Pragmatic-incrementalism as a mechanism of integrative conflict-resolution.
Theoretical analysis of the logic of integration in expert-oriented policy making.

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Introduction.

The policy-making process of the European Union (EU) is determined by a great fractionalisation of structures of authority and the prevalence of flexible, yet efficient regulatory designs. In this context, policy analysis has been progressively integrated within negotiated processes between multiple centres of consultation, advise, decision and implementation. Hence, the explanation of policy regulations has become associated with the dynamics of communication among actors. In this sense, expert knowledge is not just expected to provide technological answers to regulatory questions, but is also related to learning processes in conflict-resolution interactions through which actors reach collective solutions. At some point, however, The EU policy-making process appears as a permanent multilevel and multi-arena coordination, a refined version of the equilibrated Puchala’ “concordance system” (Puchala, 1972), and we are unable to explain its transient and evolving nature. I argue, that in order to understand this evolution, we need to look at the theoretical determinants of the integrative dimension of the process.

In this paper I propose a theoretical study of the logic of integration in the policy analysis referring to the European Union context of governance. I present the integration process as conceptually different from that of coordination or cooperation. It implies the search for an outcome of upgraded collective value. The integrative dimension requires a specific explanation of problem definition and policy change. By means of a conceptual analysis, I define and examine an integrative pragmatic-incrementalist mode of conflict resolution, which is typologically characterised by its expert-driven and empiricist approach to policy framing.

In the first part of the paper, I present a synthetic theoretical framework which introduces the key notions necessary for understanding the logic of integration; and derived from it, I advance the concept of integrative conflict-resolution mechanism. I will refer, then, to the connexion preferences-interests in integration. I consider this connexion of special importance for analysing problem framing. The question of framing regarding integration is whether a change of preferences entails new levels of efficiency in the sphere of interests, or just compromising changes within the existing level. When we take conflict-resolution mechanisms as theoretical indicators of the integration process, we are concerned with conceptualising this reframing as the result of a conflict between different preferences, subsequently leading to an upgrading of common interests.
The second part of the paper is dedicated to the analysis of **pragmatic incrementalism**, which develops from the notions of the logic of integration in connexion with the process of policy change. This mode relies on advisory expertise of specialised committees and is relevant in the phase of agenda-configuration of the decision-making process. Analytically, the mode is contrasted with those of **bargaining** and **deliberation** by its pragmatism, its technical and depoliticised approach, the empirical claim in the selection of alternative policies, and the requirement of “truth” as its evaluation standard. Policy analysis becomes integrative through **fragmented issue-linkage**. Adversarial elements and diversity of political interests are thus introduced and incrementalism loses its programmatic linearity. Dissatisfaction of consequential actors prompts problem reframing in previously contained policy-area agencies by introducing selected information from other areas. In this transformation, elements of bargaining and deliberation are introduced while maintaining the knowledge-based definition of interests.

I will finally indicate how pragmatic-incrementalist problem framing is reflected in an institutional design characterised by continuous delegation and improvised flexibility in the regulatory policy process of the EU. I hope to show that this process, which often calls for perplexity, derives instead from a coherent logic that can be understood by pointing to the theoretical determinants of integration.

**1. The logic of integration.**

I will first propose an **explicative definition**\(^1\) which reveals the logical structure of a **political integrative process**. This definition constitutes theoretical framework: it contains the set of variables that are necessary to define the integration process, the relation between them, and a scheme of causality. My proposed definition is the following:

A political integrative process involves actors in situations where uncertainty prevails and where interests conflict; the actors, however, are interdependent, as they

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\(^1\) For the concept of “explicative definition”, see Hempel (1972), and Oppenheim (1965). For conceptual analysis in Political Science, see equally Oppenheim, (1965), Barry (1965) and Sartori (1984).
need to cooperate with others to achieve welfare improving projects. They will enter negotiations in order to resolve those conflicts. But the integrative-upgrading character of these negotiations will depend on the change in actors’ preferences, caused by individual revisionist strategies based upon expectations of benefits in a collective outcome. Revision requires that actors remain independent in the formation of their preferences, and therefore, stand competitive in the search for new solutions to common objectives.

This definition is naturally related to “mixed-motives games” of strategic interaction that link common and conflicting issues (see Schelling, 1960). However, it includes basic variables of a revisionist process that refer specifically to the integration logic.

A sense of what it is meant here by integrative process can be gained by representing two classical Prisoner’s Dilemma matrixes with different payoffs:

<table>
<thead>
<tr>
<th>A: cooperate</th>
<th>defect</th>
<th>cooperate</th>
<th>defect</th>
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<tr>
<td>B:</td>
<td></td>
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<tr>
<td>cooperate</td>
<td>3</td>
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<td></td>
<td>3</td>
<td>1</td>
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<td>defect</td>
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<td>5</td>
<td>2</td>
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original state (common objectives) (possible) integrative outcome (welfare-improving project)

°Original state
*(possible) integrative outcome

Figure 1.

We can define the causal imagery of the logic of integration as dissatisfaction leading to revision. A redefinition of political rules would not be carried out if actors’ fundamental interests sufficient to build a consensus were actually represented. Actors dissatisfied with a given state of affairs will seek to revise the outcome. The search for new solutions in the

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2 Note that the Prisoner’s Dilemma matrixes are used here as a graphic representation of the concept of integration developed in the study. They should not be interpreted as an application of a game-theoretical model.

3 In its basic formulation, it was introduced by neofunctionalist theorists. This is not to suggest that non-neofunctionalist approaches to the subject are not relevant. Neither does it mean that alternative formulations of the logic, mainly the rational choice logic and the path-dependence logic, have not been applied to explaining integration. However, I am suggesting that other approaches and other formulations have to integrate the basic “dissatisfaction-revision” causal scheme.
political integrative process, implies that potential for integration can be identified in various possible payoff-matrixes, and that in these matrixes individual gains can be evaluated differently. This is what is represented in Figure.1. The matrixes indicate a causal transitional process in which collective interests are redefined: a passage from common objectives to welfare improving projects. While the first matrix represents an initial state of affairs of feasible cooperation, the second shows a project with increased collective value not already known, on which actors base their expectations of individual benefits. This means that the transition is an uncertain process. A revisionist process of conflict resolution will lead to a negotiated solution which may be integrative or disintegrative.4

The asymmetric distribution of benefits in the upper-left cell of the second matrix, indicates that integrative outcomes are, on the one hand, efficient, and on the other hand, distributively differentiated in terms of their weighting of policy issues. This correspond to an outcome of convergence of interests (see Haas, ([1958] 2004: 15; Schmitter, 1971: 248). The collective solution would afford differing opportunities for various actors to satisfy preferred issues. These opportunities (or interests, cf. below) may be complementary; they may also be unrelated and hence arranged separately in the configuration of the common policy. Insofar as diverse expectations (of various actors) are the reason for choice, we will refer to plural interests; more and varied interests are included in the common policy. This outcome corresponds to the concept of upgrading the common interests ( cf. Haas, 1961: 367-69; 1964: 111).

