

# The Council Presidency in the European Union: Responsibility with Power\*

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## Abstract

The extent of the Council presidency's political influence is the subject of disagreement among both practitioners and researchers. While some describe the presidency as responsibility without power, others suggest that it provides incumbent states with an opportunity to achieve decision outcomes close to their preferences. This article formulates and tests hypotheses on the conditions under which presidents influence the timing and content of decision outcomes in the legislative arena. Decision outcomes are shown to be significantly more favourable to presidents in the chair at the time of adoption than to other Member States, even after controlling for other factors that influence bargaining success.

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## Introduction

The Council presidency is without doubt an important arrangement in the governance of the European Union (EU). Every six months a different

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Member State takes over the chair of the Council, and performs several noteworthy functions (Elgström, 2003, pp. 4–7; Schout, 1998; Tallberg, 2006, pp. 10–11; Wallace, 1985, pp. 10–20; Kirchner, 1992, pp. 79–82). First, presidents carry out administrative tasks by organizing meetings, distributing relevant documents and revising draft texts in accordance with previous meetings. Second, presidents set political priorities. When beginning their terms, presidents release programmes outlining their priorities and what they aim to achieve. Third, presidents mediate between other Member States to resolve controversy. Presidents are charged with achieving political progress in the form of decision outcomes on controversial dossiers. Fourth, presidents represent the Council externally. For instance, in the protracted negotiations that can take place between the Council and the European Parliament (EP) under the co-decision procedure, the presidency represents the Council in the conciliation committee. Given that the 1957 Treaties of Rome did not specify detailed roles for the rotating presidency, but simply stated that there would be one (Elgström, 2003, p. 4; Westlake, 1995, p. 37), the development of these functions over time is remarkable.

The rotating Council presidency will remain relevant, even after the Reform Treaty, the Treaty of Lisbon, comes into effect. That Treaty replaces the rotating presidency in the European Council, which includes the Member States' heads of state or government, with a president elected by qualified majority vote and appointed for a renewable two and a half year term. However, the six-monthly rotating presidency remains in force in the Council of Ministers, composed of the ministers relevant to each Council configuration, the Committee of Permanent Representatives (Coreper), and Council working groups below that.

This article examines the extent to which Member States exercise more influence on the timing and content of decision outcomes when they hold the presidency than when they do not. Here, a Member State's influence is defined as the extent to which its actions result in decision outcomes that are congruent with its preferences. This conception of influence implies the counter-factual proposition that decision outcomes would have been substantially different if Member States with different preferences had held the office at the time of decision-making.

The extent of the Council presidency's political influence is the subject of disagreement among both practitioners and researchers. Some practitioners and researchers are highly sceptical of the proposition that Member States enjoy more influence when they are in the chair. As one Brussels official stated: 'By definition, a Presidency has to suppress its national interests' (Elgström, 2003, p. 1). This is in line with the view that the presidency's main task is to achieve decision outcomes on important dossiers and in that process

may have to put aside its own interests. Many researchers have come to similar conclusions regarding the presidency, such that the term ‘responsibility without power’ (Dewost, 1984, p. 31) has become a common way of referring to the role of the presidency. While recognizing the importance of the Council presidency, several scholars emphasize the administrative and managerial aspects of the office (Hayes-Renshaw and Wallace, 2006; Wallace, 1985). After analysing the roles of eight presidents in the implementation of the Single European Act, Emil Kirchner concluded that ‘most appeared prepared, to a considerable extent, to put the Community interest above the national interest’ (1992, p. 114). Presidents’ potential to use their position to advance their own interests is severely constrained by the brevity of the presidential term, only six months, and the limited extent to which they can select which issues should be on or off the agenda. Furthermore, presidents are said to abide by the normative principle that they should be ‘neutral brokers’ and refrain from using this position to further their own interests. Violation of this norm could result in criticism and retaliatory measures from other Member States.

There are also practitioners and researchers who suggest that the Member State in the presidency exerts substantial influence on the content of decision outcomes. As another Brussels official stated: ‘The Presidency has a lot of room to push things [ . . . ] he who proposes is in the driving seat’ (Elgström, 2003, p. 1). Recent debate surrounding the reform of the presidency in the constitutional convention indicates that Member States themselves believe the presidency is an important arrangement (Bunse *et al.*, 2005). Small Member States were in favour of keeping the rotating presidency, while large Member States argued for its reform. Similarly, several researchers suggest that the Council presidency may successfully advocate its national interest using the power of the chair (Bunse, 2006; Tallberg, 2003, 2004, 2006). Garman and Hilditch’s case studies illustrate that the Council presidency may be torn between representing its own national positions and the Council’s common position in negotiations with the European Parliament (Garman and Hilditch, 1998, pp. 279–80). Schout warns that previous research places too much emphasis on the ‘honest broker’ role of the presidency, and that more attention should be devoted to the ways in which this role is combined with the pursuit of national interests (1998, p. 7). Kollman’s theoretical model of the rotating presidency also posits that the presidency enables incumbents to influence the timing and content of decision outcomes (2003).

This article examines the Council presidency’s influence on decision outcomes on European legislation, both in terms of the timing of decision-making and in terms of the content of the laws adopted. I examine quantitative evidence on 70 legislative proposals on the Council’s agenda in 1999 and 2000.

