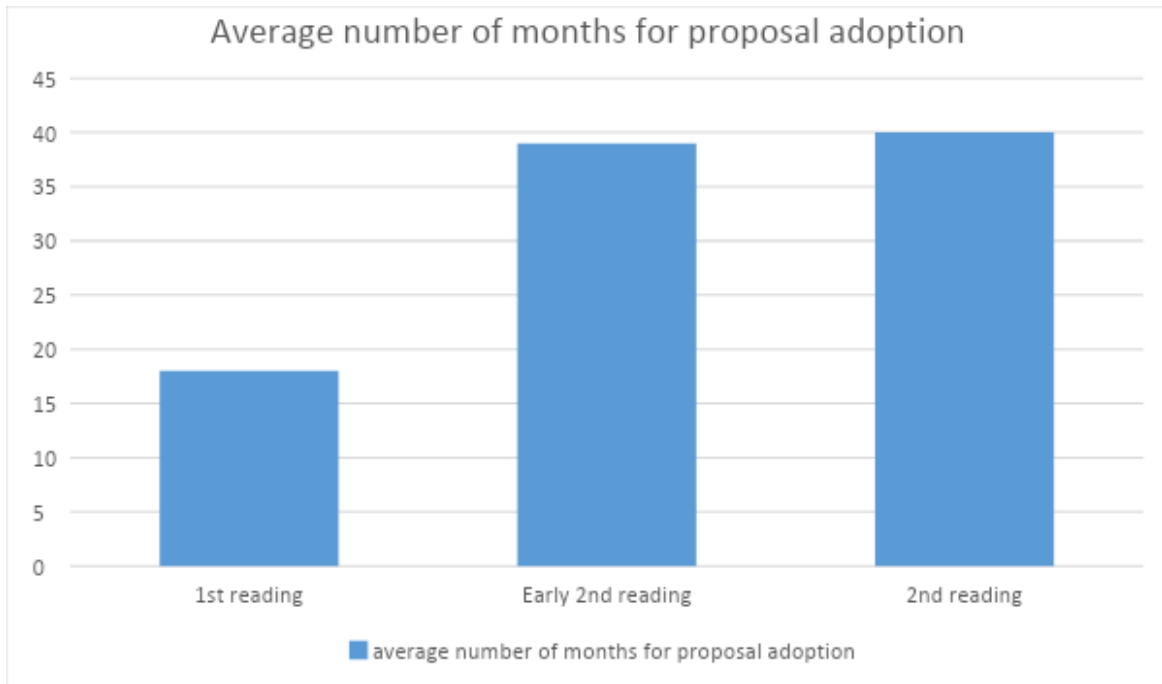
Lastly, as a means of testing the third hypothesis, I examined EP's Activity Report (2019) which suggests that during Juncker's Commission, proposals that were adopted at the first reading took on average 18 months, whilst those going into the early second took as much as 39 months and lastly, those going into full second reading took 40 months on average. No proposals went into the third reading.³¹ If we take into account that most of the proposals have been adopted at the first reading, we could take 18 months as a relevant measure, but we will also compare the average time proposals going into the early second and full second reading spent in the legislative procedure with the time spent on the proposals that failed; we want to be sure that the results are really convincing. I calculated the average number of months failed proposals have spent in the legislative process by comparing the year and the month of proposal initiation and withdrawal, adding together the number of months for all proposals and then dividing this sum with the number of failed proposals (55), resulting in the average number of 56 months. The source is, once again, the EurLex database described in the first and the second paragraphs of this section.

²⁹ Ibid, 24.

³⁰ Ibid.

³¹ European Parliament, "Activity Report: 1 July 2014 to 1 July 2019", Brussels (2019): 7.

Table 5: Number of months for proposal adoption from 2014 to 2019



Source: EP's Activity Report 2019

Analysis

Hypothesis no. 1

In this section, our three hypotheses will be tested in the light of the collected data. Firstly, the H1 suggests that elections in the Member States increase uncertainty over the position of the Council by affecting the Member States who are faced with the election process and possible transition of power. An increased number of elections would mean increased uncertainty over the positions of Member States and the Council itself, suggesting that the Commission no longer has complete information, which could lead to an increase in failed proposals. Boranbay-Akan et al. (2016) focus their analysis on the big four, arguing that uncertainty of the position of the big countries with the bigger 'pull' affects the uncertainty of the Council the most.³² By examining all Member States they have found that even if the number of elections rises significantly, it

³² Boranbay-Akan, König, Osnabrügge, "The imperfect agenda setter: Why do legislative proposals fail in the EU decision-making process?".

does not necessarily proportionally increase uncertainty.³³ What I found is that, when only the big four are observed, 50% of all held elections were in 2017, a year in which only 11% of all withdrawals occurred. Additionally, in 2015, when almost 73% of all withdrawals occurred, only one election was held, constituting almost 17% of all elections. Therefore, I concluded that observing elections only in the big four might not be the best predictor of proposal withdrawal.

Furthermore, when all Member States are examined the number of all elections rises from just 6 to 46. In this case, almost 22% of all the elections were held in 2015, when almost 73% of withdrawals occurred. But, in 2019, 24% of all the elections were held when no proposals were withdrawn. In 2017, when 11% of all the withdrawals occurred, 17% of all the elections were held. Finally, in 2018 when 16% of all the withdrawals occurred, 13% of all the elections were held. I have concluded that observing all the Member States might, also, not be a good predictor of proposal withdrawal. The correlation is a bit higher than when observing just the big four; the number of elections jumped almost 8 times. That means we should have seen a much greater correlation for this predictor to be a convincing one. It might be that elections in the Member States are no longer causing uncertainty to rise as they used to. Since differentiated voting powers in the Council were abandoned, and every Member state has only one vote, it could be imaginable that uncertainty in one, or even two countries, even if those were big countries, does not lead to a significant increase in the uncertainty of that chamber.

