

PACKAGE DEALS IN EU DECISION-MAKING

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PACKAGE DEALS AND THE EUROPEAN UNION LEGISLATIVE PROCESS

INTRODUCTION

This paper studies the use of package deals in European Union decision-making and analyses the effect of logrolling on EU legislative outcomes. Existing studies of legislative politics in the EU overlook the importance of the effect of package deals on EU legislative outcomes. The possibility of logrolling between the European Parliament and the Council has attracted little theoretical attention and no empirical testing. This paper explores the effect of legislative package deals in the EU through the examination of 1465 legislative proposals completed between 1 May 1999 and 30 April 2007 under the co-decision and consultation procedures.

The paper argues that package deals allow the European Parliament to enjoy considerable legislative influence in EU decision-making. Package deals are not only regularly used in the EU legislative process, but through logrolling the Parliament influences substantially legislation in the EU's distributive policy areas. Package deals are regularly used by EU legislators as they allow the Council and the Parliament to achieve their most preferred policy outcomes. While package deals reduce the ability of ordinary MEPs to participate in the decision-making process, they allow the European Parliament to influence distributive legislative proposals and to gain greater influence in some of the EU's most expensive policies.

The analysis is based on the examination of 2369 issues the European Parliament contested in 973 amended pieces of legislation falling in 19 EU policy areas and negotiated in a period of 9 years. Section I of the paper presents an overview of the development of package deals in the co-decision and consultation procedures between 1 May 1999 and 30 April 2007. Borrowing from the literature on legislative exchange Section II outlines the conditions that lead to the employment of package deals in EU decision-making. These theoretical predictions are tested in Section III. The effect of logrolling on the legislative influence of the European Parliament is examined in Section IV.

SECTION I: PACKAGE DEALS IN THE EU LEGISLATIVE SYSTEM

Theoretical analyses of EU legislative politics have largely neglected the importance of informal rules and procedures and the possibility of logrolling and package deals in the decision-making process. The majority of the existing models of EU decision-making view the legislative process as a number of single-shot interactions between the Council, the European Parliament and the Commission. They ignore the possibility of repeated interactions between the institutional actors and eliminate the idea of logrolling and the conclusion of package deals in the EU legislative context (Tsebelis 1994, Steunenberg 1994, Crombez 1996, Garrett and Tsebelis 1996; Tsebelis 2000; Tsebelis and Garrett 2001).

The idea of logrolling has occupied a central place in the literature of legislative politics and theories of exchange have been most prominent in the literature of US legislative decision-making (Buchanan and Tullock 1962; 2004; Coleman 1966, 1990; Farejohn 1986; Weingast and Marshall, 1988; Mueller 1989; Shepsle and Weingast 1994; Stratmann 1992; 1995; 1997; Gilligan and Krehbiel, 1998; Krutz 2001). Analyses of logrolling and package deals take into account both the informal interactions among institutional actors and the formal rules of the legislative process. The definition of logrolling varies between the studies but overall, it is understood as “the exchange of loss in some issues for benefits in others resulting in mutual overall gain between actors with different interests...” (Mueller, 1989).

In contrast, ideas of gains from legislative exchange in the EU context have received little attention, limited theoretical focus and no empirical testing. Recently, several theoretical models, implying logrolling have been developed in the EU decision-making literature (Stokman and Van Oosten, 1994; Bueno de Mesquita, 1994; Crombez 2000; Konig and Proksch 2006). In addition to the procedural rules of the EU legislative process, these models focus on the informal bargaining through which institutional actors exercise legislative influence. The authors acknowledge that EU decision-making presents legislators with multiple issues for consideration and that their repeated interactions in the EU legislative process create opportunities for logrolling and exchange of

support. Nevertheless, there exist no empirical tests of whether legislative exchange is a significant process in EU decision-making and if so, what the effect of logrolling is on legislative outcomes.

This paper finds that logrolling in the EU manifests itself in the form of package deals between the Council and the European Parliament. Package deals are widespread in the EU legislative system and they are of central importance for EU decision-making in a large number of EU policy areas. The use of package deals directly affects legislative outcomes. Most importantly, the European Parliament largely benefits from the employment of package deals as through logrolling the EP gains influence in the EU's distributive policies.

Around 25% of the completed EU legislation in the period between 1 May 1999 and 30 April 2007 was decided through a package deal. Of the total 1465 legislative proposals, 973 proposals were amended and 244 proposals involved a package compromise between the European Parliament and the Council of Ministers. 72% of all package deals fell under the co-decision procedure (176 proposals) and around 28% of the package deals took place under the consultation procedure (68 proposals).