This quantitative approach complements existing analyses of the Council presidency that are based almost exclusively on case studies. Careful process tracing has enriched our understanding of the various functions of the presidency mentioned above. Case studies also suggest hypotheses on the conditions under which presidents exert influence on decision outcomes. However, existing qualitative evidence on the influence of the Council presidency is subject to different interpretations. For example, Tallberg (2004, pp. 1007–12; 2006, pp. 120–9) concludes that the German presidency exerted substantial influence on the outcomes of the *Agenda 2000* (Commission, 1997) negotiations in line with its preferences. Regarding the same case, Van der Knoop and Stokman conclude: ‘It appears that Germany achieved less in the Berlin European Council because it was in the presidency at that time’ (2002, p. 162). In contrast to existing studies, the following analyses use information on the policy positions of each of the 15 Member States (in the pre-2004 EU) on the controversies raised by each of the 70 legislative proposals selected. I compare actual decision outcomes with Member States’ most favoured policies, both for proposals on which they had a presidential role and for proposals on which they had no presidential role. The findings shed some additional light on competing claims made by practitioners and researchers on the influence of the presidency. The analyses also examine hypotheses on the conditions that may explain variation in presidents’ influence.

The next section presents hypotheses on the Council presidency’s influence. Section II describes the research design and section III presents the analyses. The article concludes by discussing the implications for the power of the presidency, future research in this area and methods for examining decision-makers’ influence.

## **I. The Council Presidency’s Influence on Legislative Decision-Making**

The Council presidency is an institutional arrangement that may lead to stable decision outcomes where instability would otherwise be expected. In the process of inducing such stability, presidents may have an opportunity to realize decision outcomes that are desirable from their perspective. As such, the Council presidency is a specific case of a more general research problem in political science: the interplay between preferences and institutions in defining decision outcomes. It has long been known that in the absence of stabilizing institutions, decision outcomes are inherently unstable when actors must agree on more than one controversial issue (Plott, 1967; McKelvey, 1976; Schofield, 1978). Any decision outcome could potentially be overturned by an alternative outcome, which itself could also be

overturned. Given that such voting cycles are rare, researchers began to search for institutional mechanisms that prevent them (Shepsle, 1979; Riker, 1980). For example, studies have examined the effects of the committee system in the US Congress (Shepsle and Weingast, 1987) and the informal norms of subject area specialization (Krehbiel, 1991). Comparative studies have investigated the effects of bicameralism (Tsebelis and Money, 1997), the division of policy areas into ministerial portfolios (Laver and Shepsle, 1996), and multiple veto players (Hammond and Miller, 1987; Tsebelis, 2002). Regarding decision-making in the European Union, researchers have examined the consequences of different institutions, in the form of various legislative procedures and the interplay between informal bargaining norms and formal rules (e.g. Moser, 1996; Tsebelis and Garrett, 2000; Crombez *et al.*, 2000; Thomson *et al.*, 2006). However, analyses of the EU's decision-making procedures generally do not include the role of the Council presidency.

Tallberg (2004, 2006, pp. 29–39) provides a lucid analysis of the sources of Council presidents' power. Presidents have privileged access to information about other Member States' policy preferences and the decision outcomes they would be prepared to accept in order to avoid deadlock. The Council Secretariat, which supports the presidency, is an important source of information in this respect. Presidents also obtain such information through bilateral contacts with other Member States' representations, so-called confessionals. Such information enables presidents to formulate proposals that are acceptable to other Member States. Moreover, it enables presidents to realize decision outcomes that are as close as possible to their own policy positions. Presidents may also influence the pace of decision-making by adjusting the levels of priority given to issues and by introducing proposals for compromises. As with privileged access to information, this gives presidents a resource that could be used to influence decision outcomes in line with their own favoured positions. The remainder of this section draws out the observable implications of the supposed influence of the presidency and the conditions under which this influence may be most marked.

First consider Council presidents' influence on the timing of legislative decisions. If Council presidents can indeed influence the timing of decisions, we would expect them to use this influence to secure decision outcomes as close as possible to their policy preferences. Presidents may be faced with a choice between prioritizing a legislative proposal and securing adoption within their presidential term, or postponing adoption to a future presidency. The difference between the current and future presidents' policy preferences then becomes a key variable for explaining variation in the timing of decisions.

*H1: A legislative proposal is more likely to be adopted under any given presidency the larger the political distance between the current president's policy positions and the next president's positions on that proposal.*

This hypothesis assumes that presidents have some room for manoeuvre in shaping the timing of decision-making and that they believe presidents have some influence on the content of the decision outcomes realized.

Similarly, the extremity of the president's policy positions relative to the positions of other actors may also affect the likelihood of adopting a proposal in the current presidential term. However, there are different expectations regarding the direction of this effect. On the one hand, it might be expected that presidents with more extreme positions will push for adoption within their own presidency. Presidents with extreme positions are aware that the decision outcomes are likely to differ considerably from the outcomes they favour. By prioritizing the legislative proposal and pushing for adoption, presidents with extreme positions may be able to use the power of the chair to obtain relatively more desirable outcomes, or at least less undesirable ones. It could be argued that presidents with extreme policy positions delay the adoption of proposals. According to this second line of argument, presidents would rather delay adopting laws that are not in line with their policy preferences. This delay gives them the opportunity to lobby other actors, both during and after their presidency, and to prolong the current policy state. In the absence of a compelling theoretical reason to select one of these lines of argument, I explore the effect of presidents' policy extremity as an open empirical question.

The possible impact of the presidency on the timing of decisions must be considered in the context of other, perhaps far more important variables that affect the duration of decision-making. For instance, the involvement of the European Parliament under co-decision generally leads to longer periods of time between the introduction and adoption of legislative proposals (Golub, 1999, 2002). However, the Treaty of Amsterdam introduced an 'early agreement' provision that allows proposals to be fast-tracked (Farrell and Héritier, 2004). This is likely to mitigate the delay caused by parliamentary involvement. In addition, Golub (1999, 2002) demonstrates the importance of the Council decision-making rule, whether it be qualified majority voting (QMV) or the unanimity requirement, on the duration of the legislative process. Despite the supposed importance of the Luxemburg Compromise, QMV has been associated with speedier decision-making throughout the EU's history. It is also likely that more controversial proposals take longer to decide on. However, research on decision-making duration has been unable to address this expectation directly due to the absence of detailed information on actors'

policy preferences on a set of legislative proposals. I develop a measure of the polarization of actors' policy positions, and examine its impact alongside decision-making rules and the characteristics of Council presidents' policy positions.

