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# Institutions and EU Decisions-Making: the 'Power' of the European Commission

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**INSTITUTIONS AND EU DECISIONS-MAKING: THE 'POWER' OF THE  
EUROPEAN COMMISSION**

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# INSTITUTIONS AND EU DECISIONS-MAKING: THE 'POWER' OF THE EUROPEAN COMMISSION

## **Abstract:**

I develop a two-stage political economy model that explicitly models the complexity of decision-making in the European Union on the Common Agricultural Policy, and I derive how the institutional design affects the outcome and the influence of the various agents involved, and the likelihood of political stalemate.

## **Key words:**

Political economy, European Union, Common Agricultural Policy, voting

## **1. Introduction**

Agriculture in the European Union (EU) is extensively regulated in the framework of the Common Agricultural Policy (CAP). Within the CAP, a political process not the market decides major economic variables like prices and incomes. The decision-making on the CAP is institutionally complex. The European Commission and the Council of Agricultural Ministers play an important role in decision-making on the CAP.

The Commission has the sole right of proposal: the Council of Ministers cannot formally consider any suggestion that has not come from the Commission. This gives the Commission considerable influence. The Council subsequently decides on policy proposal of the Commission. If the qualified majority in the Council does not approve the proposal, the Commission (in cooperation with the Council) drafts a new proposal until a final compromise is reached.

Members of the Council of Ministers are supposed to further domestic interests of their countries. The reason is straightforward. Minister's political life is determined by the outcome of election in his/her home country, which is a sufficient motivation for his/her promotion of domestic interests. The behavior of the Commission is less straightforward to explain.

In its role, the Commission is by construction an 'independent' on member states collegiate body that represents the EU as a whole. According to Coleman and Tangemann (1999) the Commission uses its independence as entrepreneurial leader. The Commission can push its own preferences. On the other hand, Moravcsik (1994) argues that the Commission just decreases transaction costs of inter-country bargaining.

Irrespective of the view on the Commission's behavior, I argue that its maneuvering space is dependent on the institutional structure of decision-making in the EU, namely on the voting rules adopted in the Council of Ministers and on changes in the external environments.

There is significant literature on decision-making in the EU based on Shapley and Banzhaf indices (Winkler (1998), Widgren (1994), Hosli (1996), Bindseil and Hantke (1997) and others). Shapley and Banzhaf indices measure the probability that the Member State casts a decisive vote, i.e. Member State's potential to change the result of voting. Any coalition of Member States supporting a motion is possible and equally probable. That is, preferences of Member states are not considered as power indices analyze the voting body rather than the actual game played in it (Straffin, 1988). That is why this approach is not sufficient to analyze CAP where preferences of member states are crucial.

Majority of studies in agricultural economics literature in decision-making on the

CAP is of analytically descriptive nature and provides a detailed account of historical development of the CAP, the context as well as motives behind certain decisions. (Tracy, 1984, 1996, Neville-Rolfe, 1984, Harvey, 1982, Fearn 1991, Josling and Moyer 1991, Moyer and Josling, 1990, Ackrill 2000, Pearce 1983, Wallace 1983 and others).

There are however very few formal models of the decision-making on the CAP that explicitly consider preferences of Member States. One of the reasons why much discussion but little formal analysis is devoted to the CAP in the political economy literature is due to the complexity of modeling its two-stage decision-making process. In the first stage, national governments decide on their politically optimal agricultural protection level. In the second stage, the final (EU-level) choice of the support level results from a joint decision-making of the EU member state governments in the Council of Ministers and interaction between the Commission and the Council of Ministers.

The paper has two objectives. First, a formal two-stage model of decision-making on the CAP of the EU is presented. Second, the model is used to derive results regarding the relative "powers" of various agents involved, and the likelihood of political stalemate. Furthermore, I show how these results change under different institutional assumptions, e.g. on voting procedures (majority rules), and how they are affected by changes in the external environment.

I derive several results. The influence of the European Commission on the final policy decision depends on the voting rules. The occurrence of political stalemate is also a function of voting rule adopted in the Council of Ministers. I also show that the probability of a stalemate also depends on changes in external environments, which have taken place since the previous decision-making round.