Table 1: Hypothesis no. 1

Year	Number of withdraw	Percentage of of withdrawn proposals	Number of elections in all	Percentage of elections in all	Number of elections in the big four	Percentage of elections in the big four
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³³ Ibid, 12.

	n proposals		Member States		Member States	
2014	0	0%	4	9%	0	0%
2015	40	73%	10	22%	1	16.6%
2016	0	0%	7	15%	0	0%
2017	6	11%	8	17%	3	50%
2018	9	16%	6	13%	1	16.6%
2019	0	0%	11	24%	1	16.6%
Total	55	100%	46	100%	6	100%

Source: own calculations

Hypothesis no. 2

Our second proposition suggests that procedural changes such as changing voting rules or legislative dynamics between the institutions could have an impact on uncertainty in the co-legislators. When the voting procedure, for example, is changed, the balance of power inside the respective chamber changes as well, in addition to a certain time needed for the transition to the new procedure. On the other hand, changing legislative dynamics between the institutions, such as introducing the EP as a co-legislator that has to approve a proposal, also changes the balance of power between institutions, which takes time to become accustomed to. This can lead to increased uncertainty in a certain period, suggesting that the Commission no longer has complete information which could lead to an increase in failed proposals. As seen, at the end of 2014 a new voting procedure was introduced to the Council. A transition period was set up to 2017, suggesting that the authors of this change considered it to be reasonable that it might need the Member States as much as three years to become accustomed to it. In

the following year, 2015, we saw a number of almost 73% of all the withdrawn proposals occurring. If we take 2017 as a year in which a procedural change also occurred, because the transitional period lasted until that year, it would mean that 84% of all the withdrawals happened in this period of introducing the new voting scheme. But, at the same time, in 2018 we saw the second-highest number of withdrawals and no procedural changes. Therefore, I have found the evidence on procedural changes to be inconclusive when predicting or explaining withdrawal patterns.

Table 2: Hypothesis no. 2

Year	Number of withdrawn proposals	Percentage of withdrawn proposals	Procedural changes
2014	0	0%	Yes
2015	40	73%	Yes
2016	0	0%	Yes
2017	6	11%	Yes
2018	9	16%	No
2019	0	0%	No
Total	55	100%	

Source: own calculations

Hypothesis no. 3

Our third, and final, proposition suggests that withdrawn proposals are the ones that have been stuck in the legislative procedure for so long that they face no real prospects of adoption.³⁴ In this case, the withdrawal is just the Commission formally admitting defeat. To test this, I compared the time that withdrawn proposals spent in

³⁴ Ponzano, Hermanin, Corona, *The power of initiative of the European Commission: A progressive erosion?* 57.

the legislative procedure with the time it took the proposals to be adopted. As seen, during the Juncker's Commission the proposals going into the full second reading took the largest amount of time to be adopted, and that would be 40 months (Only 4 proposals or 1% of all the proposals went into the full second reading).³⁵ Compared to this number, a little over 65% of all the proposals that were withdrawn spent more than 40 months in the legislative procedure (This was calculated by measuring the number of months every failed proposal spent in the legislative process). This suggests that proposals that are doomed to fail indeed spend more time, on average, stuck in the legislative procedure than proposals that do get adopted.

Table 3: Hypothesis no. 3

	Proposals adopted in the first reading	Proposals adopted in the early second reading	Proposals adopted in the full second reading	Failed proposals
Average months spent in the legislative procedure	18	39	40	56

Source: own calculations

Conclusion

When examining whether the increase of uncertainty, measured through the number of parliamentary elections held in the Member States and substantial procedural changes, influences the rise of withdrawn proposals, I have found the results to be mixed. The first hypothesis, which suggests that the number of elections in the Member States influences the number of withdrawn proposals through increasing uncertainty in the Council, in my opinion, does not stand. When measured only through elections in the

³⁵ European Parliament, "Activity Report: 1 July 2014 to 1 July 2019", Brussels (2019).

big four, I get no significant results. Introducing elections in all the other Member States does lead to an increased correlation, but only marginally. It could be possible that the voting scheme in the Council introduced in 2014 led to the weakening of the influence elections had on the uncertainty of that chamber. With every state now having just one vote, any political insecurity or turmoil in one, or few Member States, even if those Member States are the big four, might not significantly affect the chamber as a whole. Furthermore, the results of the second hypothesis, which suggest that procedural changes lead to an increase in withdrawn proposals are, in my opinion, inconclusive. I have found that almost 84% of all the proposals that were withdrawn, were withdrawn in the period of the voting-procedure transition in the Council. But, at the same time, the second-highest number of withdrawn proposals happened in the year with no procedural changes. Moreover, the third hypothesis, which suggests that proposals doomed to fail are the ones that spend more time, on average, in the legislative procedure, in my opinion, holds. I have found that a little over 65% of all the withdrawn proposals were in the legislative procedure longer than proposals which took a large amount of time to adopt, those going into the full second reading, around 40 months in the 8th legislative term.

Finally, I have found the insights of Boranbay-Akan et al. (2016) quite useful, although not as relevant in contemporary legislative terms as they were in the period before the Lisbon Treaty. Additionally, I recognize that the method I have settled on using is, to some extent, flawed. When measuring whether the uncertainty over the position of the Council increased with the number of elections, it would be useful to test whether the transitions of power have actually happened. It could be that the number of elections does rise but uncertainty does not change, as there is no real transition of power or a change of government preferences. On the other hand, I consider testing how

uncertainty tempers with the Commission's complete information assumption, with all its flaws, a very useful empirical check of the theoretical concepts.

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