Now consider Council presidents' influence on the content of legislation. Both formal decision-making procedures and the configuration of actors' policy positions define the conditions under which presidents influence decision outcomes. Tallberg (2004, pp. 1005–6; 2006, pp. 34–5) points to the distinction between qualified majority voting (QMV) and the unanimity requirement in the Council as an important factor. Under qualified majority voting, the president may be able to forge a sufficient majority in support of a decision outcome close to its position. In this case, the winning coalition may exclude Member States with policy preferences furthest from those of the presidency. By contrast, under the unanimity requirement the preferences of all Member States, even those furthest from the presidency, need to be accommodated. In practice the distinction between QMV and unanimity is often blurred; Member States attempt to accommodate minority interests, even when the formal rules would allow a vote to be taken. Nonetheless, there is also evidence that the 'shadow of the vote' influences decision-making, at least in terms of the duration of decision-making (Golub, 1999, 2002).

When presidents have relatively extreme positions compared to other Member States, their influence may be more marked. According to Tallberg (2004, pp. 1005–6), it is the interplay between presidents' policy preferences and the Council decision rule that defines the condition under which presidents will have most influence on decision outcomes. In particular, presidents with extreme positions may use QMV to form coalitions that exclude Member States with very different preferences. When they do, decision outcomes will be relatively closer to presidents' policy preferences. The following hypothesis summarizes the conditions under which Council presidents are expected to exert influence on decision outcomes:

*H2: Compared to other Member States, the Council presidency obtains decision outcomes closer to its policy positions (1) when qualified majority voting rather than unanimity voting applies, and (2) when the Council presidency has extreme policy positions compared to other Member States.*

Note that it is the occurrence of these two factors together, rather than in isolation, that is expected to result in presidents having more marked impact on decision outcomes.

The inter-organizational environment may also shape presidents' influence on decision outcomes. This is particularly relevant to co-decision

proposals for which the president represents the Council in interactions with the European Parliament. Using Crozier and Friedberg's (1977) theory of how 'relais actors' influence inter-organizational decision-making, Farrell and Héritier (2004) examine the role of the Council presidency. They argue that relais actors, such as the Council presidency, influence decision outcomes by playing a key role in the negotiations between organizations. This is particularly pertinent to fast-tracked legislative proposals adopted after a single reading in the EP in accordance with the Amsterdam Treaty's 'early agreement' provision. The Council president plays a crucial role in the informal 'trialogues' that support early agreements (Farrell and Héritier, 2004, p. 1197). Farrell and Héritier conclude that the most obvious consequence of early agreements is that 'the power of the presidency has been enhanced *vis-à-vis* other Member States' (2004, p. 1203), thereby suggesting the following hypothesis.

*H3: Council presidents' influence on decision outcomes is greater on co-decision proposals concluded at first reading than on co-decision proposals concluded at second reading or after conciliation.*

In addition, Tallberg's (2004, 2006, pp. 148–58) case study of the negotiations in the conciliation committee on the directive on access to EU documents suggests that the presidency may have an advantage over other Member States on proposals that go to conciliation. He argues that the Swedish presidency negotiated an agreement with the EP that was more favourable to its preferences than would have been the case had another Member State represented the Council. The analyses will therefore explore possible variation in the presidency's influence on co-decision proposals by the stage after which they were adopted.

Another aspect of the inter-institutional context is the support for policy positions by the Commission and the European Parliament. The Commission's right of initiative means that it wields considerable power according to most analysts of the EU's legislative procedures (e.g. Tsebelis and Garrett, 2000). Under the co-decision procedure, it is widely acknowledged that the EP has considerable influence (Steunenberg and Selck, 2006). There is also evidence that the EP influences decision outcomes under the consultation procedure, even though it formally only gives an opinion (Thomson and Hosli, 2006). Therefore, Council presidents and other Member States may enjoy bargaining success, in the sense that decision outcomes are congruent with their favoured positions, because the Commission and/or EP share their positions. Therefore, the following analysis also controls for the proximity of each Member State's position and the positions of both the Commission and the EP.

## II. A Quantitative Approach to Gauging the Power of the Presidency

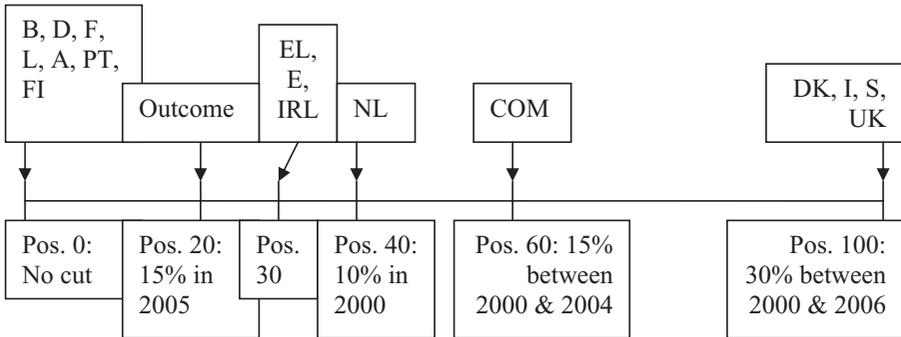
The dataset used in the following analysis is the one assembled for the book *The European Union Decides* (Thomson *et al.*, 2006). The dataset consists of information on 70 controversial legislative proposals that were on the Council's agenda in 1999 and/or 2000. The selection of controversial proposals is appropriate given the present study's focus on the claim that presidents influence decision outcomes in line with their favoured policy positions. This claim implies the counter-factual proposition that decision outcomes would have been substantially different had another Member State with substantially different positions held office. Therefore, variation in Member States' policy positions is essential to gauging the presidency's influence. More details of the selection and data-collection procedures can be found in Thomson *et al.* (2006) and Stokman and Thomson (2004). This section provides a summary of the procedures relevant to the present analysis.

