

Panel proposal NIG Conference 2017, 9-10 November, Maastricht University

## **Understanding negotiations in the European Union**

### **Organizers:**

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Political negotiations are omnipresent in the European Union. In a political entity that assembles a plethora of different interests and positions of nation-states, citizens, industry and civil-society actors, negotiations and compromising are the vital component of every-day political life. The centrality of the concept has motivated scholars for decades to look into EU negotiations and the factors that determine their outcome. Despite this scholarly attention, there is still much to be discovered, which is testified by a broad contemporary research agenda on EU negotiations. Especially now, as the EU faces the important and lengthy negotiations on the conditions of the UK leaving the Union, there is a vital interest in detecting the mechanisms underlying EU negotiations.

While we have been engaged in analyzing EU negotiations for many years, the results represent a scattered field. Somewhere in between negotiation and integration theory, applying manifold different theoretical and methodological approaches, scholars have had a hard time linking their efforts and creating a truly unified research agenda. Rationalists and constructivists have each drawn their own picture of EU negotiations, without much cooperation or integration of various theories, methods and findings. In that light, this panel sets out to bring together scholars working on EU negotiations and to detect links between different approaches.

Several questions are considered important in EU negotiation research. First, the culture of negotiations has attracted growing interest. Under which circumstances are negotiations coined by deliberation and the open exchange of arguments, and when can we witness hard bargaining? This is a mostly open question up to date. Proponents of deliberative democratic theories trace deliberation in different settings of EU negotiations, while rationalist approaches explain these as games with winners and losers, calculating losses on the basis of the degree of position changes.

Another, and certainly linked, field of research is that on secluded decision-making. The majority of EU negotiations take place behind closed doors, restricted to a handful of representatives. This first of all poses important methodological questions on how researchers can get access to the information necessary to answer their questions if negotiations are

restricted. Further, there is a branch of research investigating in camera negotiations from a normative perspective, assessing them against a range of criteria of democratic legitimacy.

A third branch of research focuses on the actors involved in EU negotiations and their qualities. Here, questions on the mechanisms of delegation and control (principal-agent problems), the balance between elected officials and administrative actors, and the role of individual traits are analyzed.

While each of these branches has value on its own, we believe that by sharing our results and thinking of ways to integrate our research agendas, we can take the next step in analyzing EU negotiations. This panel seeks to bring together scholars that investigate the topic from different theoretical, methodological and empirical perspectives. We welcome empirical papers as well as theoretical accounts on EU negotiations. Issues of interest include, but are not limited to:

- Factors determining the bargaining success of negotiators
- Institutional constraints and rules EU negotiations
- Deliberation vs bargaining in EU negotiations
- Individual qualities of negotiators
- Normative assessments

#### **Link to NIG subthemes:**

In our view, the panel links to the following NIG subthemes:

- 1) *Multi-level governance and Europe*
- 2) *Multi-actor governance and complexity*
- 3) *Political institutions and democracy*

The panel neatly fits into three of the four NIG subthemes. Firstly, most EU negotiations are in essence a case of multi-level governance (theme 1), as in many occasions representatives of different levels of the EU multi-level policy come together to find agreement. In case of legislative politics, supranational and national institutions are involved in the negotiations and sub-national levels of government participate in EU negotiations in many policy fields. Second, and as stated in the panel description, multiple actors and interests are engaged, which adds to the complexity of negotiations, one of the features that differentiates them from many national-level negotiations (theme 2). Lastly, The EU has institutionalized fora of decision-making and negotiations between and within the big institutions such as the Parliament and the Council, in order to allow for a relatively smooth and efficient political process. The design and qualities of these institutions have, besides being a focus of research in their own right, also raised questions about the democratic quality of EU negotiations (theme 3).