For the analysis of problem redefinition in relation to integration, I consider necessary to address the issue of the difference and connexion between preferences and interests.

Haas states that change of preferences is a necessary requisite for integration; that integration theory, indeed, is concerned with shifts of perceptions, attitudes and expectations (see specially for the epistemological discussion, Haas, 1971; and for the hypotheses formulated within his inductive theory, see Haas [1958] 2004). Haas, however, does not deal with a differentiation of interests from preferences. This leaves us with the difficulty of understanding the connexion between the changing-preferences process, on the one hand, and the cooperative outcome with an upgraded collective value, on the other. The problem which

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4 A disintegrative negotiated solution would be represented by a second matrix in which the left-upper cell would include pay-offs of decreased value relative to the cooperative common objectives of the first matrix. By representing the second matrix of Figure.1. as hypothetical and expected, I am indicating the integrative negotiation process, rather than a solution. As both matrixes show, the negotiated solutions of the left-upper cells are Pareto-efficient outcomes; but, when representing conceptually an integrative transitional process, welfare improving projects appear as projected solutions beyond Pareto optimality.
arises in the requisite of changing preferences is that it is not conceptually possible to grade preferences (Young, 1955), so as to deduce an increase or decrease of its value by referring solely to the notion of preference. The concept of interest, on the contrary, can be interpreted in terms of degree, and be measured. An association between preferences and interests is indispensable. But this association must be stated, and not left unclear.

The concepts that most basically expresses the difference and connexion between interest and preference are those of means and end (see Barry, 1965: 183-44; Oppenheim, 1981: 125). Parsons defines interests as “generalised means to any ultimate end, or generalised immediate ends of a rational action” (Parsons, 1949 quoted in Barry, 1965: 183). This points directly to the relation between ordering of preferences and their satisfaction. Preferences are goals only assignable to individuals, and therefore, subjectively regarded. Interests refer the conditions of actualisation of a given preference. These conditions are “objective”, in the sense of being an advantage that can be perceived from an external perspective.

Note that “ultimate ends” are those set of preferences that can be said to have an intrinsic value for the actor. They are not to be confused with first-ranked preferences. They are rather characterised in terms of the actor’s whole preference ranking. It is precisely for the reason of better satisfying fundamental goals that the notion of interests may be called for.

We can see that the relationship between preferences and interests leads to the basic problem of collective choice. In a strategic interaction, an actor may actualise her/his preferences by looking at her/his interests (i.e., means for their satisfaction) resulting from the most appropriate strategy given the others’ preferences; and the order of preferences derived from this actualisation would differ from her/his subjective preference ordering.

When we say that common interests are upgraded, this means that actors have improved the objective conditions or opportunities to actualise their preferences, thereby making possible a higher level of satisfaction. The logic of integration requires that interests can only be upgraded if preferences change. I will systematise this conceptual requirement with the following logical index formulae:

Given, Initial Preferences: P1

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5In this sense, interests have a component of concreteness (hence Parsons’ immediate ends). Interests are usually associated with material welfare (Hirschman, 1986, Oppenheim, 1981: 128-134) or to a profit-making calculation (Weber, 1968: 195-98). Knoke et alli use the term preference “in the sense of being in favour or against a particular solution” and interest to designate “the utility differences that these policy problem solutions have for the actor” (Knoke et alli, 1996: 78).
Changed Preferences: P2
Initial Interests: I1
Increased Interests: I2,

Then, we obtain the following conditions for outcome selection:

1) P1  I1: the initial situation or original state.
2) P2 I1>P1 I1: changed preferences with initial amount of opportunities.
3) P1 I2>P1 I1: actors’ increase in opportunities to satisfy initial preferences, i.e., cooperative outcome.
4) P2 I2> P1 I1: Changed preferences with increased interests is selected over original state.
5) P2 I2> P1 I2: Changed preferences with increased interests is selected over initial preferences with increased preferences.

The logic of integration will exclude the selections (2) and (3): the outcome without any change in the amount of opportunities is discarded as inefficient; and the possibility that interests are upgraded while preferences remain the same would not involve an integrative change but a reallocation of the values given to preferences, corresponding to a cooperative outcome. The condition for reaching welfare improving projects in the integration process is that changed preferences are selected over initial preferences, as in (3) and (4): that is, upgrading interests is a function of the changing of preferences. Summing up, actors’ interests are upgraded because a preference change has led to an increase in opportunities to satisfy their ultimate ends.

We can restate schematically the definition of the integration process, focusing on the line of causality:

\[ \text{Common objectives} \longrightarrow \text{Negotiated process} \longrightarrow \text{Welfare improving projects.} \]

\textit{(integrative conflict resolution mechanisms)}

\textit{Conflict-resolution mechanisms} are the instrumental means of the negotiated process which would lead to welfare improving projects. The negotiated process of revision involves the actors’ change of preferences from their conflict of interests. Revision entails that

\footnote{"">" stands for “is selected over”}. 
individual actors progressively identify specific constructive information raised in the negotiation process. This information is to be related with their ultimate ends, raising issues which were not initially included for discussion in the common agenda. New preferences are individual preferences. But, in terms of interests, they are shaped as being only realisable in connexion with preferences of other actors. In other words, they are preferences dependent of others’ preferences. This signifies that new preferences are partially defined necessarily by positive externalities. Because of these externalities, the new interests related to a collective solution will involve an upgraded level of efficiency. In this sense, the integration is a process of interest formation.

I identify three modes of conflict-resolution mechanism: pragmatic incrementalism, deliberation and bargaining (see table.1.). Strictly speaking, I do not consider that deliberation can constitute an integrative mechanism. Because integrative agreements are not based on a conception of a “common good”, they demand that actors are convinced that their individual interests are enhanced by means of a collective decision; rather than persuaded that individual interests are identified with a common interest. But deliberation is, undoubtedly, an important element of the process by which the other mechanisms frame convincing outcomes.

I shall be analyzing here only the pragmatic incrementalist mode. Obviously, neither of the three mechanism is found in its pure form in any real situation. Yet, even from a theoretical perspective, it is important to note that, when involving integrative revisions, pragmatic incrementalist analysis will include elements from bargaining and deliberation, while maintaining its basic defining properties.
Table 1

<table>
<thead>
<tr>
<th>Typological characteristics of three conflict-resolution mechanisms</th>
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<tbody>
<tr>
<td><strong>Pragmatic Incremetalism.</strong></td>
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<tr>
<td><strong>Principal aspect of integrative conflict resolution</strong></td>
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<tr>
<td><strong>Result of revision regarding interest formation</strong></td>
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2. Pragmatic-incrementalist conflict-resolution.

The passage from common objectives to welfare improving projects through this conflict resolution mechanism is gradual and marginally incremental. It is founded in the pragmatic strategy of evaluating immediate consequences of facts derived from past performance.

