

Delegation, Compliance, and Judicial Decision-making in the Court of Justice of the European Union

Appendices

Robustness Analyses

Full Results. The tables below provide our analysis with the results for the issue area fixed effects. Note that competition is the reference category.

Table A1: OLS Analysis of Panel Use at the CJEU (H1) with Issue Area Results

	Model 1	Model 2
Balance of Member State Briefs	0.568*** (0.111)	0.235** (0.113)
Total Member State Briefs		-0.982*** (0.126)
Number of Legal Issues		-0.0126** (0.00629)
Number of Cited CJEU Precedents		-0.00815*** (0.00167)
Post-2005 Decision		-0.0531 (0.0377)
Advocate General Opinion		-0.0221 (0.0219)
High Court Referral		-0.0271 (0.0234)
Member State QMV Share		-4.320** (1.522)
Government EU Integration Position		0.00570 (0.0217)
Free Movement of Goods	-0.0770* (0.0436)	-0.0373 (0.0423)
Agriculture	0.0727** (0.0356)	0.0354 (0.0348)
Free Movement of Workers	-0.0776** (0.0383)	-0.0337 (0.0375)
Right to Establishment	-0.0998** (0.0393)	-0.0774** (0.0382)
Free Movement of Services	0.0550 (0.0425)	0.0715* (0.0412)
Free Movement of Capital	0.0115 (0.0466)	0.0284 (0.0459)
Transportation	-0.173** (0.0658)	-0.131** (0.0642)
Free Movement of Capital	0.0137 (0.0356)	0.0246 (0.0345)
Taxation	0.183*** (0.0365)	0.152*** (0.0355)
Customs Union	0.187*** (0.0538)	0.113** (0.0523)
Social Provisions	-0.000193 (0.0431)	-0.0161 (0.0421)
Environment	0.0699 (0.0572)	0.0590 (0.0552)
Consumer Protection	0.0257 (0.0527)	0.0487 (0.0511)
Constant	0.810*** (0.0448)	1.173*** (0.163)
Member State Fixed Effects	Yes	Yes
Observations	1324	1304

Note: *p<0.1; **p<0.05; ***p<0.01. Standard errors in parentheses.

Including Year Fixed Effects. To ensure that our results are not an artifact of the Court's growing caseload over the time period of our data, we re-estimate Model 2 with year fixed effects. The results of the analysis for the first hypothesis are presented in Table A2, while A3 does so for the second and third hypotheses.

Table A2: OLS Analysis of Panel Use at the CJEU (H1) with Year Fixed Effects

	Model 1A	Model 2A
Balance of Member State Briefs	0.569*** (0.111)	0.221* (0.113)
Total Member State Briefs		-1.036*** (0.128)
Number of Legal Issues		-0.0128** (0.00631)
Number of Cited CJEU Precedents		-0.00817*** (0.00166)
High Court Referral		-0.0303 (0.0234)
Member State QMV Share		-4.211 (2.622)
Government EU Integration Position		-0.00162 (0.0224)
Advocate General Opinion		-0.0218 (0.0220)
Post-2005 Judgment		-0.203*** (0.0598)
Constant	0.752*** (0.0547)	1.231*** (0.224)
Member State Fixed Effects	Yes	Yes
Policy Area Fixed Effects	Yes	Yes
Year Fixed Effects	Yes	Yes
Observations	1324	1304

Note: *p<0.1; ** p<0.05; *** p<0.01

Table A3: OLS Analysis of Panel Use and CJEU Decisions (H2 and H3) with Year Fixed Effects

	H2 (Case Disposition) Model 4?	H3 (Contrarian Decisions) Model 6?
Panel Case	0.0431** (0.0206)	-0.0369** (0.0134)
Balance of Member State Briefs	0.365*** (0.0731)	-0.00529 (0.0502)
Advocate General Opinion	0.646*** (0.0173)	
Member State QMV Share	-1.273 (1.957)	-1.278 (1.251)
Number of Cited CJEU Precedents	0.00232* (0.00118)	-0.000657 (0.000654)
Anti-EU Integration Commission Brief		0.0368** (0.0118)
Post-2005 Decision	-0.00533 (0.0475)	-0.0382 (0.0258)
Constant	0.284 (0.183)	0.198* (0.107)
Policy Area Fixed Effects	Yes	Yes
Member State Fixed Effects	Yes	Yes
Year Fixed Effects	Yes	Yes
Observations	3214	3214

Note: *p<0.1; **p<0.05; ***p<0.01

Logistic Regressions. We re-estimate our OLS models 1-6 as logistic regressions. The results of the analysis for the first hypothesis are presented in Table A4, while A5 does so for the second and third hypotheses.

Table A4: Logistic Analysis of Panel Use at the CJEU (H1)

	Model 2B	
Balance of Member State Briefs	3.329*** (0.714)	1.299* (0.769)
Total Member State Briefs		-6.057*** (0.916)
Number of Legal Issues		-0.0875** (0.0423)
Number of Cited CJEU Precedents		-0.0522*** (0.0118)
High Court Referral		-0.194 (0.173)
Member State QMV Share		-37.00** (12.39)
Advocate General Opinion		-0.198 (0.162)
Government EU Integration Position		0.0279 (0.169)
Post-2005 Judgment		-0.573* (0.315)
Constant	1.569*** (0.293)	4.576*** (1.321)
Member State Fixed Effects	Yes	Yes
Policy Area Fixed Effects	Yes	Yes
Observations	1308	1290
<i>Note:</i> *p<0.1; **p<0.05; ***p<0.01		

Table A5: Logistic Analysis of Panels and CJEU Decisions (H2 and H3)

	H2 (Case Disposition)		H3 (Contrarian Decisions)	
	Model 3?	Model 4?	Model 5?	Model 6?
Panel Case	0.206* (0.119)	0.365** (0.160)	-0.527** (0.194)	-0.611** (0.197)
Balance of Member State Briefs		3.081*** (0.639)		-0.0575 (0.799)
Advocate General Opinion		3.283*** (0.123)		
Member State QMV Share		-2.406 (6.290)		-8.402 (9.244)
Number of Cited CJEU Precedents		0.0179** (0.00867)		-0.00839 (0.0114)
Anti-EU Integration Commission Brief				0.568** (0.178)
Post-2005 Decision		0.00393 (0.161)		-0.151 (0.210)
Constant	-0.744*** (0.224)	-1.483 (0.906)	-2.287*** (0.366)	-0.673 (1.371)
Policy Area Fixed Effects	Yes	Yes	Yes	Yes
Member State Fixed Effects	Yes	Yes	Yes	Yes
Observations	3258	3194	3224	3166

Note: *p<0.1; **p<0.05; ***p<0.01