Table 1: Co-decision and Consultation Legislation: 1 May 1999 – 30 April 2007

Policy Area (Commission DG)	Total Amended	Co-decision		Consultation		Total Package Deals
		Amended	Package	Amended	Package	
Agriculture & Rural Development	80	7	3 (43%)	73	17 (23%)	20 (25%)
Budget	35	9	5 (56%)	26	16 (62%)	21 (60%)
Development	13	9	3 (33%)	4	-	3 (23%)
Economic and Financial Affairs	30	2	2 (100%)	28	-	2 (7%)
Education and Culture	29	25	6 (24%)	4	1 (25%)	7 (24%)
Employment and Social Affairs	38	20	7 (35%)	18	-	7 (18%)
Energy and Transport	99	93	42 (45%)	6	-	42 (42%)
Enterprise and Industry	56	53	18 (34%)	3	-	18 (32%)
Environment	58	50	20 (40%)	8	-	20 (34%)
Eurostat, Statistical Office	33	32	2 (6%)	1	-	2 (6%)
External Relations	38	12	2 (23%)	26	-	2 (5%)
Fisheries	107	1	-	106	2 (2%)	2 (2%)
General Secretariat	10	2	-	8	4 (50%)	4 (40%)
Health and Consumer Protection	77	56	23 (41%)	21	-	23 (30%)
Information Society	22	20	9 (45%)	2	-	9 (41%)
Internal Market and Services	47	41	16 (39%)	6	-	16 (34%)
Justice, Freedom and Security	147	24	12 (50%)	123	11 (9%)	23 (16%)
Research	26	7	4 (57%)	19	16 (84%)	20 (77%)
Taxation and Customs Union	28	7	2 (29%)	21	1 (5%)	3 (11%)
Total Legislative Proposals***	973	470	176(37%)	503	68 (14%)	244 (25%)

*** = 243 directives, 468 regulations, 247 decisions and 14 recommendations.

Table 1 presents the distribution of all legislative proposals completed in the period according to policy area, procedure, and use of package deals in the legislative process¹. The policy areas with the highest percentage of legislative proposals decided through package deals were Budget (60%), Research (77%), Energy and Transport (42%), and Information Society (41%). On the other hand, the smallest percentage of package deals falls in the policy areas of Fisheries (2%) and External Relations (5%).

Two types of package deals can be easily identified in the European Union legislative process. These are package deals on 1) single proposals that involve multiple issues and 2) package deals on several proposals that are decided simultaneously either within the same legislative procedure or across the co-decision and consultation procedures.

First, package deals are concluded between the Parliament and the Council on single proposals that involve multiple controversial issues. Package deals allow the legislative bodies to obtain their most preferred outcomes by exchanging support on some issues for support on other issues, part of the same legislative proposal. Hence, logrolling allows some of the most controversial legislative proposals that would otherwise face gridlock, to be successfully negotiated. Overall, 32% of the package deals in the period took place on single proposals (78 proposals). However, package compromises on single proposals only took place in the co-decision procedure².

Second, package deals are concluded when several proposals are decided simultaneously either within the same legislative procedure or across the co-decision and consultation procedures. 68 % of the package deals involved the bundling of legislative proposals in packages and their simultaneous negotiation (166 proposals). Package deals on several proposals allow EU legislators

¹ Own calculations. The use of package deals in the EU co-decision and consultation procedures was traced through the Council's document register and the European Parliament's plenary debates and summaries of sittings. A proposal was counted as a package deal proposal only if there was written evidence of a negotiated compromise package on a single legislative proposal or on several legislative proposals between the Council and the European Parliament.

² For example, in the negotiations of the regulation on the European Globalisation Adjustment Fund, the "EP explained to the Chair of Coreper that it viewed the negotiations as a whole package and would be prepared to accept Article 2 as proposed by the Council, including the 15% in 2(c), should the Council for its part agree to increase the rate of co-financing to 50%." (2006/0033(COD)) Council Document 15696/06 Brussels, 22 November 2006).

to trade support across proposals and hence make compromises on legislative packages that would otherwise be difficult to pass³. Table 1 highlighted that EU policy areas contain draft proposals from both legislative procedures. Hence, package deals are not only concluded within the same legislative procedure, but they can also involve proposals from the co-decision and consultation procedures within the same policy area⁴.

It is difficult to trace successful package deals between the Parliament and the Council over time. The general non-enforceability of informal political bargains limits the deals that can be struck among MEPs and representatives from the Council. It is difficult to bind future legislative decisions in a logrolling context because informal agreements can easily be amended or ignored (Shepsle and Weingast, 1994; Weingast and Marshall, 1998). When agreements are only informal and take place sequentially, actors are likely to ‘misstate their preferences at the time an agreement is formed and to violate the agreement after it is made’ (Mueller, 1989, 87).

Package deals are fragile informal bargains and such agreements are also difficult to enforce across policy area. In informal agreements, ‘any political agent can betray the original agreement and destabilize the original coalition’ (Parisi, 2002, 187). Therefore, in the EU context evidence of legislative exchange can easily be found when proposals are negotiated simultaneously, but logrolls are likely to break if promises are made across time or policy area⁵.

³ “On 8 December 2003 an informal triologue meeting was held and a list of compromise amendments was drawn up... The European Parliament indicated that, should the compromise package be accepted by the Council, it was prepared to drop all other amendments and vote to approve the compromise package in January 2004...” (2002/0216(COD) Council Document 15894/1/03, Brussels 11 December 2003, on Regulation on Detergents).

⁴ For example, the negotiations on the SIS II legislative proposals: “On 31 May 2005, the Commission submitted legislative proposals setting out the legal basis for SIS II: two Regulations to be adopted in co-decision procedures and one Council Decision to be adopted by unanimity and with EP consultation. However, the EP has very clearly indicated that these three legislative instruments will be dealt with as a package”. (2005/0106 (COD) Council Documents 13050/06, Brussels, 22 September 2006, on SIS II legal instruments).