The classic incrementalist approach\(^7\) is not, in principle, concerned with the question of integration, but with the general problem of which decision procedures to adopt in order to reach policy improvements which will be equivalent to a “practical” approximation of an optimal welfare function (Braybrooke and Lindblom, 1970: 12-16). However, by conceiving the decision-making process as a strategy of policy improvement which deals with the inexistence of a “closed system of variables” (Simon, 1945, quoted by Braybrooke and Lindblom, 1970: 39), incrementalism associates conceptually with the integration logic, which is based on actors’ expectations of benefits.

2.1. The institutional setting of pragmatic incrementalism: governmental pluralism

From the integration perspective, the characteristics of incrementalism are explicative for decisions within the organisational setting of the EU that occur in the phase of agenda-configuration. Commission agencies prepare policy projects which present expert-based efficient potential solutions; to accomplish this task they rely on delegate or full independent expert and advisory groups\(^8\). It is clear that the member states, especially through the Council Secretariat, are involved in parallel processes of expert consultation; that indeed advisory committees are customarily requested by the Council (see, generally, Christiansen and Kirchner, 2000; and for a specific example, Gehring, 1999). But when focusing on agenda-configuration, the problem definition in which I am interested is equivalent to the drafting of legislative proposals. Under the EU formal rules of decision-making, this function is linked to the Commission’s right of initiative to propose legislation\(^9\).

Organizational theory defines an organization as an entity which performs \textit{purposeful activities} (Weber, 1968). In an organizational setting, \textit{hierarchical direction} is generally accepted as being the most efficient conflict resolution mechanism for attaining effective solutions (Scharpf, 1997). These two basic tenets are challenged by the integrative organisational model. The European Union represents a \textit{governmental pluralistic} Institutional setting. What I mean by \textit{governmental pluralism} is the absence, at the governmental level, of

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\(^7\) Henceforth, I will use the term “classic incrementalism” to refer specifically to Braybrooke and Lindblom or Lindblom’s versions; and the term Pragmatic Incrementalism (PI), for the model of integrative conflict resolution exposed here.

\(^8\) Cf. Majone’s distinction between a Principal-Agent relationship based on partial transfer of decisional control in a given issue area (agency delegation) and that based on full transfer of control (fiduciary relationship) (Majone, 1997).

\(^9\) I do not treat here the subject of the implications of agenda-setting for whole inter-institutional process of legislation in the EU (see Polack, 2003). My interest is in the conflict-resolution mechanism operating in the configuration of proposals as an integrative process in itself.
defined objectives and global hierarchical direction to deal with conflict-resolution involving
decisional or public actors. Regarding the bureaucratic aspects of the EU, we find
conceptualisations of this model in the works of Coombes (1970), Christiansen (1998), Peters
(1992) or Schmitter (1996; 2000). Decision-making occurs in horizontal interactions between
departments and within independent departments and ad hoc groups and committees. These
bureaucratic agencies have different objectives according to the issue-area to which they are
accountable, depending on the functional tasks they perform, and because of their relation
with different transnational and national interest groups which transfer expert information and
support. Objectives between them often conflict. Negotiation would be the primary form of
coordination of managerial decisions\textsuperscript{10}.

It is precisely this absence of hierarchy and definite purposes which relates the
organizational model of the EU to a political integrative process. The existence of definite
objectives would inhibit the redefinition of them, which is, according to the logic of
integration, necessary for the upgrading of collective solutions. The negotiations between
interest groups and the Eurocracy, by disclosing information about \textit{ultimate ends} of economic
and social actors, raise possibilities of linkages which can lead to the discovering of a \textit{welfare
improving project} not previously contemplated because those ends were not identified in the
issues considered in the \textit{common objectives}.

\textbf{2. 2. 1. Pragmatic ingrementalism :programmatic phase.}

I shall proceed now with the analysis of the first phase of PI. The argument that I
develop in this section is that the logic of integration is manifest within the scheme of
classical incrementalism, but it is “repressed” by the strictures of a programmatic linearity and
a methodological empiricism in the policy analysis.

The PI conflict-resolution mechanism starts when a bureaucratic structure is
established and confronts the absence of hierarchical administrative resources for

\textsuperscript{10} This model approximates those of \textit{bureaucratic politics} (Allison, 1971; Huntinton, 1961). However, the
literature of bureaucratic politics, while being a source of inspiration, is of limited use for analysing the
European politics: first, these studies have concentrated mainly in American foreign policy; secondly, their
treatment of decisional bargaining is basically descriptive and we find scant explanatory factors of how
bureaucratic bargaining occurs; thirdly, ultimately coordination remains hierarchical. Hierarchy is just
downgraded by intragovernmental bargaining: these studies show a number of variables indicating the ability of
the diverse bureaucratic actors to influence policy, such as the “structure of the agenda” (Hammond, 1986) or the
degree of “presidential involvement” (Rosati, 1981); but decisions are explained by the choice of the President
among alternative consensual or separated options presented to him by lobbying administrative agencies or
individuals. Peters (1992) seems to be an exception by describing the non-hierarchical decisional process of in
the European Community “bureaucratic politics”.
coordination. The decisional actors are organisational leaders, who, from the integration perspective act as “reform-mongers”—i.e., “actors employed by or closely associated with the … regional institution [.engaged] actively and deliberately in the promotion of new policies” (Schmitter, 1971: 253). Decisional actors first conceive an initial programme, and they are then confronted with the evaluation of the performance derived from it. This performance constitutes a status quo from which a strategy of policy-improvement originates.

The first characteristic that relates classic incrementalism with integration is the strategic approach to policy analysis. Incrementalism does not profess a method for goal-attainment but a strategy of improvement which does not define goals in any determinate form. The approach is based on the revision of the status quo, i.e., the current state of organisational performance. Dissatisfaction with this performance is what leads to such revision, corresponding to the integration causality. As expressed by Schmitter’s spill-over hypothesis:

Tensions from the global environment and/or contradictions generated by past performance give rise to unexpected performance in the pursuit of agreed-upon common objectives. These frustrations and/or dissatisfactions are likely to result in the search of alternative means for reaching the same goals, i.e., to induce actors to revise their respective strategies vis-à-vis the scope and level of regional decision-making (Schmitter, 1971: 243).

The organisation translates the strategic individual optic into a programmatic course of action that establishes regular procedures and the reliance on an account of administrative decisions by which dissatisfaction is evaluated. Thus, it pragmatically reduces the preferences of multiple “clients” to focal procedures, converting the diverse objectives as goals into objectives as means. In this manner, this diversity of purposes is translated into common objectives vaguely conceived, and a programme of tasks is set to perform them, with the expectation that more concrete common interests will mature from this performance.