The paper is organized as follows: Section 2 evaluates national preferences for protection of agriculture when the country is outside the EU and inside the EU. A two-stage model of CAP decision-making process is presented in section 3. The two-stage model of CAP is used in sections 4, 5, and 6 to analyze simple majority voting, qualified majority, and unanimous agreement respectively. The final section summarizes the results and draws some conclusions.

## **2. National Preferences on Agricultural Protection**

The CAP was first implemented at the end of the 1960s. The main aspect of the CAP was an intervention price for important commodities, including grains, sugar, beef, and milk, combined with the trade instruments (variable import levies and export refunds) needed to sustain this intervention price. The policy specifics differ between commodities and have changed over time. Due to several reforms of the CAP since then, the CAP has become more complex. However to keep the analysis tractable we assume in our model that there is one agricultural commodity and that the national governments and the Council of Ministers only have to decide on one policy variable: the intervention price for this agricultural commodity.

In this section, I first derive the politically optimal intervention price in a country when it is not part of the EU. Afterwards I derive how the politically optimal intervention price changes when the country becomes (or is) part of the EU, i.e. when it is one of the member states to which the CAP is applied.

### **2.1. Politically optimal national intervention outside the EU**

Assume there are two sectors in country  $j$ : agriculture ( $A_j$ ) and the rest of the economy ( $B_j$ ). Assume further that all individuals in the economy have identical preferences and maximize an indirect utility function  $U(y_j^i)$ , where  $y_j^i$  represents individual income and  $i = A, B$ . Each sector has  $n_j^i$  identical individuals with pre-policy income  $e_j^i$ .

Let  $P^0$  denote the market price of the agricultural commodity and  $P_j$  the intervention price in country  $j$ . Then per unit subsidy is  $s_j = P_j - P^0$ .  $R_j^A$  is the total transfer of income to sector  $A_j$ .  $R_j^A$  depends on the intervention price and on agricultural production ( $Q_j^A$ ):  $R_j^A = (P_j - P^0) \cdot Q_j^A = s_j \cdot Q_j^A$ .

For simplicity, I ignore deadweight costs. This may seem a rather strong assumption, given the impact of the CAP on distortions, which are therefore at the core of the debate on the CAP. However, in the context of this analysis it merely simplifies the notation, and does not significantly alter my conclusions.

The transfer of income is financed from a tax ( $R_j^B$ ) imposed on sector  $B$ :<sup>1</sup>  $R_j^B = (e_j^B - y_j^B) \cdot n_j^B$ . As deadweight costs are assumed away, a balanced budget implies that  $R_j^B = -R_j^A$ .

The transfer entails the following changes in individuals' incomes:

$$\Delta y_j^A(P_j) = R_j^A / n_j^A = (P_j - P^0) \cdot Q_j^A / n_j^A = (s_j \cdot Q_j^A) / n_j^A \quad (1)$$

$$\Delta y_j^B(P_j) = -R_j^A / n_j^B = R_j^B / n_j^B \quad (2)$$

The politically optimal per unit subsidy is denoted as  $s_j^* = P_j^* - P^0$  and  $P_j^*$  is the politically optimal intervention price in country  $j$ . By definition, the politically optimal intervention price implies that either increasing or decreasing the intervention price from the level  $P_j^*$  reduces political support for the government of country  $j$ . In other words, countries have Euclidean single-peaked preferences over the domain of the policy variable, i.e. the intervention price.

Formally this characteristic of  $P_j^*$  can be derived from several underlying models on decision-making in the countries. For example, one model which yields this result is the model of Swinnen (1994) and Swinnen and de Gorter (1993, 1998). In their model, individual political support  $S^i$  is assumed to be a strictly concave and an increasing function of the change in utility caused by the policy:  $S_j^i = S_j[v^i(P_j)]$ , where  $v_j^i(P_j) = U_j^i(P_j) - U_j^i(0)$  and where all individuals are assumed to have identical support functions. The politically optimal domestic intervention price is then determined by the government maximizing total political support,  $\Gamma_j$ , i.e.:

$$\text{Max.}_{P_j} \Gamma_j(P_j) = n_j^A \cdot S_j(v^A(P_j)) + n_j^B \cdot S_j(v^B(P_j)) \quad (3)$$