⁵ For example, the European Parliament was promised by the Council that if it supported the Council’s position on co-decision Data Retention directive (2006/24/EC), the Council would work closely together with the EP in deciding future proposals in the area of Justice, Freedom and Security. In return for reaching a compromise deal by the end of 2005, the Parliament was promised a pay-off in the negotiations of the VIS consultation legislation. Nevertheless, during the negotiations of the Schengen proposals, the Council refused to keep any previous promises or agreements with the EP.

Finally, the employment of package deals in EU decision-making is a regular and increasing practice.⁶ While only 21% of the legislative proposals were negotiated through a package deal in 2000, more than 41% of the proposals were package compromise deals between the EP and the Council in 2006. Overall, between 1999 and 2007 around 25% of the legislative proposals were negotiated through the bundling of issues and proposals together. Therefore, logrolling between the European Parliament and the Council is a significant process and package deals are increasingly employed across EU policy areas, going beyond the co-decision procedure.

What explains the use of package deals in the EU legislative process? If informal bargaining and package deals obscure the decision-making process, why does the EP participate in logrolling with the Council? If package deals benefit both the EP and the Council, why not use package deals all the time?

SECTION II: WHY PACKAGE DEALS IN THE EU

Several factors influencing the use of package deals in EU decision-making can be derived from the literature on legislative exchange. These are the preference intensities of the European Parliament and the Council, the distributive nature of legislative proposals, the involvement of party leaders, urgency and policy area workload.

First, the ‘gains from exchange’ theory predicts that bargains are made when the intensity of preference varies. The crucial feature of the assumption of gains from trade is that political support can be exchanged and that the informal promises achieved between the institutions can be kept and enforced (Coleman, 1966, 1990). According to Stratmann (1995: 453) legislators trade votes because the intensities in preferences over proposals differ. That is, legislative exchange between the EP and the Council will take place when the institutions can exchange their support for issues they are less interested in for support of issues they are more interested in. Therefore, in cases when the Parliament and the Council attach relatively equal importance to legislative proposals, political exchange is not possible and package deals are less likely to occur. Hence,

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Hypothesis 1: Package deals are more likely to occur when the European Parliament and the Council attach different preference intensities to legislative proposals.

Second, logrolling is most likely to occur on distributive proposals. Heller (2001, p. 39) finds that in the US legislative context legislators resolve their differences through ‘huge, budget-busting, deficit-inducing, intercameral logrolls’. Distributive proposals are highly salient for both the EP and the Council and the decision-making process on such legislation is likely to be decided through package deals. Expensive legislative proposals are more likely to be negotiated through logrolls as actors can trade their support in order to obtain their most preferred outcomes. Proposals that involve the allocation of EU funding therefore, are more likely to be negotiated through a logroll. The distributional aspect of such proposals leads the EP and the Council to use informal methods of decision-making in which each institution can gain the issues it cares about the most. Furthermore, proposals allocating EU funding have direct consequences for Member States and the Council has greater incentives to negotiate compromise package deals with MEPs. Therefore,

Hypothesis 2: Package deals are more likely to occur when proposals allocate EU funding.

Third, logrolls are more likely to take place on legislative proposals that require urgent conclusion (Baron and Ferejohn, 1989). When time is limited, issues and proposals are more likely to be bundled together so that overall compromise could be reached. Package deals will speed up the decision-making process and legislative decisions will be fast-tracked. Legislators care not only about their successful influence on legislative outcomes, but also about avoiding delays in the decision-making process. Impatient legislators are more likely to consider alternative routes for cooperation in order to speed-up decisions. Impatient legislators are also more likely to grant concessions to each other in order to avoid unnecessary delay. Urgent situations induce the use of logrolling and package deals serve as a practical solution to time pressure. Therefore,

Hypothesis 3: Package deals are more likely to occur when legislative proposals are urgent.

Moreover, package deals are dependent on the ability of political group leaders to ensure the required support in the legislature for the vote on the informal legislative logrolls (Huber, 1996). The package deal is used by the European Parliament and the Council to resolve difficulties and to reduce uncertainty in the making of EU policies. The package deal requires the Council and the EP to preserve the essential elements of the legislative compromise achieved through informal means. Therefore, package deals are more likely to occur when the political group leaders in the European Parliament are involved in the negotiations:

Hypothesis 4: Package deals are more likely to occur if party leaders are involved in the negotiations with the Council in addition to the EP committee rapporteur.

Finally, logrolling is likely to increase as the workload of the policy area increases (Krutz 2001). The large workload in a policy area creates more interaction between the EP and the Council. The repeated interaction between legislators and the consideration of multiple issues repeatedly increases the likelihood of logrolling (Enelow, 1986, 290). The consideration of multiple issues increases the complexity of legislative proposals and makes it more difficult for legislators to reach decisions quickly. Workload also reduces the time available for the consideration of proposals and legislators are more likely to resort to the negotiation of several proposals at the same time. Package deals offer a practical way to agree on several proposals simultaneously and hence reduce workload and the potential decision-making delays. Therefore,

Hypothesis 5: Package deals are more likely to occur as the policy area workload increases.

SECTION III: PACKAGE DEALS IN THE EU: STATISTICAL ANALYSIS

Dependent Variable

The probability of logrolling in the EU is analyzed through the examination of 973 legislative proposals decided in the period 1999 – 2007 in the consultation and co-decision procedures. The *dependent variable* is whether a legislative proposal was decided through a package deal (*Package Deal*). This is a binary variable where 1 = package deal on a proposal and 0 = no package deal. A legislative proposal was counted as a package proposal when there was written evidence in the Council's document register and the EP plenary debates and summaries of sittings of the bundling of issues and proposals in a package compromise between the EP and the Council.