11 In summary, the characteristics of Lindblom’s (classic) incrementalist policy-analysis are the following:
- strategic focus (instead of synoptic method).
- limitation to familiar policy alternatives.
- intertwining of values and empirical aspects.
- dependence of ends on means.
- preoccupation with ills.
- sequential trial and error.
- exploration only some immediate consequences of one alternative.
- fragmentation of analytical work into many departments. (cf. Lindblom, 1979: 517)

12 Clients of the international organisation are national governments, political parties and (national and transnational) socio-economic actors environmental. They form the organisation’s “environment”, to which it is hyperdependent (see Haas, 1964)
Lindblom seems to advocate the avoidance of a programmed design as a “method” (Lindblom, 1979). However, I should qualify that the pragmatic strategy is not in contradiction to the use of a programme. This programme, however, would have essentially managerial characteristics. This is exemplified by the cybernetic concept of “receipt”, i.e., a sequence of operations that are designed by specifying critical variables which must be kept within tolerable ranges (Steinbruner, 2002: 55). Simon refers to these receipts as “process description”, i.e., “means for producing and generating objects having the desired characteristics” (Simon, 2001: 210). Note that a “desired” end-state is first specified. But the process description implies discovering solutions. Epistemologically, the process of discovering here is equal to this of the logical inference: we get to know the conclusion included in the premises only through a procedure of reasoning, the conclusion hence appearing as new to us (cf. Cohen and Nagel, 1934: 173-176).

In the receipt, the alternative outcomes are not conceptualised in advance. Yet the notion of “keeping critical variables under tolerable ranges” is functionally equivalent to a programmed design. The basic difference with respect to a synoptic orderly set of alternatives is the negative logic implied in a programme conceived in cybernetic terms. The cybernetic decision-maker conceives limits which should not be surpassed and variables that merit focus, taking for granted that other decision-makers will focus on other relevant variables (Steinbruner 2002: 65-71).

The focus on performance means that decisions on new policies are made through the praxis of contrasting consequences of chosen policies with the precedent experience. PI is only innovative post facto. The process of policy research is intensified according to the quantity of failures, but it remains at the levels set by existing working operating procedures. In reality, PI does not profess a change of policies but a change of aspects of policies. Testing permits a pull-back if improvements are not, in fact, reached. In terms of integration theory, PI shows a great potential for “encapsulation” strategies, by which actors may prefer to resolve crises by trying adaptive modifications of established courses of action (Schmitter, 1971: 240). Prevalence of encapsulation would mean that pure incremental analysis proves appropriate. In the global context of EU decision-making, this would imply that member states’ decisional actors adopt risk-adverse attitudes, reinforcing the capacity of Commission agencies to apply “programmatic decisions” in the phase of agenda-configuration. As defined by Haas, these decisions refer to
choices within the organization whether to retain programme activity at a given level, retrench of expand … Programmatic decisions are executed in the form of operational decisions. Programs are expressed in budget and personal plans. Operations involve the commitment of parts of the budget and personnel to a specific project in a particular place. Together they constitute the methods through which outputs are produced and outcomes targeted. (Haas, 1990: 60)

Such operational decisions go together with a gradualist approach of change, when collective performance can be attained through short steps that do not modify substantially the common objectives for which the organisational procedures where designed. In fact, Haas considers that incremental growth shows adaptive patterns to deal with crisis; this involves changes of demands and expectations related with dissatisfaction in terms insufficient production or accuracy of policy outputs, but not qualitative redefinition of preferences (Haas, 1990: 105).

It should be noted, however, that the relevance of PI for integration rests on its cumulative results that may lead, at some point, to problem redefinition. It is in this sense that I define it as a mechanism of conflict-resolution. Small incremental steps are related to the prevalence of short-run expectations intrinsic of the integration logic (Haas, [1958]2004: 283-318, see also Haas, 1961: 370). Instead, major (non-incremental) policy redefinitions would probably entail a long-run commitment of actors in terms of their identity of interests. This is not coherent with the integration logic, by which actors, I argue, keep individualised view of the collective solutions, pointing to a convergence of interests. Accordingly, actors commit to a common project on the basis of short-run expectations of benefits that can be seized individually, without regarding a long-term project implying more compromising political decisions (cf. Haas, [1958] 2004: xxv). The organisation can only satisfy interests of actors in the form of forthcoming particularised benefits from collective performance.

I would like to point out that an important implication of logic of expectations-based choice is that actors place a value on the unpredictability of the future, granting a space for experimentation in the resolution of conflicts. Lindblom states that in face of ambiguities, the analyst would deliberately seek such strategic experimental approach (Lindblom, 1979). This experimentalism relates to a corrective logic in the channelling of diverse preferences into concrete interests:
To influence policy choices at points on which analysts differ … they must first be transformed into the more specific values involved in actual policy choices. In the process of that transformation they turn into remedial values. (Braybrooke and Lindblom, 1970: 103)

The selection of options is based on the correction of observed “ills”. This corresponds fairly well to Popper’s “piecemeal engineering”: “a method of searching for, and fight against, the greatest and more urgent evils of society, rather than searching for, and fighting for, its greatest good” (Popper, 1945: 139); The same negative logic characterises the initial reason triggering integrative strategies: “spill-over was driven for the postulated fear by actors of suffering losses *unless* further sectors were integrated (Haas, ([1958]2004: *xxiii)

It should be noted, however, that spill-over is the most pro-integrative strategy, involving the increase of level and scope of collective decision-making, and hence would entail more revisionism than other more prudent strategies. This means that, once assessed the contradictions of past performance, actors will give a positive value to their expectations, so they would be more risk-prone or, more likely, would possess elements to judge with fair certainty future outcomes.

In terms of (bounded) rational problem solving, short-run decisions are related to the notion of selection of “local optima”. Simon explains this selection by the existence of multiple disconnected points of decision. In the lack of computational capacities or the available knowledge to conceive the “social optimum” in a collective welfare function, improvements can be achieved in separate subunits, serially creating new problems at more welfare-efficient levels (Simon, 1983, 2001). In this sense, differential local optima within the governmental pluralistic setting, would correspond to the distributional inequalities of a collective solution that I indicate as resulting from an integrative process; and, continuing with the parallelism, these distributional inequalities are likely to provoke new dissatisfactions, so that the potential for revision is already present in the temporary integrative outcomes.

I will next turn next more specifically to the analysis of limited comparisons of classical incrementalism, which anticipates the notion of issue-linkage.

2.2.2. Analysis of limited comparisons and pragmatic empiricism.

Braibrooke and Lindblom (1970) envisage a resolution of conflict between divergent policies in the form of a “marginal dependent choice” (ibid: 83-88). They make here their
basic and radical empiricist claim, by proposing a stringent reduction of the concept of value and hence, of preference.

The context of choice is one of clear uncertainty about which priority is to be assigned to each value. In face of ambiguity, analysts only examine the “margin”, i.e., the increments by which value outputs or value consequences differ from each other. Values themselves are not subject to evaluation. The question for choosing is “how much of one value is worth sacrificing … to achieve an increment of another” (ibid: 88, emphasis added).