Hence, country  $j$ 's politically optimal intervention price,  $P_j^*$ , is determined by:

$$\partial \Gamma_j(P_j^*) / \partial P_j = 0 \text{ or } S_j^{A'} / S_j^{B'} = U_j^{B'} / U_j^{A'}, \quad (4)$$

where  $S_j^{A'}$ ,  $S_j^{B'}$ ,  $U_j^{B'}$ ,  $U_j^{A'}$  refer to the first order derivatives of  $S^i$ ,  $U^i$  respectively. This condition implies that  $\partial \Gamma_j / \partial P_j < 0$  for  $P_j > P_j^*$  and  $\partial \Gamma_j / \partial P_j > 0$  for  $P_j < P_j^*$ .

## 2.2. Politically optimal national intervention inside the EU, with the CAP

Assume now that country  $j$  is part of the EU (i.e. member state  $j$ ) and that the agricultural intervention price is part of the Common Agricultural Policy (CAP). More specifically, we consider the effect of two important characteristics of the CAP: common prices and financial solidarity. The principle of common prices implies that the intervention price is

<sup>1</sup> The tax on sector  $B$  can be implemented through an income tax or through higher consumer prices. Given our no deadweight cost assumptions, both are possible interpretations of our model.

the same in all member states<sup>2</sup>. Financial solidarity implies that the balanced budget equation does not have to hold for each member state. It is only the overall EU balanced budget equation that has to be satisfied ( $R^A = R^B$ ) where  $R^A = \sum R_j^A$  and  $R^B = \sum R_j^B$  for  $j = 1 \dots k$ . Member states for which  $R_j^A > R_j^B$  are net beneficiaries of the CAP while member states for which  $R_j^A < R_j^B$  are net contributors to the CAP.

Let  $P_j^\#$  denote the politically optimal intervention price and  $s_j^\#$  the politically optimal per unit subsidy for a country inside the CAP. The politically optimal intervention price for a country outside the CAP ( $P_j^*$ ) would be lower for a country which is a net beneficiary of the CAP and vice versa for a net contributor to the CAP than its politically preferred price inside the CAP ( $P_j^\#$ ). Specifically:

If,  $\forall P_j$ :

$$R_j^A(P_j) > R_j^B(P_j) \Rightarrow P_j^* < P_j^\# \quad (5)$$

$$R_j^A(P_j) < R_j^B(P_j) \Rightarrow P_j^* > P_j^\# \quad (6)$$

The reasoning is straightforward. Some of the income going to agriculture of a net beneficiary of the CAP comes from taxes on other member states. Hence, the government can give higher subsidies to agriculture for a given tax on the rest of the domestic economy. Therefore, ceteris paribus, governments of net beneficiary member states will prefer higher intervention price than their domestic optimal intervention price would have been outside the CAP. However, the opposite also holds: governments of net contributing member states will prefer lower intervention price than their domestic optimal intervention price would have been outside the CAP. For example, Mahé and Roe (1996) estimated inter-country transfers of income between member states of the EU caused by the CAP (table 1). According to their calculations, Belgium and Luxembourg, Germany, Italy, the Netherlands and Portugal were net contributors to the CAP in 1996 year. Ceteris paribus, these countries would therefore have higher politically optimal intervention prices on their own. Without financial solidarity under the CAP, transfers of income to domestic farmers would not require from domestic taxpayers and consumers to subsidize foreign farmers too. For a given tax on the rest of economy, agricultural producers would obtain more in net contributing countries without financial solidarity. On the other hand, Denmark, France, Ireland, United Kingdom, Greece, and Spain were net beneficiaries of the CAP in 1996. By analogy, their politically optimal prices would be lower without the financial solidarity, ceteris paribus.

### 3. A Model of the CAP Decision-Making Process

The decision concerning the common intervention prices is made in the annual CAP review by the Council of Agricultural Ministers<sup>3</sup>. A simple consultation procedure applies to most policy issues within the framework of the CAP. Under this procedure the EU Commission makes a proposal and the Council decides on the proposal, after receiving a non-binding opinion from the European Parliament. Decision-making in the Council proceeds by vote and qualified weighted majority is used. Currently the distribution of votes is:

- 10 votes each for Germany, France, Italy, and the UK;
- 8 votes for Spain;
- 5 votes each for Belgium, Netherlands, Greece, and Portugal;
- 4 votes each for Austria and Sweden;

<sup>2</sup> We ignore exchange rate effects.