Independent Variables

In order to test the five propositions for the use of package deals in the EU, several independent variables were used in the analysis⁷. The first hypothesis that package deals are more likely to occur when the preference intensities of the EP and the Council differ is tested with two variables. First, the dichotomous *Council - EP Salience Tie* variable = 1 when the EP and the Council attached equal importance to a legislative proposal and = 0 if otherwise. In addition, a variable which measures the size of the preference intensity distance between the EP and Council is included. The *Absolute Salience Distance* variable tests whether the size of the absolute distance between the legislative institutions increases the likelihood of a package deal⁸.

The second hypothesis that package deals are more likely to occur on distributive proposals is tested with the categorical *Legislative Cost Type* variable. 1 = *Regulatory Proposal* if the text of a legislative proposal involves costs to be covered by private actors (and no direct costs for Member States or the EU budget). 2 = *Distributive (EU budget) Proposal* if the text of a legislative proposal

⁷ see Appendix I for correlations between the variables; see Appendix II for full coding, sources and descriptive statistics of all variables used in the analysis.

⁸ First, the continuous EP Salience (measured by the number of EP committees involved in the drafting of a legislative proposal) and Council Salience (measured by the number of documents held in the Council document register on a legislative proposal) were standardized according to a 10 point scale (1 = the lowest and 10 = the highest degree of salience). Second, the variable was calculated by subtracting the Council's salience from the EP's salience. This variable measures the size of the preference distance, regardless of the direction.

involves the allocation of EU funding and contains a direct reference to the EU financial framework. 3 = *Distributive (Member States budgets) Proposal* if the text of a legislative proposal involves costs to be covered by the Member States' own budgets. 4 = *Administrative Proposal* if the text of a legislative proposal involves no or minor costs (see Table 2 for classification).

Table 2: Legislative Proposals According to Policy Area and Cost Type⁹

Policy Area (Commission DG) Who pays?	Total	Regulatory Proposals		Distributive Proposals		Administrative Proposals	
		private actors		EU budget	Member States	no costs	
Agriculture & Rural Development	80	40	(50.0%)	25	(31.3%)	15	(18.8%)
Budget	35	-		32	(91.4%)	1	(2.9%)
Development	13	3	(23.1%)	10	(76.9%)	-	
Economic and Financial Affairs	30	4	(13.3%)	19	(63.3%)	6	(20.0%)
Education and Culture	29	4	(13.8%)	18	(62.1%)	4	(13.8%)
Employment and Social Affairs	38	10	(26.3%)	7	(12.1%)	12	(31.6%)
Energy and Transport	99	57	(57.6%)	9	(9.1%)	24	(24.2%)
Enterprise and Industry	56	45	(80.4%)	9	(16.1%)	1	(1.8%)
Environment	58	34	(58.6%)	7	(12.1%)	11	(19.0%)
Eurostat, Statistical Office	33	10	(30.3%)	6	(18.2%)	14	(42.4%)
External Relations	38	8	(21.1%)	20	(52.6%)	3	(7.9%)
Fisheries	107	59	(55.1%)	11	(10.3%)	31	(29.0%)
General Secretariat	10	1	(10.0%)	2	(20.0%)	1	(10.0%)
Health and Consumer Protection	77	56	(72.7%)	6	(7.8%)	12	(15.6%)
Information Society	22	14	(63.6%)	7	(31.8%)	-	
Internal Market and Services	47	35	(74.5%)	7	(14.9%)	1	(2.1%)
Justice, Freedom and Security	147	78	(53.1%)	27	(18.4%)	27	(18.4%)
Research	26	2	(7.7%)	23	(88.5%)	1	(3.8%)
Taxation and Customs Union	28	5	(17.9%)	6	(21.4%)	13	(46.4%)
Total Legislative Proposals	973	465	(47.8%)	256	(26.3%)	175	(18.0%)
						77	(7.9%)

The third hypothesis that package deals are more likely to occur on urgent proposals is tested with the dichotomous *Urgent* variable. It = 1 if there was a specific deadline for the legislative proposal to come into effect.

The hypothesis that package deals are more likely to occur if the party leaders are involved in the negotiations on a proposal is tested with the dichotomous *Party Leaders* variable. It = 1 if in addition to the committee rapporteur, the political group leaders in the EP participated in the writing of the proposal and = 0 if otherwise.

⁹ The general idea of this typology is based on the typology developed by Lowi (1964; 1972).

Finally, the hypotheses relating to the policy area workload is tested with the continuous *Policy Area Workload* variable. Proposals that contain multiple issues are more complex and more time consuming. The *Workload* variable measures the proportion of complex legislative proposals in a policy area, that is, proposals containing two and more issues. First, the number of issues contested by the EP per legislative proposal was counted. Second, the proportion of legislative proposals in a policy area containing two and more contested issues was calculated. A greater proportion of complex proposals per policy area signifies a larger policy area workload¹⁰.

Statistical Analysis of the Use of Package Deals in the EU Legislative Process

As the dependent variable is dichotomous (Package Deal/No Package Deal), logistic regressions are used to examine the effect of the independent variables on the probability of logrolling in the EU. The 973 proposals belong to 19 policy areas and are spread over 8 years. Three empty multilevel models are estimated to test whether proposals part of the same policy area and year share a similar probability of being decided through a package deal.