The margin represents the policy aspects subject to “linkage”; other value aspects, no matter how important they may be, are considered irrelevant because there is no practicable way of including them in a comparison. This avoidance of value-assessment is supported by the assumption that the values examined are already inserted in a familiar scenario of decision. The aspects that do not represent differences with respect to the status quo are not subject to analysis. Thus, the strategy destroys the notion of ranking preferences, disregarding the link between preferences and interests, and concentrating uniquely on interests: there is no choice based on what is preferred but on results of performance; there is no choice for a “pragmatic preference” because the ranking of preferences is not even taken into account. What matters are the objective advantages that can be empirically measured. The strategy thus abstracts from considering the (in)commensurability of values, by stating that they are in conflict. Thus, it will not apply to values that are already ranked higher in a given agenda.

This leaves unexplored the issue of the salience of values and of salience acquirement, which is fundamental in most studies on agenda setting (Baumgartner and Jones, 1993; Cob and Elder, 1983, Kingdom, 1995). Scientific knowledge in incrementalist policy analysis, therefore, is not so directed to increase the understanding of a given problem; it is rather restricted to a role of testing method, thus assuming implicitly that there are uncontested axioms/uninterpreted theories within the familiar policy analysis scenario. The standard of truth applied to policy-choice consist of confirmation or disconfirmation of output increments.

This empiricism is purely pragmatic. Incrementalism relies on Popperian experimental inquiry (Braybrooke and Lindblom, 1970: 46). Popper states that while we have a method of confirmation, we cannot determine a normative logic of discovery (Popper, 2002: 7-8, see, for discussion, Simon, 1973). Moreover, although classic incrementalist authors do not make any claim in this regard, their empiricism can be clearly associated with some aspects of the pragmatic philosophy of science of Dewey, which states that “the full and eventual reality of knowledge is carried in the individual case” (Dewey, 1929, quoted in Cochran, 2002: 530).
Pragmatic empiricism explicitly rejects the hypothetical-deductive model. There is no notion of nomological truth. Empirical confirmation is temporary and contingent, applied to concrete problems that are bounded by “control variables” that adjust ends to be pursued to the available means. Policy objectives are determined by practice and immediate proof.

2.2.3 Coordinative issue-linkage.

Issue-linkage between different departmental agencies is the most relevant aspect of PI in relation to integration. The basic argument underlying issue-linkage is simple: by adding new issues to the agenda, or new participants to the decision-making process, the objectives of actors are modified and an agreement can be found in more satisfactory terms.

The literature on negotiation analysis has studied the phenomenon in reference to a small set of actors (see Tollison and Willett, 1979; Sebenius, 1983; Stein; 1980). The perspective of issue-linkage in these works is that of bargaining, i.e., “overcoming distributional obstacles” (Tollison and Willett, 1979: 448) or “the attempt by one or another party to vary the values of [potential] issues” (Sebenius, 1983: 286). Instead, in the PI conflict-resolution mechanism, issue-linkage takes place in an organisational setting and is specifically confined to the exchange of expertise. Typologically, it aims at efficiency rather than distribution.

As an inter-agency devise of conflict resolution, issue-linkage appears implicitly in the notion of “mutual adjustment”, included in the theses of classic incremetalism referring to the multiplicity of centres of decision (see specially Lindblom, 1959 and 1965). This notion introduces a basic change in the analysis by going beyond individual decision-making and positing an scheme of spontaneous coordination.

The adversarial dimension of the integration logic is partially present in the hypothesis that the diversity of partisan views would provide an impetus for the improvement in each agency. The analysis of “disjointed incrementalism” (Braybrooke and Lindblom, 1970; Lindblom, 1979), more strategically, proposes the deliberate subdivision of tasks and the subsequent exploitation of interdependencies.

Basically, coordinated issue-linkage applies the conflict-resolution mechanism based on sequential comparisons of marginal utilities to problems involving policies of different

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13 Cf. in the context of the EU, Weiler’s thesis on “reciprocity and transnational ‘judicial cross-fertilization” (Weiler, 1994: 521), in which he convincingly argues that spontaneous coordination among national courts’ decisions reinforces the assimilation of Community norms.
departments. Each department is *independent in the formation of its preferences*. Thus, only some policy aspects are object of mutual concern. At the same time, however, the competition in defining this mutual interest is beneficial in checking consequences within the separate departments. According to Lindblom this enables mutual error correcting, through a means-ends chain: “when an administrator’s objective turns out to be another’s means, they often agree on policy” (Lindblom, 1959: 83-84).

I would like to comment that Lindblom’s explanation of coordination seems to rest on the supposition that competing views are perfectly complementary, thus leading to a market-like equilibrium. Part of this supposition of equilibrium derives from the notion of universal validity of scientific evidence, so that PI works at its bests when the issues at stake are restricted in functional scope and are manageable by likeminded professionals. These actors are likely to reach consensual decisions because of their shared standard of evaluation of evidence, but also because they sustain the “certainty” of their conclusions upon methods that are habitually and incrementally used. According to Popper’s methodological falsificationism, consensus itself is not a criteria for veritable (objective) knowledge; rather, after due application of systematic techniques for testing, consensus is to be founded on veritable knowledge. (see specially Popper, 2002: 79-94).

I would like to specify, however, that he notion of equilibrium, is not adequate regarding the integration process. Integration involves discovery of higher utility values from a revisionist process. No matter how balanced the bases for consensus are, actors still will develop revisionist strategies as long as their interests are not satisfied.

In reality, as suggested above, the “marginal comparative method” itself does not specify why an issue is to be classified as relevant enough to be subject to comparison. By pointing to objective performance, the question of dissatisfaction itself is not addressed. To account for the perception of dissatisfaction, actors’ preferences must be introduced into the analysis. In a collective interaction in which actors keep *independence in the formation of its preferences*, the selection of a relevant issue would imply some notion of power.

The logic of integration focuses equally on performance, but it does provides a criterion for assessing power linked to the relevance of issues. The power of an actor is to be conceived in terms of the *functionality*, for Community purposes, of the issue he/she has more control of:
Variation in national policy provide a power determinant, not in absolute terms, but only with respect to the functional strength of particular states in relation to the specific task of the organization (Haas, 1961: 376)\(^{14}\)

This functionality criterion changes the function of experts in the PI model. The empirical testing as common standard of evaluation of divergent propositions remains, giving actors the possibility to engage in meaningful exchange of information\(^{15}\). But in the interaction, the dissatisfied actor, in order to convince the others of the suitability of his/her revision, must propose a *new level of efficiency* by “making functional” the issues he/she wishes to include in the collective decision-making mechanism. His eventual success will display the interconnected-expanding logic of spill-over: the issue for which he expects to obtain contributions from collective decisions, would have to afford sufficient welfare benefits to make it practicable for the organization to transfer welfare resources into the issues of interest for other actors.