<sup>3</sup> The CAP decision-making process is discussed in, for example, Tracy (1996) and Fearné (1991).

-3 votes each for Denmark, Finland, and Ireland;

-2 votes for Luxembourg.

To be accepted by “qualified majority”, a proposal must obtain 62 out of a total of 87 votes.

Each member state can propose an amendment to the Commission proposal. The amendment is adopted if it is accepted unanimously. In practice, the Commission considers political acceptability of its proposal by the Council. Furthermore, in order to achieve the final compromise, the Commission may be “obliged” to adjust its proposals in accordance with the Council’s line of thinking (Fearne, 1991).

I model the CAP decision-making as a set of voting rounds to determine the equilibrium intervention price within the Council of Ministers. Define  $P_{EU}^0$  as the existing common intervention price in the EU, i.e. the intervention price decided in last year’s decision-making round. We assume that at the beginning of the annual decision-making round, the Commission proposes a common intervention price for the next year,  $P_{EU}^N$ . This price can be the same as last year’s or a different one.

The Council of Ministers votes on the proposal. I assume that the voting behavior of each minister is determined by the politically optimal intervention price for the government the minister represents. More specifically, a minister will vote in favor of the proposal if the proposed price  $P_{EU}^N$  is closer to his/her government’s optimum than the current price  $P_{EU}^0$  (or if it is the same). Formally:

$$v_j = 1 \text{ iff } |P_{EU}^N - P_j^\#| \leq |P_{EU}^0 - P_j^\#| \quad (8)$$

$$v_j = 0 \text{ iff } |P_{EU}^N - P_j^\#| > |P_{EU}^0 - P_j^\#| \quad (9)$$

where  $v_j$  is the voting decision by minister  $j$  (i.e. of country  $j$ ). The proposal is accepted if

$$\sum_j n_j^v \cdot v_j \geq x \quad (10)$$

where  $n_j^v$  is the number of votes of country  $j$  and  $x$  the minimum amount of votes needed to approve the proposal.

I assume that, after the vote, either the Commission or a minister of a member state, can table a new proposal on which a new vote takes place. If the previous vote was approved, the newly approved common intervention price now becomes the price against which a new proposal is evaluated. Voting goes on until no new proposal is accepted. The intervention price which is chosen by the Council, the “equilibrium intervention price”  $P_{EU}^M$ , is the last one which was approved.

It is obvious from equation (10) that the equilibrium intervention price will depend on the decision-making rules which determine the amount of votes needed,  $x$ , and on the distribution of votes,  $n_j^v$ . In the next sections I will discuss the equilibrium intervention price under three different decision-making rules which are used in the EU. While the qualified majority rule is officially used by the Council of Ministers on most agricultural policy decisions, for expositional purposes I start with the analysis under assumption of a simple majority rule. This is simpler to analyze and it helps to understand the result in the more complicated analysis of qualified majority decision-making, which I turn to afterwards.

#### 4. Simple Majority Voting

Assume the following order of the politically optimal intervention prices,  $P_j^\#$ , of member

states: Country 1 has the lowest politically optimal price  $P_1^{\#}$ , country k has the highest politically optimal common price  $P_k^{\#}$ .  $P_1^{\#} < P_2^{\#} \dots < P_k^{\#}$ . Country 1 has  $n_1^v$  votes in the Council, country 2 has  $n_2^v$  votes, and country k has  $n_k^v$  votes. Assume further that the countries together have an uneven number of votes in the Council (as it is currently the case in the EU-15, 87 votes) and that  $P_M^{\#}$  is the median politically optimal price. This is the politically optimal price of the country that has the 44<sup>th</sup> vote. I refer to the country with  $P_M^{\#}$  as the politically optimal intervention price as the “median country”.