The hypothetical effects of the policy area and time levels are tested to examine whether the variance of the probability of a package deal is due to these contextual factors. The relevance of the contextual level and the improvements in the fit of the models are compared after including the different contexts. The results show that the use of package deals in EU decision-making varies across policy areas and the years 1999 – 2007. Accounting for the contextual effects of the policy area and time levels, Modes 4 to 7 include the six independent variables discussed above. The results are presented in Table 2. The coefficients of the variables, their standard errors and the odds ratios are reported.

¹⁰ Simply counting the number of proposals per policy area is not an accurate measure of workload.

Table 3: Conditions for the Use of Package Deals in the European Union

Package Deals in the European Union, 1999 - 2007								
Dependent Variable: Package Deal								
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	
	Coef./S.E.	Coef./S.E.	Coef./S.E.	Coef./S.E.	Coef./S.E.	Coef./S.E.	Coef./S.E.	Odds Ratio
<i>Fixed Effects</i>								
Cost Type (base Administrative)								
Distributive Proposal (EU budget)	-	-	-	1.855 *** (.422)	1.823 *** (.217)	2.025 *** (.485)	2.004 *** (.484)	7.416
Distributive Proposal (Member States)	-	-	-	1.012 ** (.446)	.968 ** (.445)	1.030 ** (.503)	1.005 ** (.501)	2.732
Regulatory Proposal (Private Actors)	-	-	-	.721 * (.411)	.686 * (.409)	.738 (.470)	.714 (.468)	2.042
Urgent	-	-	-	.496 *** (.189)	.499 ** (.189)	.400 * (.225)	.412 * (.226)	1.509
Absolute Distance Salience	-	-	-	.104 (.064)	-	.095 (.074)	-	-
Salience Tie	-	-	-	-	-.457 ** (.184)	-	-.541 ** (.214)	.582
Party Leaders Involved	-	-	-	1.255 *** (.236)	1.303 *** (.233)	1.381 *** (.270)	1.417 *** (.267)	4.127
Policy Area Workload	-	-	-	.039 *** (.008)	.039 *** (.008)	.048 *** (.009)	.048 *** (.009)	1.049
Intercept	-1.199 *** (.269)	-1.115 *** (.157)	-1.728 *** (.211)	-5.137 *** (.679)	-4.838 *** (.677)	-6.130 *** (.781)	-5.843 *** (.789)	-
<i>Random Effects</i>								
Policy Area Level (std.dev.)	1.082 *** (.219)		1.686 *** (.219)	.535 ** (.157)	.540 ** (.157)	1.323 * (.202)	1.336 * (.203)	-
Year Level (std.dev.)		.385 *** (.128)	< .000 (.543)	-	-	.301 (.275)	.321 (.270)	-
-2 x Log Likelihood	996.323	1081.314	936.867	896.941	893.216	831.123	826.654	
Model Improvement		-	59.456	99.382	103.107	164.711	169.67	
N Proposals	973	973	973	973	973	973	973	
N Policy Areas	19	19	19	19	19	19	19	
N Years	8	8	8	8	8	8	8	

*p < .10; ** p < .05; *** p < .01

Results

The results indicate that the probability of a package deal increases when 1) the EP-Council preference intensities vary, 2) distributive proposals and 3) urgent proposals are discussed, 4) the party leaders in the EP are involved in the negotiations and 5) the policy area workload increases (see Model 7).

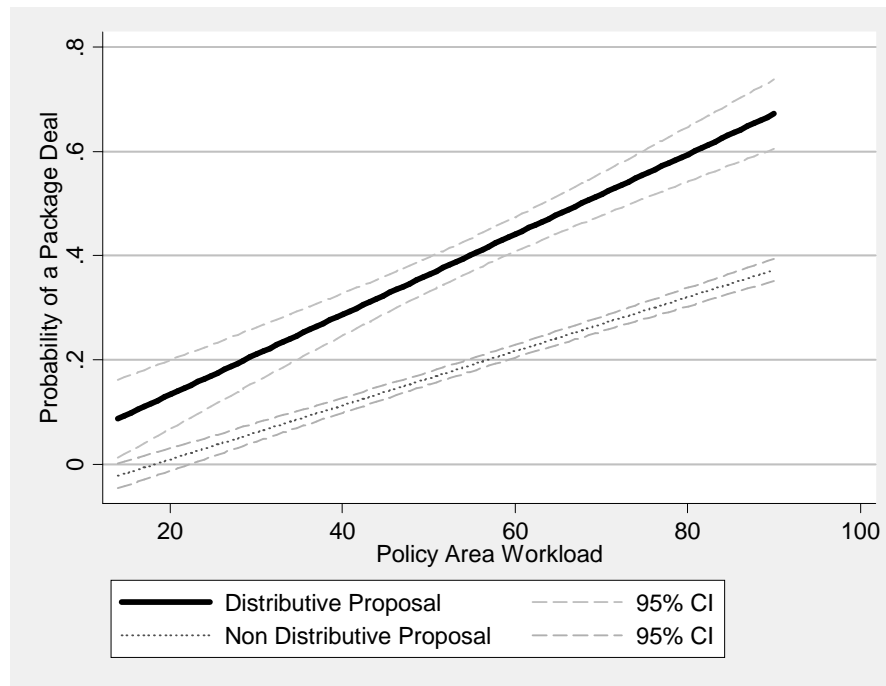
First, the preference distance between the EP and the Council on a legislative proposal increases the likelihood of a package deal. When there is a tie between the Parliament and the Council's intensity of preferences, package deals are less likely to occur. This is in line with the theoretical prediction that logrolling allows actors to express different intensities of preferences. Logrolls are more likely to occur if the EP and the Council can trade legislative support. When the preference intensities of the institutions are equal no legislative exchange can take place. As a result, the probability of a package deal increases when the preference intensities between the Council and the Parliament differ.