In the science-prone perspective of PI, convincing attempts require a research process involving constant flow of information from advisory expert committees. Indeed, the task of expert committees turns out to be linked to political interests of the clients of the organisation. Haas points out that the autonomy of the organisation depends on renewing the clients’ interests. This renewal may not be the purpose of the clients, who, once they have attained initial objectives, may prevent further compromises if these involve excessive perceived costs. Organisational leaders “must convince, at every step, that their interests continue to be served” (Haas 1964: 112).

While hypothetically more efficient, a computational system of hierarchic task-specialisation (see Simon, 2001: 183-216), risks to be dominated by the task-purposes of its subsystems. This dominance will mean that increasing research provides certainty in each subsystem while further confusing the understanding of the whole. This growing knowledge may thus multiplicate the incompatibility of actor’s objectives (Haas, 1976: 180). The resolution of this entropic situation of too much information for adequate evaluation, will necessitate the introduction into the PI computational model of elements that are characteristic of *bargaining* and *deliberative* modes of conflict resolution, that is, *compromise* and *judgement* respectively. As expressed by Haas:

\(^{14}\) For the thesis of the primacy of functional specificity in EU policy-making, see also Schmitter and Streeck (1991: 67) and Green Cowles (1997: 135-36)

\(^{15}\) The argument that common standards of evaluation are necessary for meaningful communication in any given interaction has been advanced by Panke (2005)
Organizations…are ruled by…coalitions of interests depending on mutual accommodation. But for the purposes of an acceptable “image” of the environment, it is useful that the illusion of computation be maintained. Actual internal consensus, however, can only come about as a result of a judicious mixture of judgmental an compromise decisions. This, in the instance of government delegates and independent experts, or—more commonly—the bureaucracy, implies continuous bargaining (ibid:110)

The necessity of bargaining elements implies that distributional aspects will be important in reaching agreements about collective rules (cf. Farrell and Héritier, 2005), hence confirming the particularised notion of common interests. Expert knowledge will inform actors about the functionality of policies, thus indicating which particular preferences may serve a collective solution that upgrades the common interests.

2.3.1 Fragmented issue-linkage: integrative revision.

The latter arguments about the contradictions of the computational scheme lead us directly to the principal integrative aspect of PI: fragmented issue-linkage. Haas the introduces the concept (Haas, 1976, 1980, 1990), as occurring in face of serious crisis, increasing complexity and questioning of the incremental strategy (Haas, 1976: 184). Its basic trait is the search for new efficient solutions by disaggregating policy-agendas: following separate paths to solve a collective problem would provide flexible institutional designs for innovation. Haas defines the concept as follows:

[Fragmented issue-linkage] may … be attempted in situations where most of the political aspirations are issue-specific, but where strong strands of causal understanding among issues also exist. Moreover, the bargaining situation demands that the negotiators maintain cohesive coalitions in the face of this mismatch between knowledge and interest. … Each coalition is held together by a commitment to some overriding social goal, even though the politicians disagree with respect to the knowledge necessary to attain it, while the experts see eye to eye. Politicians may also disagree on the extent to which issues in packages have interdependent anticipated effects. Uncertainty about outcomes is the glue that that holds the coalitions together. (Haas, 1990: 78)
Even in the event of uncertainty, complexity, and the typical predominance of “transscientific” aspects in the policies that governmental agencies have to deal with (see Majone, 1989), fragmented issue-linkage does not occur in a vacuum. In terms of a social construct, the routines of verification of the incrementalist analysis will affect the resolution of conflict in the EU squabbling context of transience and transnational communication. In reality, dissatisfaction emerges from the very programmatic course of PI: it is at the point when uncertainty about scientific conclusions prevails and different systems of beliefs clash that the integration logic is manifest and leads to fundamental revisions of preferences.

Haas’s definition makes clear that in the linking process, elements of bargaining and deliberation are necessary, because actors are compelled to open previously contained policy-areas. The separation of issues represents an election under the increasing complexity of the interdependence process. In an integration process, actors focus on their own interests, giving priority to individual expectations of gain, and hence, to distributive aspects of the definition of the collective problem. As noted, expert knowledge provides solutions in terms of efficiency, but the diversity of interests over issues prevents a unitary pattern of efficiency. Therefore, issues are treated in a more particularised orientation.

The separation of areas, however, occurs in a dynamic process, so that actors pragmatically enter fluid across-area negotiations:

because the relationship between specific-static goals and increasingly consensual knowledge is by its very nature volatile, we can expect changing calculations of joint gains within and among coalitions. This changeability suggest the possibility of occasional elaborate agreements covering a variety of issues, but not a pattern of such agreements. (Haas, 1990:78)

Thus, the fragmented-linkage process involves exchange of expert information; each agency reintroduce the information obtaining for its own purpose. Departmentalisation favours division of labour in which effectiveness is achieved by a greater focus on concrete and separate problems. The linkage then includes those aspects of one policy area which infringe on the problem of another policy area. It is the expert-driven nature of the process that allows information from an issue-area to fill the gaps of another without it creating an identity of interests.

16 Note that theses that oppose policy-learning to adversary policy-making and administration (see, for instance, Wittrock: 1991) may be suited to explain cooperation, but cannot explain integrative revisions of policy problems.
2.3.2 Integrative learning and adversarial analytical debate.

The question of integration regarding the linkage process is whether the information exchanges generate the questioning of fundamental beliefs and subsequent redefinition of preferences, leading to more efficient hypothetical or actual policy solutions. This is a question of learning. When expert knowledge does not function as a method for testing policy outputs but as a means for shaping policies, we then shift from a perspective of adaptive change to one of learning.

In Haas’s work, learning is strictly linked to innovation in the organizational design for mastering the fulfilment of actor’s changing expectations. In the PI model, knowledge shapes expectations. In terms of agency, *epistemic communities* (Haas, 1992) influence the constitution of interests of governmental actors by providing *available evidence* about the problems at issue, and hence about the possible solution: “availability” is a notion referring to interests more than to preferences. The role of epistemic communities in the integration process would be less activist than this suggested by Peter Haas’ original conception. It is one thing to advocate a core of ideas, and another to submit them to a process of epistemological revision in the face of practical difficulties. In this second sense, the use of knowledge involves a strategy *towards* learning about the connexion between preferences and interests.

From the perspective of learning, it is the *reason* or *cause* of the definition of interests that matters. We have seen how classical incrementalism implied a linkage between value aspects in order to define a set of interests. Instead, a learning process asks, in the first place, why different values are to be linked. By appealing for evidence that will justify a specific package or combination of demands instead of another, we are, in reality referring to the process of revision implied in the expression “upgrading the common interests”. The use of knowledge to base arguments here, means that we cannot derive a solution from a given structure of preferences; we are not asking about the preferences of actors but about how they can be combined so as to produce an upgraded collective value. This kind of learning is simply not necessary in the fixed structure interdependence of a cooperative situation.