The selection of the 70 Commission proposals is such that the analyses include at least some information on the 19 Council presidencies held between the first half of 1996 (the first proposal in the selection to be introduced by the Commission) and the first half of 2005 (the last proposal in the selection to be adopted as law). However, the presidencies involved most in these 70 proposals were the eight between 1998 and 2001: UK, Austria, Germany, Finland, Portugal, France, Sweden and Belgium. This provides a considerable amount of variation in the sizes of Member States and presidential styles, thereby facilitating a test of how general the influence of the presidency is. From the population of all legislative proposals on the Council's agenda in 1999 and/or 2000, the following two criteria were applied to obtain the selection. First, selected proposals had to be subject to either the consultation or co-decision procedures only. Second, the proposal had to evoke a minimum level of controversy. This was measured by mention of the proposal in *Agence Europe*, a news service covering EU affairs and a brief interview with a key informant.

For each of the 70 proposals, information was collected on the controversial issues they raised, and the policy positions favoured most by each of the Member States, the Commission and the EP on those issues. Interviews with key informants were used to identify the issues and estimate actors' positions. The interviews were supplemented with information from Council documentation. This interview-based method has been applied in a wide variety of political science studies (Bueno de Mesquita, 2000; Bueno de Mesquita and Stokman, 1994). Figure 1 provides an example of a controversial issue depicted with this method. This is one of the two main issues raised by the proposal on the common organization of the market in milk, introduced by the

Figure 1: An Example of a Controversial Issue Represented Spatially

*To what extent should the intervention price for milk be cut?*



*Note:* Council Regulation (EC) No. 1255/1999 of 17 May 1999 on the common organization of the market in milk and milk products.

Commission in March 1998, as part of the *Agenda 2000* package. The controversy focused on the extent to which the intervention price should be lowered, thereby reducing the level of subsidies given to dairy farmers. Several alternative options were considered, which correspond to the positions on the issue scale. Some Member States, such as Germany, France, Austria and Finland, preferred no cuts to the intervention price (position 0 in Figure 1). These countries were keen to protect the benefits received by their dairy sectors. Other states, most notably Denmark, Italy, Sweden and the UK favoured substantial cuts to the intervention price (position 100). The decision outcome was a compromise position involving a modest cut to the intervention price (position 20).

Germany was in the presidency when this proposal was adopted as law in the first half of 1999. Although the decision outcome is fairly close to the German government's position, it is also close to the positions of states that were not in the presidency. When conducting the analysis of a large number of such cases, it is therefore important to include the location of actors' positions in relation to those of other actors. Also, the analysis includes information on the location of actors' positions in relation to those of the Commission and the EP.

Measures of the extremity of individual actors' positions and the average polarization of actors' positions are important variables in the analyses. The extremity of an individual actor's position on an issue is measured by the distance between its position and the weighted average of all actors' policy positions on the 0–100 issue continuum used to represent the controversy.

When calculating this average, the weights assigned to actors' positions are the products of actors' voting power and the level of salience they attach to the issue. Achen (2006) demonstrates that this weighted average is the generalized Nash bargaining solution. According to this measure of extremity, actors hold extreme positions on an issue to the extent that their positions deviate from the positions taken by other powerful actors that attach high levels of salience to the issue. The measure of polarization of actors' positions on an issue is the average extremity of all actors' positions. Actors' positions are more polarized on an issue to the extent that there are two evenly-balanced groups of actors with positions at the extremes of the issue.

Each of the 174 issues raised by the 70 legislative proposals was represented as a 0–100 issue continuum such as the one depicted in Figure 1. The validity and reliability of the information on the controversial issues and actors' policy positions on them were examined by comparing key informants' judgements with information from Council documentation, and by comparing judgements from different key informants (Thomson, 2006). The tests indicated satisfactory levels of validity and reliability. These tests show, for instance, that of all the points of discussion raised in the Council, key informants generally focus on issues that are more controversial, and that are more difficult to resolve. These are exactly the kinds of issues most relevant to assessing presidents' influence. Informants' estimates of actors' policy positions sometimes differ from information reported in Council documentation. On examination, these differences are due to the fact that the Council documents do not refer to the policy positions actors favoured most, but to the decision outcomes actors were prepared to accept during the course of the negotiations.

In the analysis of presidents' impact on the timing of decision-making, the dependent variable is the risk of the proposal being adopted within a given presidency. Event history analysis with time-dependent covariates (Cox, 1972; Collet, 2003) is an appropriate method to use for this analysis and has been applied by Golub (2002) in previous analyses of decision-making duration. The coefficients in this type of regression model estimate the change in the risk that a proposal will be adopted as law within a given presidency due to a one unit change in the independent variable to which the coefficient refers. The possibility of including time-dependent covariates is crucial in the present analysis. Between the introduction of a legislative proposal and its adoption, a sequence of several Member States will typically chair the Council. This means that the 'distance between the current and next presidents' policy preferences' (referred to in the first hypothesis) will vary over the lifetime of a legislative proposal. The relative extremity of the current president's policy positions will also vary over the lifetime of the proposal.