Second, package deals are most likely to occur on distributive proposals. When proposals contain a reference to the allocation of the EU budget, package deals are most likely to be used. Expensive proposals increase the likelihood of logrolling as legislators can trade their support in order to obtain their most preferred outcomes. Furthermore, urgent proposals are more likely to be negotiated through a package deal in order to reduce decision-making time.

The probability of the use of package deals increases with the increase in policy area workload. The greater the proportion of multi-issue legislation in an EU policy area, the greater the likelihood of logrolling¹¹. Figure 1 plots the predicted probability of the use of package deals in the EU decision-making process, according to the distributive nature of legislative proposals and policy area workload (based on Model 7). The plot highlights that the probability of logrolling in the EU increases with the increase in policy area workload. Package deals are more likely to be used on legislative proposals that allocate EU funding.

¹¹

Figure 1: Impact of Distributive Proposals and Policy Area Workload on the Probability of Logrolling in the EU



Finally, the likelihood of package deals increases with the involvement of party leaders. The political group leaders in the European Parliament serve the essential role of logroll facilitators. In 69% of the package deals the committee rapporteurs were members of either the EPP-ED or the PES, but in 90% of the cases the political group leaders participated in the negotiations with the Council alongside the committee rapporteurs in order to ensure the enforceability of the logroll deals. The informal nature of logrolls between the EP and the Council requires the involvement of the political group leaders in order to ensure that the essential elements of the deal are preserved and supported in the EP plenary.

What is the effect of the increasing use of package deals in EU decision-making? What are the effects of the use of package deals on EU legislative outcomes? Does the use of package deals deprive the European Parliament from the exercise of its democratic role in the legislative process? What are the gains for the European Parliament from its participation in logrolling?

SECTION IV: EXPLAINING THE EUROPEAN PARLIAMENT'S GAINS FROM PACKAGE DEALS IN THE EU LEGISLATIVE PROCESS

The principal argument of the paper is that package deals increase the likelihood of European Parliament legislative influence in EU decision-making. Through the increasing use of package deals, the European Parliament successfully influences more important and more costly legislative proposals. Contrary to the conventional understanding that EP influence is confined within regulatory policy areas (Judge *et al*, 1994; Burns, 2005), logrolling allows the European Parliament to gain legislative power in the EU's distributive policy areas. While logrolling might undermine the direct participation of regular MEPs in the decision-making process, overall, package deals benefit the European Parliament as a legislative institution.

Package deals reduce the ability of individual MEPs to participate fully in legislative bargaining with the Council. Logrolls are typically fast-tracked and do not allow a large number of MEPs to participate. Package deals also make the legislative process less transparent as they are usually agreed informally between a select number of representatives from the EP and the Council. However, through package deals the EP gains legislative presence in some of the EU's most expensive policy areas. Therefore, the main hypothesis here is:

Hypothesis 6: Package deals increase the likelihood of EP success in influencing distributive policy outcomes in the EU

This argument is tested across 2369 issues contested by the European Parliament in 973 co-decision and consultation proposals, falling in 19 EU policy areas and completed in the period 1999 – 2007. The *dependent variable* is whether the European Parliament succeeded on a particular issue (EP Success). EP Success is understood as the ability of the Parliament to see its demands incorporated in the final legislative text. EP Success was coded as a binary variable where 1 = success and 0 = failure. Overall, the EP succeeded in 51.9 % of all issues it contested in the period.

The average EP success rate in the consultation procedure was 25.9%, whereas it was 65.2% in co-decision¹².

The Relevance of the Policy Area Context for the Legislative Influence of the European Parliament

Several studies have suggested that the legislative influence of the European Parliament varies in different areas of EU policy (Judge *et al*, 1994; Shackleton, 2000; Burns, 2005; Thomson and Hosli, 2006). Judge *et al* (1994) argued that policy type is one of many important variables shaping the EP's influence and suggested that it is in the field of regulatory policy that the EP has the greatest scope for exercising influence. Through case studies, Burns (2005: 488) also studies the EP's influence across several EU policy areas, where she finds that the Parliament has more scope to comment on and to influence regulatory policies than distributive policies. Overall, the few empirical studies of EP influence largely agree that the regulatory field allows the European Parliament greater scope to shape policy outcomes. This is a very realistic conclusion, given that co-decision largely applies to the regulatory field. By studying legislative decision-making across all EU policy areas, this paper finds significant variation of EP influence across policies¹³.

Table 4 presents the average European Parliament success rate in each of the 19 EU policy areas. The European Parliament was least successful in the policy areas of Fisheries (11.6%), Agriculture (23.5%), Economic and Financial Affairs (25.5%), Taxation and Customs (34.7%), External Relations (40.9%) and Justice, Freedom and Security (42.5%). These results are not surprising given that the legislative proposals in these areas fall mainly in consultation. In contrast, the European Parliament was most successful in the policy areas of Budgets (71.8%), Education and Culture (68.3%), Enterprise and Industry (67.5%), Employment and Social Affairs (64.9%), Information Society (64.5%) and Health and Consumer Protection (61.6%).

