

INTEGRATING SCIENTIFIC EXPERTISE INTO REGULATORY DECISION-MAKING

Institutional models for food safety management: Is the agency model the solution to the current credibility crisis?

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1. Theory/model: What I am trying to explain?

- **Question to be researched:**

In this research I am planning to compare and analyse the institutional arrangements set up by the European governments to deal with food safety using the theoretical framework of the principal-agent theory. Key question is so: Is the agency model the solution to the current credibility crisis?

- **Historical and political relevance:**

During the late 90's, after the emergence of several food crisis in the European Union, both the European institutions and the European governments have experienced the challenge of improving its control over the agricultural and food industry and developing a more consumer-oriented policy. This shift has not only had consequences in the content of the policies, but has also implied institutional changes. In other words, it has stimulated the debate about the need to create independent agencies able to insulate certain decisions from the political arena. Although certain countries (like Sweden) already had independent food safety agencies with legislative powers, some others, like the UK have just set up new autonomous bodies.

Thus, at the moment in the European Union there is a complex combination of ways of managing food safety: the spectrum goes from countries with a powerful body to deal with food safety (Sweden, for example), to countries like Spain where the whole scientific expertise and decision-making process is under the command of the government.

At the same time, the European Commission has already proposed the creation of a Food Authority and certain voices have claimed for a powerful independent body at the EU level (like the American FDA).

In this changing environment my research wants to develop a analytical framework that will allow us to see the weaknesses and strengths of each model along the continuum that exists between the existence of an completely independent agency to the complete integration in the national bureaucracy. So, the final goal of my research is to see what lessons can we drawn from the national experiences of application of principal-agent theory so that I could argue to what extent these non-majoritarian institutions are the solution to the on-going problems.

- **Theoretical relevance:**

This research deals with the theoretical framework developed by the so-called **non-majoritarian school**. The model of governance argued by this school consists in the delegation of policy-making or implementation powers to authorities independent or autonomous of the elected bodies. The arguments for this delegation are diverse, but the most common explanations are the need for efficiency and credibility¹.

There is the basic assumption that those segments of the economy whose operations can be adapted to the utilitarian criterion of macroeconomically efficient private wealth creation without any redistributive consequences, may be legitimately regulated by scientific and economic expertise, acting alone and without political guidance (Everson, 1998, p.207). The model's prescription that market regulators should be fully isolated from political influences has its own traditional democratic base: the desire to ensure that so democratic established "long-term" will to pursue efficient wealth creation will not be subverted by the short-term consideration of the political elites. In other words, because of the short-term nature of democratic politics, it is quite difficult for democratic representatives to credibly commit themselves to a long-term strategy. Thus, delegation of policy-making powers to independent institutions is a means whereby governments can credibly commit themselves to certain long-term strategies. This fact becomes more marked in a globalised world where credibility, rather than the legitimate use of coercion is the most valuable resource of policy-makers (Majone, 1996a).

In the recent years this theoretical perspective has been applied to the food safety sector both at the national and European level, as a way to deal successfully with the on-going challenges.

The other side of the coin is represented by the scholars and practitioners that are worried about the democratic legitimacy of the new institutions and (when the applied to the EU level) the principle of subsidiarity. In other words, it is argued that the emergence of such autonomous bodies means a shift of power from the democratically elected institutions to the technocrats. Moreover it is also argued that the creation of an autonomous body does not necessarily imply a policy based only on scientific principles because the body can also be captured by specific economic interests.

Also, some scholars do not regard as negative the interaction between the political and the scientific arenas. In this sense, the current system of committees established at the EU level has been regarded as a "deliberative problem-solving" system that allows the right accommodation of contradictory interests and scientific expertise².

- **Historical/policy significance of the research:**

The comparison and evaluation of the existing models is the best way to see if the agency model can work well in the food-safety sector. This is also the best way to develop the proper application of the principle at the EU level.

¹ See Majone (1996 a), Majone (1996 b) and Shapiro (1997).

² See Joerges, Ch. and Neyer, J. (1997)

2. Methodology and structure

2.1. Research design/sample

This research is going to use the comparative method.

The cases analysed will be the 15 members of the European Union. Precisely one of the goals of the research will be to organise the cases in some groups according to its situation on the continuum independent—political. A set of variables will be set in order to organise the analytical framework.

The time period is the current moment. So, I will analyse the cases as they are now (2001).

2.2. Data and data sources

The main data sources will be the legal documents from every country as well as a sample of interviews with officials from each country. There will be also a press review.

2.3. Structure

The research has mainly 3 broad parts, each of them rather independent from the others. At the moment I am working in the first one.

1. Theoretical framework: Literature review on the principal-agent theory and the integration of scientific expertise in decision-making. Critical analysis.

2. National experiences: empirical research on the way that national governments are integrating scientific-expertise on the decision-making. Comparison, creation of the models, evaluation and analysis.

3. Application to the European case. The idea is to develop a conceptual framework that will allow us to integrate both the theory and the findings at the national level to the EU case. This will require a reformulation of the theoretical framework.

Brief bibliography

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