In a single-dimensional issue<sup>4</sup>, that is when, as assumed above, a decision concerns only one policy variable and if all voting agents have single-peaked preferences defined over the domain of the policy variable, then the median voter cannot lose under simple majority rule. This result is known as the “median voter” rule (Mueller, 1989). I have shown above that in the case I analyze the voters in the Council of Ministers, i.e. the Ministers, have single peaked preferences. The median voter rule therefore implies that the politically optimal price of the median country will be adopted as the common price.

What would be the power of the European Commission under simple majority voting in the Council? The Commission would have no power to influence policies. There is an equilibrium outcome, the politically optimal price of a median country, which will be arrived at the final round of negotiations.

## 5. The CAP Intervention Price Decision under Qualified Majority Voting

Assume again an ordering of the politically optimal intervention prices,  $P_j^{\#}$  of member states as I did under simple majority rule. That is, country 1 has the lowest politically optimal price  $P_1^{\#}$ , country k has the highest politically optimal common price  $P_k^{\#}$ .  $P_1^{\#} < P_2^{\#} \dots < P_k^{\#}$ . Country 1 has  $n_1^v$  votes in the Council, country 2 has  $n_2^v$  votes, and country k has  $n_k^v$  votes. The existing common price, the result of previous year's negotiation is  $P_{EU}^0$ . European Commission makes a new proposal  $P_{EU}^N$ . The adoption of Commission's proposal requires at least 62 votes from Council members, otherwise the common price stays unchanged.

Define country X as follows:

- $\sum_{i=X+1}^k n_i^v < 62$ , i.e. all countries with higher preferred optimal prices than country X cannot obtain 62 votes to approve Commission's proposal without country X.
- $\sum_{i=X}^k n_i^v \geq 62$ , i.e. country X and all countries with higher optimal prices can obtain at least 62 votes to approve the proposal.

As defined Country X is crucial for increasing the existing common price.

By analogy, define country Y as:

- $\sum_{i=1}^{Y-1} n_i^v < 62$ , i.e. all countries with lower optimal prices than country Y cannot obtain 62 votes to approve Commission's proposal without country Y.
- $\sum_{i=1}^Y n_i^v \geq 62$ , i.e. country Y and all countries with lower optimal prices can obtain at least 62 votes to approve the proposal.

Similarly, country Y is crucial for decreasing the existing common price.

Several results follow:

If  $P_{EU}^0 < P_X^{\#}$ ,  $P_{EU}^N$  will be adopted iff  $|P_{EU}^N - P_X^{\#}| \leq |P_{EU}^0 - P_X^{\#}|$  (11)

That is  $P_{EU}^N$  must satisfy:  $P_{EU}^N \geq P_X^{\#}$  and  $|P_{EU}^N - P_X^{\#}| \leq |P_{EU}^0 - P_X^{\#}|$ .

$P_{EU}^N$  must be preferred by country X to status quo and must not be lower than politically

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<sup>4</sup> In multidimensional case the necessary and sufficient condition for existence of a dominant point under simple majority rule requires that it be a median in all directions (Mueller, 1989).

optimal level of country X, otherwise country X could propose its increase. The proposal of the European Commission will be accepted as final if  $P_{EU}^N$  satisfies the following:  $P_{EU}^N \geq P_X^\#$  and  $|P_{EU}^N - P_X^\#| \leq |P_{EU}^0 - P_X^\#|$ . (12)

If  $P_{EU}^0 > P_Y^\#$ ,  $P_{EU}^N$  will be adopted iff  $|P_{EU}^N - P_Y^\#| \leq |P_{EU}^0 - P_Y^\#|$  (13)

That is  $P_{EU}^N$  must satisfy:  $P_{EU}^N \leq P_Y^\#$  and  $|P_{EU}^N - P_Y^\#| \leq |P_{EU}^0 - P_Y^\#|$ .

$P_{EU}^N$  must be preferred by country Y to status quo and must not be bigger than politically optimal level of country Y, otherwise country Y could propose its decrease. The proposal of the European Commission will be accepted as final if  $P_{EU}^N$  satisfies the following:  $P_{EU}^N \leq P_Y^\#$  and  $|P_{EU}^N - P_Y^\#| \leq |P_{EU}^0 - P_Y^\#|$ . (14)

That is the European Commission has some space to maneuver. Commission that prefers high agricultural protection would opt for the institutional price at the right-hand end of the acceptable ranges defined by 12 and 14. On the other hand, if the Commission is relatively less protective, it would propose the price at the left-hand side of the acceptable ranges 12 and 14. The outcome is therefore dependent upon other exogenous variables (not institutional design) like the ideological setup, national sympathies, or farming attitudes of the Commission or the Commissioner responsible for agriculture.