¹² see Appendix III for details of the distribution of EP success rate according to legislative procedure and issue type

¹³ The results of the multi-level ANOVA tests show that the policy area context conditions the probability of EP success

Table 4: EP Legislative Influence: 1 May 1999 – 30 April 2007: Policy Areas, Proposals, Issues

Policy Area (Commission DG)	Co-decision		Consultation		Total		% EP Success
	Proposals	Issues	Proposals	Issues	Proposals	Issues	
Agriculture & Rural Development	7	14	73	148	80	162	23.5 %
Budget	9	28	26	43	35	71	71.8 %
Development	9	20	4	9	13	29	55.2 %
Economic and Financial Affairs	2	14	28	33	30	47	25.5 %
Education and Culture	25	74	4	8	29	82	68.3 %
Employment and Social Affairs	20	68	18	29	38	97	64.9 %
Energy and Transport	93	350	6	12	99	362	59.4 %
Enterprise and Industry	53	146	3	8	56	154	67.5 %
Environment	50	205	8	11	58	216	59.3 %
Eurostat, Statistical Office	32	48	1	2	33	50	66.0 %
External Relations	12	28	26	38	38	66	40.9 %
Fisheries	1	1	106	128	107	129	11.6 %
General Secretariat	2	9	8	22	10	31	54.8 %
Health and Consumer Protection	56	206	21	39	77	245	61.6 %
Information Society	20	57	2	5	22	62	64.5 %
Internal Market and Services	41	151	6	9	47	160	55.0 %
Justice, Freedom and Security	24	94	123	198	147	292	42.5 %
Research	7	32	19	33	26	65	53.8 %
Taxation and Customs Union	7	22	21	27	28	49	34.7 %
Total Proposals/Total Issues	470	1567	503	802	973	2369	51.90%

Own calculations.

The central argument of the paper is that the European Parliament can be influential in distributive policy areas through the use of package deals. In order to proceed with the analysis further, an important methodological issue needs to be considered – what is a distributive policy area and how to define it? Is the distributive/regulatory divide a binary variable? Are some policies more distributive than others?

Defining the Distributive Character of EU Policy Areas

There is a clear distinction in the literature between the general characteristics of regulatory and distributive policies (Hix, 2005). Some authors have also classified EU policy areas according to a binary variable: regulatory and distributive (Broscheid and Coen, 2007). However, as Table 2 above demonstrates, each EU policy area consists of both regulatory and distributive proposals. Moreover, European Parliament influence is here analysed through the examination of legislative proposals and the issues contested within them. Therefore, dichotomizing the distributive/regulatory divide in EU policy areas may lead to inaccurate results.

To overcome this issue, the paper adopts the following methodology for defining the distributive character of an EU policy area. First, as indicated in Table 2 above, each EU policy area includes administrative, regulatory and distributive proposals. In the case of distributive proposals the costs are covered by either the EU budget or Member States' budgets. Such proposals are highly salient for Member States and governments are reluctant to incorporate the EP's demands. These proposals were grouped into one category = *Distributive*. In the case of regulatory and administrative proposals the costs are covered by either private actors or there are no significant costs. Such proposals should be relatively less salient for Member States and governments may be more willing to incorporate the preferences of the European Parliament. These proposals were grouped into the second category = *Regulatory*.

Second, in each EU policy area the percentage of *Distributive* proposals and the percentage of *Regulatory* proposals were calculated. The continuous *Distributive Policy Area* variable was obtained by subtracting the percentage of regulatory proposals from the percentage of distributive proposals in a policy area. Therefore, EU policy areas with a relatively higher percentage of regulatory proposals are located on the left of the axis, whereas policy areas with a relatively higher percentage of distributive proposals are located to the right of the axis (see Table 5 below).

Table 5: Relative Concentration of Distributive Proposals per EU Policy Area

Internal Market and Services	Enterprise and Industry	Health and Consumer Protection	General Secretariat	Environment	Information Society	Energy and Transport	Justice, Freedom and Security	Fisheries	Agriculture and Rural Development	Employment and Social Affairs	External Relations	Eurostat, Statistical Office	Taxation and Customs Union	Education and Culture	Development	Economic and Financial Affairs	Research	Budget
-66.0	-64.2	-53.2	-40.0	-37.8	-36.4	-33.4	-26.4	-20.8	-0.20	15.8	21.0	21.2	35.5	51.8	53.8	66.7	84.6	88.6

Note: Distributive proposals here include distributive (EU budget) and distributive (Member States' budgets) proposals. Regulatory proposals include regulatory (private actors) and administrative (insignificant cost) proposals as defined in Table 2.

The EU policy areas with a relatively higher percentage of distributive proposals were Budget, Research, Economic and Financial Affairs, Education and Culture, Development, External Relations and Employment Affairs. On the opposite side of the axis, the policy areas with a relatively higher percentage of regulatory proposals were Internal Market, Enterprise and Industry, Health and Consumer Protection, Environment and Environment.

Statistical Analysis

In order to test the main argument of the paper that package deals increase the European Parliament's influence in distributive policy areas, two independent variables and their interaction term are of central importance for the analysis¹⁴.