Cox regression allows these and other variables to be included in the model of decision-making duration.

In the analysis of presidents' influence on the content of decision outcomes, the dependent variable is the distance between each Member State's policy position and the decision outcome on each of the standardized 0–100 policy scales. Information on the location of the decision outcomes was collected for 162 of the 174 issues included in the selection (66 of the 70 proposals). Member States that did not take a position on an issue were excluded from the analysis. Austria and Luxemburg, for instance, seldom take positions on fisheries issues. This leaves 2,240 Member State-issue pairs that are relevant to the analysis. Since the cases refer to sets of observations on the same issues, the cases are not independent of each other. To address this peculiarity, I apply regression analysis with White's robust standard errors clustered at the level of the 162 issues in the dataset. Indicator (or dummy) variables are used to estimate the effects of Member States having presidential roles during the lifetime of the proposal.

### III. Analysis

The first part of the analysis examines the possible impact of the presidency on decision-making duration. On balance, the evidence does not suggest that presidents significantly affect the timing of decision-making. Any influence presidents may have on the duration of decision-making is of marginal importance compared to the effects of the polarization of actors' policy positions and the involvement of the European Parliament. Table 1 provides some descriptive information that enables us to compare Member States' positions on issues that were decided on when they were in the presidency with issues passed on to a future presidency for adoption. Decisions are postponed on issues on which the current presidency's positions differ from those of the next presidency by an average of 31.50 policy scale points. Decisions tend to be taken on issues for which the average distance between the current and the next presidents' preferences is greater (36.43 scale points). Table 1 also suggests an association between the postponement of decisions and the extremity of the presidents' policy positions. However, Table 1 also shows that another variable, the polarization of all actors' positions, is strongly associated with whether or not a decision is taken in the current or a future presidency. Issues on which actors' positions are polarized tend to be decided on later.

The multivariate analysis reported in Table 2 shows that neither the distance between the current and next presidents' positions, nor the extremity of

Table 1: A Comparison of Issues on which Decisions were Postponed with Issues on which Decisions were taken during Presidencies

	<i>Distance between current and next presidents' policy preferences</i>	<i>Extremity of current president's policy preference</i>	<i>Polarization of all Member States' preferences</i>
Decision postponed to future presidency	31.50 (40.49; 272)	34.42 (21.46; 293)	34.73 (12.01; 322)
Decision taken in current presidency	36.43 (39.93; 130)	30.73 (21.89; 131)	30.77 (13.13; 142)
Total	33.09 (40.33; 402)	33.28 (21.63; 424)	33.52 (12.48; 464)
p	0.11	0.09	0.00

Source: Author's own data.

Note: P-values are from the Mann-Whitney Test (two-tailed). Standard deviations and number of observations in parentheses.

Table 2: Cox Regression Analysis of Decision-Making Duration

	<i>b (s.e.)</i>	<i>e<sup>b</sup></i>
Distance between current president's position and next president's position (td)	0.00 (0.01)	1.00
Extremity of current president's position (td)	0.00 (0.01)	1.00
Polarization of all actors' positions	-0.03* (0.02)	0.97
Co-decision		
– Proposals decided on in first reading	0.27 (1.05)	1.31
– Proposals decided on in second reading	-0.94*** (0.31)	0.39
– Proposals decided on after Conciliation Committee	-1.29*** (0.46)	0.28
Unanimity	-0.39 (0.31)	0.68
N	66	
-2 Log Likelihood	431.07	
Chi-square (p)	17.53 (0.01)	

Source: Author's own data.

Note: td indicates a time-dependent covariate. \* p = <0.10; \*\*\* p = <0.01.

the current president's positions have any impact on the duration of decision-making after controlling for other factors.<sup>1</sup> The multivariate analyses reveal the importance of other factors that influence the duration of decision-making. The level of polarization of actors' positions reduces the risk that a

<sup>1</sup> The robustness of model in Table 2 was tested by excluding proposals decided on under the first or second presidencies, examining consultation and co-decision proposals separately, and including interaction terms between the time-dependent covariates and the variables referring to procedural rules. This did not alter the substantive findings.

proposal will be adopted in any given presidency. The exponent of the coefficient reported in the last column indicates that a one unit increase in the level of polarization reduces the risk of a proposal being adopted in any given presidency by 3 per cent. Since the level of polarization is based on the 0–100 policy scales, this represents a substantial effect. An increase in the level of polarization of 10 scale points reduces the risk of the proposal being adopted by 30 per cent on average. Three indicator variables were used to model the impact of the co-decision procedure. Compared to proposals subject to the consultation procedure, co-decision proposals decided on in the first reading are more likely to be adopted under any given presidency, although the coefficient is not statistically significant. This indicates that the involvement of the EP in fast-tracked proposals does not slow down decision-making compared to the consultation procedure. Co-decision proposals that are not adopted until after a second parliamentary reading and the conciliation committee are, as expected, subject to significantly longer delays. The requirement of unanimity in the Council also slows decision-making, although the effect is not statistically significant.

The next analyses focus on the possible impact of the Council presidency on the content of decision outcomes, depending on the stage of decision-making in which the Member State held the presidency. I distinguish between three types of presidential roles. For any given legislative proposal, a ‘first president’ is the Member State in the presidency when the proposal was introduced, but not at the time of the proposal’s adoption. An ‘intermediate president’ is in office after the introduction of the proposal, but before its final adoption. A ‘finalizing president’ is the Member State in office when a proposal is adopted; usually the proposal was introduced by the Commission under a previous Council presidency.