Learning, however, may not necessary be integrative. According to the logical index formulae that I presented above, we may have a change of preferences involving the condition $P2 \uparrow I^1 > P1 \downarrow I^1$, i.e., changed preferences with initial amount of opportunities. I would argue that such an outcome would involve a normative change of ideas, valued by actors disregarding its consequences in terms of efficiency. As a collective outcome, it could imply that actors share a “common interest” in *identity* terms. In terms of conflict resolution, we would be
considering the discursive constitution of a “common good”, to which actors “righteously” agree, in the line with the deliberative mode of interaction (see, Habermas, 1975: 107-108, Midgaard, 1980, and Panke, 2005 for a study of deliberative mode in the EU negotiation context). Instead, integrative learning entails the search for efficiency, involving the conditions P2 I2>P1 I1 or P2 I2>P1 I2. Hypothetically, it would lead to a package-deal containing collective means for furthering objectives that would be closer to actors’ ultimate ends than the initial objectives presented at the beginning of the conflict-resolution process.

Note that, in a coordination game, we could be asking the same question about the reasons of a certain combination of preferences in order to select from different outcomes which would represent different distribution of interests. Schelling introduced, to this effect, the concept of “focal point”, which is equally independent of the interdependence structure, i.e., it is extralogical (Schelling, 1960: 57). An “integrative game” is not the same as a coordination game: the focal point is to be created in the process of interaction, and it has to change the utility values of actors even if the strategic structure remain unchanged.

In the PI mechanism, this focal point is to be created by means of technical knowledge. By contrast, in the bargaining mechanism, other actors would use resources linked to capabilities, reputation or capacities to commit themselves to a firm position, while in the deliberative mechanism, normative-legitimizing reasons or reasons appealing to the common good would be the main devises for convincing other actors. However, as indicated above, expert-based arguments that validate functional efficiency would also have to take into account distributional consequences for other actors. In this sense, EU’s consequential actors—i.e., those actors who hold recognised bargaining or deliberative power, may force expert-based innovations; and conversely, technical knowledge may serve to block the adoption of innovations. Without consideration of power relationships, we cannot envisage that knowledge-informed interests will be translated into concrete policy changes in the agenda.

To conceptualise more precisely the link between knowledge and interests in the linkage process, it is worth looking in more detail at conflictive systems of beliefs and the internal conflict within each system by appealing to Jenkins-Smith and Sabatier theses on Policy-Oriented Learning (Henceforth POL). This will better express the basic reason of the issue-linkage, consisting of searching outside one’s own department for solutions which cannot be found within. I specially wish to show that POL provides a scheme for explaining in more detail the integrative variable of independence in formation of preferences, as specifically expert-driven. Moreover, the analysis of POL will enrich the expertise model in
which epistemic communities prevail, in contrast with technocratic-holistic models (see Radaelli, 1999), helping to conceptualise the adversarial dimension of integration.

I already put forward the argument that pragmatic agencies focus primarily on separate issue areas while sharing a direction in the use of knowledge because of their acknowledged interdependence; this direction points to more consensual knowledge on the basis of universal standards for validating evidence. However, the very prevalence of pragmatic issue-linkage indicates that functional spill-over entailing expanding goals is reinterpreted through particularised ways for searching efficiency, even if a shared standard of evaluation of policies is maintained.

The first relevant integration-related notion in POL is the attention it gives to actors forming advocacy coalitions, which correspond to the individualist perspective of the integration logic. It differentiates the technological-oriented process from pure functional explanations (Mitrany, 1943) as well as from deliberative theses of interaction that suggest an universalistic conception of the individual (Habermas, 1975). Indeed, POL points specifically to the distribution of beliefs among actors. New information changing the structure of the coalition will depend on how persuasive evidence proves to be compatible with existing beliefs of actors, starting with the individual. The individualistic perspective is explicative of the genesis of conflict within the coalition that will manifest itself exogenously, affecting the context of policy change. However, if these external effects are essential in the integration process, POL does not explain the endogenous effects of conflict because, as it has been remarked (Schlager, 1995), it does not take into account the collective action problem of the coalition as a group.

The second relevant notion is that of “belief systems”. Given the individualism of POL, we can interpreted belief systems as “preferences”, defined in terms of conceptions of knowledge which guide the perception of salience of issues in a policy agenda.

A belief systems guides coalition members concerning problems that should receive highest priority, causal factors that need to be examined more closely, and the governmental institutions most likely to be favourably disposed to the coalition’s point of view. (ibid: 41)

The assimilation of belief systems with preferences has the advantage of giving a subjective dimension to knowledge, which will explain a self-interested and self-contained behaviour in coalitions’ approach to learning. POL posits that the indicators of learning are
alterations of policy core aspects or important secondary aspects (ibid: 50), thus associating learning with change of preferences.

The process of fragmented issue-linkage is prompted by expert-driven interaction in what POL calls “analytical debate” in the policy learning across-coalitions.

The postulate I advanced of the necessity of adversarial positions for revision is refined by POL with the hypothesis that “intermediate level of informed conflict” in an analytical debate is more likely to lead to change of preferences (ibid: 50).

According to the logic of integrative conflict resolution, actors will reveal information selectively and will in turn select information to be re-integrated into their strategic model. Not having adequate knowledge in order to bring about revisions, actors are pushed to “learn” about others’ priorities in order to achieve mutual beneficial projects. For this learning to be integrative, we cannot associate it with open communication, a factor that is considered crucial to favouring cooperation. In the first place, coming to know all possible options in the manner presented by each of the actors, provides a given set of mutual beneficial arrangements but not a way to transform them if actors are dissatisfied. In the second place, to exchange information freely will mean facing the “Negotiator’s Dilemma” (Lax and Sebenius, 1986): actors will not only be vulnerable to exploitation, but even more, “any communication among them would also be suspected of being self-serving and disingenuous” (Scharpf: 145). Certainly, this would be the expected case. However, from assuming self-interest and restricted (but not completely absent) communication, it does not follow that coalitions, individually or collectively, cannot discover a new utility function. By pointing to an intermediate level of conflict, POL clarifies the conditional incentives of actors for discounting the Negotiator’s Dilemma:

while both coalitions are stimulated to provide information and analysis supporting their repetitive belief systems, neither have excessive high stakes in the outcome. In such situations of moderate conflict, subsystem members will show some (but not unlimited) flexibility in questioning and modifying their own belief systems (Jenkins-Smith and Sabatier, 1993: 50)

A second aspect of the debate, related to incrementalism, is that linkage will take place, in marginal aspects, in the border of certainty. Since the selected information provided involves marginal aspects, there is no perceived need to protect the core beliefs, thus giving space for flexibility and potential widening of linkage margins.
Since coalitions seek primarily to advance their own goals, this implies that the exchange of information regarding secondary aspects cannot be learning-provoking unless it triggers unintended consequences leading to questioning and identifying gaps of their own core belief systems. The new information disclosed would contain a reformulation of the actor’s own preferences, by means of the matching of issues which appear in the debate with the actor’s underlying ultimate ends. This suggests a dynamic in which information provided by others in the debate will penetrate the core or important secondary aspects. Therefore, even if redefinition of purposes remains intracoalitional, the “common interests” are established by the dependence of these purposes on others’ preferences, that is, modifications of core beliefs will signify that new preferences are in part defined by positive externalities.