However, when  $P_X^\# < P_{EU}^0 < P_Y^\#$ , no Commission proposal,  $P_{EU}^N$  will be adopted by a qualified majority in the Council. In other words, if the existing common price is located between the intervention prices of member states X and Y, then there is no qualified majority in the Council that agrees on its either increasing or decreasing. There is a stalemate that favors the maintenance of the status quo. This situation arises when there are no significant changes in agricultural economies of member states that would have an impact on politically optimal prices of member states. The probability that the previous year common price is inside the range  $P_X^\# - P_Y^\#$  is higher the bigger qualified majority is needed.

## 6. The CAP Intervention Price Decision under Unanimity Rule

Unanimity rule can be considered as an extreme version of the qualified majority rule. Unanimity rule requires all countries to agree with a new proposal; otherwise, the status quo will prevail. In the context of this model, this implies that the accepted price will always be between the lowest politically optimal intervention price of any country and the highest politically optimal price inside the CAP (Figure 1). When the existing price, which is the result of the negotiations of the previous round is located between these extreme politically optimal intervention prices, there can be no unanimous agreement on a change of the common price. Hence, there is extreme propensity to favor the maintenance of status quo under the unanimous agreement rule. The probability that the previous year common price is inside the  $P_1^\# - P_k^\#$  range is high, especially for many diversified countries.

## 7. Conclusions

In this paper I consider a two stage decision-making in the EU on the Common Agricultural Policy. In the first stage (national level) national governments choose their optimum policy level. Then I show that under various assumptions, the institutional structure of the CAP has an impact on the choice of the common intervention price for the EU.

Decision-making procedure in the EU provides some freedom to the European Commission to influence the final policy levels. The least powerful is the Commission under simple majority voting. Under simple majority the final common EU policy level

is decided by the median voter theorem. The ideological setup, national sympathies, or farming attitudes of the Commission or the Commissioner responsible for agriculture are unimportant for the equilibrium policy.

The Commission can influence policy level under qualified majority (including unanimity). There are ranges of policy levels within which the Commission can choose its own optimum. A protective Commission would choose the lower ends of the policy level while 'liberal' Commission would opt for the upper end.

With the rise of qualified majority the possibility of a stalemate also increases. The highest probability for a preservation of status-quo is when unanimous agreement is needed in the Council. *Ceteris paribus*, the higher the qualified majority voting, the higher the probability of preservation of status-quo.

When the common price from the previous year's negotiations stays between the politically optimal prices of two countries with lowest and highest respectively politically optimal prices needed to pass the new price deal, there is no sufficient qualified majority in the Council for the change of price. This feature reduces the maneuvering space of the Commission. In other words, for a given qualified majority voting, the bigger the change of agricultural economies of Member States, the bigger the power of the Commission to influence the policy level adopted in the Council.

## Tables and Figures:

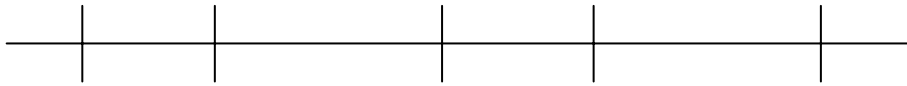
**Table 1** Inter-country transfers of income between EU member states due to CAP (billion ECU)

	1991	1996
UEBL	-318.5	-495.4
Denmark	782.2	764.3
France	1 565.4	2 195.2
Germany	-2 715.1	-3 965.1
Ireland	1 669.0	1 448.1
Italy	-2 875.5	-3 173.3
Netherlands	211.9	-348.0
UK	715.0	417.7
Greece	1 043.4	1 841.1
Spain	349.8	1 419.3
Portugal	-445.5	-157.8
EU	-	-

**Source:** Mahé and Roe (1996).

**Figure 1.** A distribution of politically optimal prices of member states

$P_1\#$        $P_2\#$                        $P_X\#$                        $P_Y\#$                        $P_k\#$



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