To summarize the following bivariate and multivariate analyses, there is no evidence that first presidents hold more influence over decision outcomes than Member States with no presidential role. Intermediate presidents wield more influence than non-presidents under certain conditions in line with the second hypothesis, but less influence under other conditions. Finalizing presidents have significantly more influence over decision outcomes than non-presidential Member States.

Table 3 contains descriptive information on the distances between actors’ most favoured policy positions and actual decision outcomes on the controversial issues raised by the selected Commission proposals. There is significant variation among the three types of presidents and non-presidents in the distances between their positions and actual decision outcomes. Decision outcomes are marginally further on average from the positions of first presidents (34.06) than from the positions of non-presidents (32.59). However,

Table 3: A Comparison of Presidents and Non-Presidents

	<i>Distance between state's policy preferences and decision outcomes</i>	<i>Extremity of state's policy preferences</i>
First presidents	34.06 (32.63; 151)	28.72 (21.41; 151)
Intermediate presidents	38.01 (31.88; 351)	33.80 (21.53; 351)
Finalizing presidents	29.54 (30.22; 150)	28.10 (21.25; 150)
No presidential role	32.59 (32.31; 1,588)	27.49 (21.79; 1,588)
p	0.01	0.00

*Source:* Author's own data.

*Note:* P-values are from the Kruskal-Wallis Test (two-tailed). Standard deviations and number of observations in parentheses.

decision outcomes are relatively far from the positions taken by intermediate presidents (38.01). The average distance between decision outcomes and finalizing presidents' positions (29.54) is smaller than the average distance between decision outcomes and the positions of Member States that had no presidential role (32.59). This last finding is consistent with the proposition that Council presidents influence decision outcomes in line with their positions.

Table 3 also provides information on the average extremity of actors' policy positions. This information is essential to assessing actors' bargaining success, in particular the surprising finding regarding intermediate presidents' positions. There is significant variation between the three types of presidents and non-presidents in the extremity of their positions. Intermediate presidents in particular have relatively extreme positions. This is explained by the fact that the extremity of presidents' positions is positively associated with the polarization of all actors' positions, and that polarization results in longer decision-making processes, as established above. Longer decision-making processes have, by definition, more intermediate presidents. This finding also points to the importance of controlling for the extremity of actors' positions when investigating the distances between their positions and decision outcomes. If an actor has a relatively moderate position, a small distance between its position and the decision outcome does not necessarily indicate that the actor had any influence on the decision outcome. Likewise, a relatively large distance between an actor's position and the decision outcome does not necessarily indicate a lack of influence if the actor's position was an extreme one.

Table 4: Regression Analysis of Distances between Actors' Preferences and Decision Outcomes (Robust Standard Errors in Parentheses)

<i>Control variables</i>	
Constant	-1.31(4.22)
QMV = 1 (unanimity = 0)	5.05* (2.64)
Voting power	0.91*** (0.32)
Relative extremity of actor's position	0.73*** (0.14)
Average extremity of all actors	0.93*** (0.12)
<i>Presidency variables</i>	
First president	-
Intermediate president	4.66* (2.78)
Finalizing president	-3.99* (2.05)
Intermediate president X relative extremity	0.18 (0.14)
Intermediate president X QMV	-6.07 (3.91)
Relative extremity X QMV	-0.30 (0.19)
Intermediate president X relative extremity X QMV	-0.61*** (0.23)
N	2,240
R <sup>2</sup>	.24
F (p)	15.13 (0.00)

Source: Author's own data.

Notes: \*  $p < 0.10$ ; \*\*\*  $p < 0.01$ . OLS regression estimates. Robust standard errors clustered at the level of issues within the dataset (162 clusters corresponding to the 162 controversial issues in the dataset). Voting power is measured by actors' voting power index according to the Shapley-Shubik index (Shapley and Shubik, 1954).

Table 4 presents a multivariate model that examines the impact of the presidency and several control variables, including the extremity of positions, on the distance between actors' positions and decision outcomes. The model presented is a reduced model, containing only the variables of which the coefficients were statistically significant in a previously-estimated 'full' model with a larger number of variables and interaction terms. To test the second and third hypotheses, interaction terms were included in the full model. Those that were not significant were removed from the model.<sup>2</sup>

One of the most important findings is that distances between decision outcomes and Member States' positions are significantly smaller when the Member States in question are finalizing presidents than when they are not.

<sup>2</sup> This procedure avoids presenting a full model with more variables and interaction terms that are not significant. The direction and significance of the coefficients included in the model presented are the same in the full model. Several tests of the robustness of the reduced model in Table 4 were conducted. First, the model was built using a forward stepwise procedure, from simple to more complex, starting with only direct effects and gradually introducing the interaction terms. Second, co-decision and consultation proposals were examined separately. Third, indicator variables were introduced to examine whether presidencies held by different Member States had different effects. None of the substantive conclusions changed as a result.

The coefficient associated with the indicator variable 'finalizing president' indicates that decision outcomes are on average 3.99 points (on policy scales ranging from 0 to 100) closer to the positions of Member States that are finalizing presidents than to the positions of Member States with no presidential role. The model indicates that first presidents and intermediate presidents do not enjoy the same overall advantage as finalizing presidents. The coefficient associated with the 'first president' variable was not significant and was removed from the model.