A third aspect of the debate, the “analytical tractability” of problems, points to the method of scientific validation in relation with the independence of actors. This independence is defined now as a specialised expertise concerning their own issue-area, and it translates into the ability to present valid arguments for claims about the factual relevance of the proposed policy options. With regard to the cross-coalitional learning, we have here the seeming contradiction that higher tractability of issues facilitates linkage and that linkage is, in turn, possible because of uncertainty. The point to be retained, however, is that learning assists the overcoming of uncertainty. When analytical tractability is higher, analysis will be more capable of substituting conflict by accommodating positions based on a shared professional standard of agreement. By contrast, analytical untractability would imply, in terms of interaction, a situation of “pure conflict”, with no shared standard permitting meaningful communication; and consequently, no possibility of linkage whatsoever.

POL hypotheses on tractability are linked to a concept of science in the empirical terms of incrementalism and to the characteristic of interests of being susceptible of measurement: policy-oriented learning would thus be more likely if there exists quantitative data an theories for the problems at issue; and if these problems involve natural systems (ibid: 52). These hypotheses set problem framing strictly at the level of measurability. I do not think, however, that we are prevented from extending the hypotheses to problems involving qualitative data and social issues, as long as we apply methodological measures that may perfectly consist on ordinal rankings or logical classifications. What is important is the POL claim of objectivity integrated in problem redefinition. In this manner, the dynamic relationships between the advocacy for knowledge-informed interests and the internal functioning of the scientific method as a conflict resolution mechanism, can be redefined as the advancement, in the interaction, of new ideas that modify the relationship between
preferences and measurable interests: new knowledge-based interests will prevail in the interaction if they translate in convincing (measurable) means for more efficient cooperation. Governmental actors would thus relinquish non-informed preferences, which may still be highly ranked in their subjective ordering, in favour of preferences that are supported by an expertise that link them to plausible opportunities for their realisation.

3. Concluding notes: institutional design, delegation and judicial confirmation.

I would like to conclude by indicating how PI and fragmented issue-linkage correlate to an institutional design that favours delegation in the expert treatment of policy problems. This outcome corresponds to the logic of integration in the search of efficiency by flexible fractionalisation. I will then show that the legal assessment of scientific expertise in the framing of regulatory policies, confirms indirectly that PI provides an essential integrative dimension to the whole decision-making process of the EU.

The issue of which kind of institutional setting, open or closed, is more conductive to expert-driven innovation presents a theoretical dilemma. On the one hand, allowing a great number of diversity of views may offer more opportunities for actors to change their preferences, while concrete collective agreements reflecting this change would prove difficult. On the other hand, a selected number of participants would restrict channels for innovation, but it would facilitate meaningful communication to concretise collective agreements reflecting preference changes, if any. My exploratory refinement to the theses on openness (Lindblom, 1959, Haas, 1990) and closeness (Jenkins-Smith and Sabatier, 1993), in the integration scheme, would consist of considering the different functions of open and closed fora in whole process of decision-making.

As we have seen, linkage processes occur at the margins between policies. The intensity of integration, (i.e., the major relevance of collective solutions for further individual interests), will depend on the widening of the margins because of the perception of an increased interdependence between conflicting parties. In terms of integration theory, this would correspond to the hypothesis of an increase in engrenage:

impossibility of maintaining prolonged separability of different issue areas in a complex, interdependent policy matrix (Schmitter, 1971: 236)
Increasing *engrenage* imperils the computational model of near decomposability. In the pluralistic governmental setting, the linkages among subunits become, in relative terms, *more intense*, instead of less (cf. Simon, 2001: 197-204). In this context, fragmented-issue linkage results in a logic of regulatory delegation within the Commission that becomes a measure against the failures of hierarchic computation. Seeking to manage policy problems “outside” the organizational centre by keeping the formal rules vague, distresses the centripetal tendency of engrenage, aiming at providing more efficient policy solutions (cf. Majone, 1996).

At the level of agenda configuration, the complex conditions of volatility of purposes of the organization provide an incentive for Commission agencies to search for support from multiple and variable coalitions of actors. As we have seen, institutionally, this establishes a committee form of agenda-setting. As Christiansen and Kirchner point out, “[e]specially in areas that are not heavily regulated by Community Law, committees have developed significant political power in shaping the agenda and ultimately the nature of EU policies in these areas” (ibid: 6). Although this signifies a lack of discretion, the Commission, which retains the exclusive right of initiating legislation, may anticipate Pareto-improving projects in the pre-decisional stage of agenda-setting: the Commission would be in a good position to strike a balance between the intensity of preferences of diverse decisional actors and the informed plausibility of their actualisation by means of a collective solution.¹⁷

This scheme of agenda-formation would necessarily have to frame policy problems in view of their subsequent implementation. Ascertaining the validity of analytical claims about policy goals may entail recognising that the diversity of particular cases implies that they should be assessed by different empirical *standards* of validation, while maintaining the *criteria* of efficiency (instead of other criteria, such as cultural specificity). This discretionary behaviour is exemplified by the European Court of Justice (ECJ)’s judicial review on social regulation: referring cases regarding the adoption of research methods for policy regulation, Georges points outs that the ECJ

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¹⁷ It should be noted, in this sense, that “distressing mechanisms” of delegation to independent agencies and private actors are in constant evolution in the EU. They often entail unanticipated political costs that prompt a need for Commission’s “hierarchic back-up” in case of failure (cf. Héritier, 2002). This would lead to their reintegration into regular-programmatic PI, thus reinforcing this mode of conflict resolution in the legislative process.
accepts national regulatory autonomy in cases of scientific uncertainties [i.e., particularised standards], and at the same time, restricts that autonomy by invoking the state of international research [i.e., criteria and/or vague standard] (Georges, 1995: 31).

International scientific criteria are derived from open fora’s conclusions. The standards that they can provide would remain necessarily vague, because of the need to include a great diversity of views; they would be unlikely to resolve particular uncertain problems to which professional closed fora would be more appropriate.

More generally, an important corollary of the ECJ judicial review regarding regulatory policies is that it confirms the reliance on scientific expertise in the process of problem definition; and it does so by using a jurisdictional (not scientific) method of validation. The ECJ asks for factual evidence to justify a regulatory decision as supported by “reasons”; and as Shapiro shows, in contrast with the American experience of judicial control of governmental regulatory activity, the ECJ has systematically avoided judging the substance of the Commission’s reasons, taking technical expertise as a sufficient justification (Shapiro, 2002: 248-254). Thus, even if judicial proceedings follow a deliberative mode of conflict resolution, the jurisdictional decisions of the ECJ have reaffirmed the role of the pragmatic incrementalist mode of conflict resolution in giving an integrative dimension to the overall process of EU decision-making.
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