Intermediate presidents, however, have a conditional effect on decision outcomes in line with the second hypothesis. Table 4 includes interaction terms, which indicate whether decision outcomes are closer to intermediate presidents' positions if certain conditions are met. It was hypothesized that Council presidents obtain decision outcomes closer to their policy positions under qualified majority voting (QMV) than under the unanimity requirement in the Council. This tendency was hypothesized to be particularly prevalent when presidents hold relatively extreme policy positions. If this were the case, we would expect to find significant negative coefficients associated with the three-way interactions between the presidency variables, relative extremity and the QMV variable. Indeed, for intermediate presidents, the three-way interaction effect is highly significant and negative. If a Member State has an extreme position and does not have a presidential role in relation to a given issue, it generally experiences a decision outcome far from its policy position. If a Member State has an extreme position, and has an intermediate presidency role in relation to a given issue, and the issue in question is resolved by QMV, it experiences no such disadvantage from having an extreme position.

The interpretation of interaction effects deserves particular care. The coefficients associated with lower-order effects are the estimated effects of the variables when the values of the higher-order interactions are zero (Braumoeller, 2004). There are three pertinent observations on the interaction effects for intermediate presidents. First, the coefficient associated with the variable 'relative extremity of actor's position' indicates that for an actor with no presidential role and on issues subject to unanimity in the Council, a one unit increase in the relative extremity of its preference is associated with an increase of 0.73 in the distance between its preference and the decision outcome. Second, the coefficient associated with the variable 'intermediate president' estimates the effect of holding an intermediate presidential role on issues on which the president's policy extremity is no more or less than average (i.e. zero) and that are subject to unanimity voting. Under these conditions, presidents experience decision outcomes 4.66 policy scale points further from their positions than do actors with no presidential role. In other words, intermediate presidents with moderate positions generally make more

concessions than do other actors under unanimity. Third, the three-way interaction between 'intermediate president', 'relative extremity' and 'QMV' estimates the impact of the extremity of intermediate presidents' preferences on issues subject to QMV. Unlike other actors, under QMV intermediate presidents with extreme positions do not experience decision outcomes further from their positions. Under QMV, a one unit increase in intermediate presidents' policy extremity is associated with a zero increase – i.e.  $0.73 + 0.18 + (-0.30) + (-0.61)$  – in the distance between their policy positions and decision outcomes. This is clearly in line with the second hypothesis that presidents have marked influence on decision outcomes when they have extreme positions on issues subject to QMV in the Council.

Contrary to the third hypothesis, the influence of the presidency was not greater under fast-tracked co-decision proposals. Interaction terms were included in the analysis to examine whether presidents obtained relatively more favourable decision outcomes in such cases. None of these were significant and so are not included in the reduced model. Interaction terms were also included to explore whether presidents had more influence on the outcomes of co-decision proposals that went to conciliation. None of these were significant either.

Similarly, control variables were included to measure the distance between each Member State's position and the positions of the Commission and the European Parliament. Proximity to the Commission and the EP marginally reduced the distance between the state's position and the decision outcome, but not significantly so. An indicator variable that distinguished between co-decision and consultation proposals was also insignificant.

It is noteworthy that the effects associated with the finalizing and intermediate presidencies hold even after controlling for the effects of other variables. Policy extremity, as mentioned above, is positively associated with distance between decision outcomes and actors' positions. The average extremity of all actors on an issue is also positively associated with the distance between actors' positions and decision outcomes. In other words, all actors tend to make more concessions on issues on which positions are highly polarized. The requirement of QMV in the Council is associated with significantly larger distances between outcomes and actors' policy preferences. Finally, actors with more voting power (larger Member States under qualified majority voting) have slightly larger distances to decision outcomes. This counter-intuitive relationship indicates that large Member States make larger concessions under QMV than smaller Member States. This is consistent with previous research on voting records in the Council, which shows that larger Member States tend to be outvoted more frequently than smaller Member States (Mattila and Lane, 2001). A possible reason for this might be that larger

Member States take positions on a broader range of issues than do smaller Member States. This might compel larger Member States to make concessions on issues to which they attach relatively lower levels of importance, while smaller Member States focus only on issues in which they have relatively high levels of interest. This tentative explanation must, however, be tested in future research.

## Conclusion

Competing claims have been made about whether Council presidents use their position to secure decision outcomes favourable to their interests. Some have argued that the presidency involves 'responsibility without power', noting the prevalence of the normative principle that presidents should be neutral brokers (Dewost, 1984, p. 31). In line with the recognition of the constraints to which presidents are subject, several researchers have emphasized the administrative and managerial aspects of the presidential role, above the resources it gives incumbents (Hayes-Renshaw and Wallace, 2006, Chapter 5; Wallace, 1985). Other researchers, while acknowledging the competing pressures on presidents, have posited that presidents can use their position to secure favourable decision outcomes (Bunse, 2006; Tallberg, 2003, 2004, 2006; Schout, 1998; Kollman, 2003). Until now, these claims have rested on practitioners' reports of what goes on in the Council and case studies. The present study complements existing research by providing quantitative evidence on the power of the chair, and by probing some of the conditions under which presidents' influence may be more marked.

The findings add credence to the view that Member States enjoy some additional influence over decision outcomes when they hold the Council presidency. The presidency gives incumbent states responsibility with power. The timing of a state's presidency in the legislative process is crucial to this influence. Member States that hold the presidency when a legislative proposal is adopted as law pull decision outcomes toward their favoured policy positions. No such overall effect was observed for Member States that held the presidency prior to the adoption of a legislative proposal. Tallberg (2004, 2006, pp. 29–39) suggests that presidents' influence is attributable to their privileged access to information on other actors' preferences and their ability to shape the Council's agenda. Farrell and Héritier (2004) emphasize the importance of presidents' activities as *relais* actors between the Council and other organizations, in particular the parliament.

Although the timing of the presidency in the legislative process affects presidents' influence on decision outcomes, presidents have little influence

over the duration of decision-making. This suggests that presidents' influence on the content of decision outcomes cannot be explained by their control over the timing of the agenda. Incoming presidents have some latitude to introduce new non-legislative items, but their workload is mainly defined by the proposals introduced by the Commission under previous presidencies, and the political progress achieved since then. The duration of decision-making is primarily determined by factors outside presidents' control: the involvement of the European Parliament, the decision rule in the Council (Golub, 1999, 2002) and, as the present study demonstrates, the polarization of actors' positions on a legislative proposal. We must therefore look to other factors, such as presidents' access to information and their relais function to explain the modest degree of additional influence they have.

The findings support Tallberg's (2004) hypothesis that presidents' influence on decision outcomes is shaped by the use of qualified majority voting in the Council and the extremity of their policy positions. In line with this hypothesis, a significant interaction was found between the voting rule and the extremity of presidents' positions. Member States that favour relatively extreme policies generally experience decision outcomes far from their positions. However, this relationship does not hold for intermediate presidents on issues decided on by QMV; indeed, under these conditions there is no association between relative policy extremity and the distance between decision outcomes and intermediate presidents' positions. In other words, on issues subject to QMV, holding an extreme position is not damaging to the bargaining success of intermediate presidents, while it is to the bargaining success of Member States with no presidential role. This finding demonstrates the importance of theorizing the interplay between actors' preferences and institutional rules to explaining decision outcomes.

There is no evidence that presidents' influence over decision outcomes is greater under fast-tracked co-decision proposals. Presidents do influence decision outcomes on fast-tracked proposals, but this influence is not greater than in other dossiers. This finding is contrary to the hypothesis formulated on the basis of qualitative research by Farrell and Héritier (2004). While presidents' relais function may be important, the quantitative evidence does not support the view that it is being used to secure decision outcomes more favourable to presidents than in other legislative procedures. Indeed, Farrell and Héritier (2004, p. 1206) also report that there is little controversy in the Council regarding the president's role in fast-tracked co-decision proposals. By contrast, there is greater controversy surrounding the role of relais actors in the EP, notably the *rapporteurs*, in fast-tracked proposals. This may suggest that the *rapporteurs* have gained more influence than Council presidents from the early agreement provision of the Amsterdam Treaty.

Council presidents' influence must be understood in the context of normative principles that guide their behaviour. The impact of the finalizing presidency, although significant, is modest. It is therefore possible for Member States to enjoy a degree of additional influence by holding the presidency, while at the same time not being perceived as overtly biased in exercising their duties. Presidents are constrained in the extent to which they can use the difference between QMV and unanimity to their own advantage. It has often been observed that the Council strives for consensus even when a decision could be taken with the support of only a qualified majority of Member States (Mattila and Lane, 2001; Thomson *et al.*, 2006). According to this norm, presidents should strive to gain the support of Member States with opposing positions, even if their support is not required by the formal decision rule. There is also evidence that under certain conditions, Member States with a presidential role experience no such advantage and sometimes even make more concessions than other Member States. If unanimity applies in the Council, intermediate presidents with moderate positions tend to make significantly larger concessions than do other Member States. Future research might therefore devote more attention to the conditions under which the chair exerts influence on decision outcomes.

The findings presented here are consistent with those of a recent study of the power of the Council presidency that employed a similar quantitative approach (Schalk *et al.*, 2007), but that was written entirely independently of the present article. Schalk *et al.* (2007) also conclude that finalizing presidents have more power to influence the content of decision outcomes. The similarity between our findings certainly increases our confidence in the validity of the inferences drawn. However, the analyses presented here differ from those of Schalk *et al.* (2007) in four respects. First, I examine presidents' influence on both the timing and content of decision outcomes, while Schalk *et al.* examine the content of decision outcomes only. Second, I describe the magnitude of the presidency's power in terms of the extent to which presidential Member States pull decision outcomes closer to their initial policy positions. In doing so, it becomes apparent that the policy effect of presidents' additional power, although significant, is modest in size. Third, the present analyses show that the power of the presidency is conditional on the voting rule used in the Council. Fourth, the present analyses do not include any assumptions about the relative power of the Commission, Council and European Parliament. By contrast, Schalk *et al.*'s (2007) study assumes that the Commission and EP have substantial power relative to the Council. Thomson and Hosli's (2006) study suggests that this overestimates the power of the supranational institutions relative to the Council. Despite these differences, our agreement on the most important finding is reassuring.

Finally, several conclusions can be drawn regarding the strengths and limitations of the quantitative approach applied in the present article. Member States' influence over the content of policy was assessed on the basis of the distances between their policy positions and decision outcomes measured spatially. This alone, however, would run the risk of conflating power and luck (Barry, 1980); it may be that a decision outcome close to an actor's position is realized simply because the actor has a moderate position close to an obvious compromise outcome. A strength of the method applied here is that it involves a systematic inventory of all actors' positions on range of controversies, thereby making it possible to measure and control for the extremity of each actor's positions. This also enables the analyses to address the counter-factual proposition that decision outcomes would have been substantially different if another state favouring substantially different positions had held the presidency. The quantitative method also examines the influence of the presidency across a range of incumbents and several general conditions under which that influence may vary. Hypotheses on these conditions were based on previous qualitative research, illustrating the constructive dialogue that can take place between quantitative and qualitative approaches.

The counter-factual proposition underlying claims about the power of the chair refers to decision outcomes, not the process through which they are realized. Nonetheless, knowledge about the processes through which presidents turn their power into influence over decision outcomes is of obvious importance to explaining the workings of the Council. Process tracing is the most obvious method for developing such knowledge, but may also be informed by the present study's findings. Given presidents' marginal influence over the timing of the Council's agenda, their sources of influence over decision outcomes are most likely to be sought in their privileged access to information and their relais function with respect to other organizations.

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