First, the individual-level dichotomous *Package Deal* variable is included in the models. It = 1 if there is evidence in the Council's internal documents and/or in the EP plenary statements and summaries that a package deal on a proposal between the Council and the European Parliament has been concluded and it = 0 if otherwise. To capture the effect of the policy area type on EP success, the macro-level continuous *Distributive Policy Area* variable is included. It measures the difference between the percentage of distributive proposals and the percentage of regulatory proposals in a policy area (as described above). The analysis includes the cross-level interaction term *Package Deal x Distributive Policy Area*.

Several control variables are also included in the model. First, the dichotomous *Co-decision* variable is included to account for the effect of the legislative procedure. It = 1 for co-decision proposals and it = 0 for consultation proposals. Second, the categorical *Issue Type* variable captures the effect of the different issues the EP contests and their probability of success. It = 1 for budgetary issues, = 2 for policy substance issues, = 3 for fundamental rights issues, and it = 4 for institutional powers issues.

¹⁴ see Appendix V for full coding, sources and descriptive statistics of all variables used in the analysis; see Appendix IV for correlations between the variables.

Third, the dichotomous *Council Impatience* variable controls for the effect of institutional impatience on legislative outcomes in EU decision-making. It = 1 if the Council had started discussions and prepared a draft text of the legislative proposal before the EP had done so and it = 0 if the Parliament had started discussions and prepared a draft legislative text earlier than the Council. This variable was measured by comparing the dates of the first draft texts on a legislative proposal held in the EP and the Council's document registers.

In addition, two variables control for the internal cohesion of the European Parliament on its legislative influence. The continuous *EP Cohesion* variable measures EP cohesion at the EP drafting committee level. It measures the size of the majority in the EP drafting committee in favour of a report, as a percentage of those voting. In addition, the dichotomous *EP Plenary Support* variable measures EP cohesion at the EP Plenary level. It = 1 if the EP plenary supports the committee report in its entirety and MEPs do not submit replacement amendments and it = 0 if the EP plenary amends or rejects the committee proposal.

Furthermore, to account for the impact of the relative intensities of preferences of the Council and the Parliament on EP success, two variables are included in the analysis. The dichotomous *Council – EP Saliency Tie* controls for the distance between the EP's and the Council's preference intensities. It = 1 if the relative saliency size was different from zero (regardless of the direction). The distance *Relative EP Saliency* variable measures the relative difference between the EP's and the Council's importance attached to a proposal. It captures the size and the direction of the relative institutional preference intensities.

Finally, the *Commission Support* variable controls for the impact of the Commission on the EP's legislative influence. It = 1 if the Commission expresses its support for an EP demand in front of the EP plenary, after informal meetings with MEPs or in its opinion on the EP position; and it = 0 if the Commission does not support the EP on a given issue¹⁵.

¹⁵ Dummy variables are included for the effect of the *Proposal type* (directive, regulation, decision, regulation) and *Political Group* affiliation of the rapporteur. However, they prove insignificant and are not reported below.

Table 6: Conditions for EP Success in EU Decision-Making: 1999 – 2007

European Parliament Success in the EU Decision-Making, 1999 - 2007
 Dependent Variable: European Parliament Success

	Model 1		Model 2		Model 3	
Fixed Effects	Coef/S.E.	Odds Ratio	Coef/S.E.	Odds Ratio	Coef/S.E.	Odds Ratio
<i>Individual Level Variables</i>						
Package Deal	.662 ***	1.936	.847 ***	2.335	.547 ***	1.727
	(.095)		(.111)		(.118)	
Co-decision	-		-		1.600 ***	4.952
					(.144)	
Council Impatience	-		-		.315 ***	1.370
					(.102)	
European Parliament Cohesion	-		-		.009 **	1.009
					(.004)	
EP Plenary Support	-		-		.338 ***	1.402
					(.120)	
Relative EP Salience	-		-		-.051 **	.950
					(.026)	
Parliament - Council Salience Tie	-		-		-.288 ***	.750
					(.106)	
Commission Support	-		-		.749 ***	2.116
					(.099)	
Issues Type (base budgetary)						
Policy Substance Issues	-		-		.090	1.094
					(.162)	
Fundamental Rights Issues	-		-		1.546 ***	4.693
					(.230)	
Institutional Powers Issues	-		-		.647 ***	1.909
					(.200)	
<i>Macro - Level Variable</i>						
Distributive Policy Area	-.003	.999	-.005	.995	-.001	.999
	(.002)		(.004)		(.002)	
<i>Cross-Level Interaction</i>						
Package Deal x Distributive Policy	-		.008 ***	1.008	.007 ***	1.007
			(.002)		(.002)	
Intercept	-.179		-.252		-2.882***	
	(.169)		(.173)		(.400)	
Random Effects						
Standard Deviation of the Policy Area Intercepts	.682 **		.691 **		.229 ***	
	(.126)		(.127)		(.091)	
-2 x Log Likelihood	3041.958		3029.842		2690.762	
N Policy Areas	19		19		19	
N Issues	2369		2369		2369	

*p < .10; ** p < .05; *** p < .01

Three two-level logit models are estimated in order to take account of the hierarchical structure of data (2369 issues nested in 19 policy areas). Model 1 is estimated with the individual level *Package Deal* and the macro-level *Distributive Policy Area* variables, and Model 2 includes their cross-level interaction *Package Deal x Distributive Policy Area*. Model 3 adds the control variables outlined above. Table 6 presents the results.

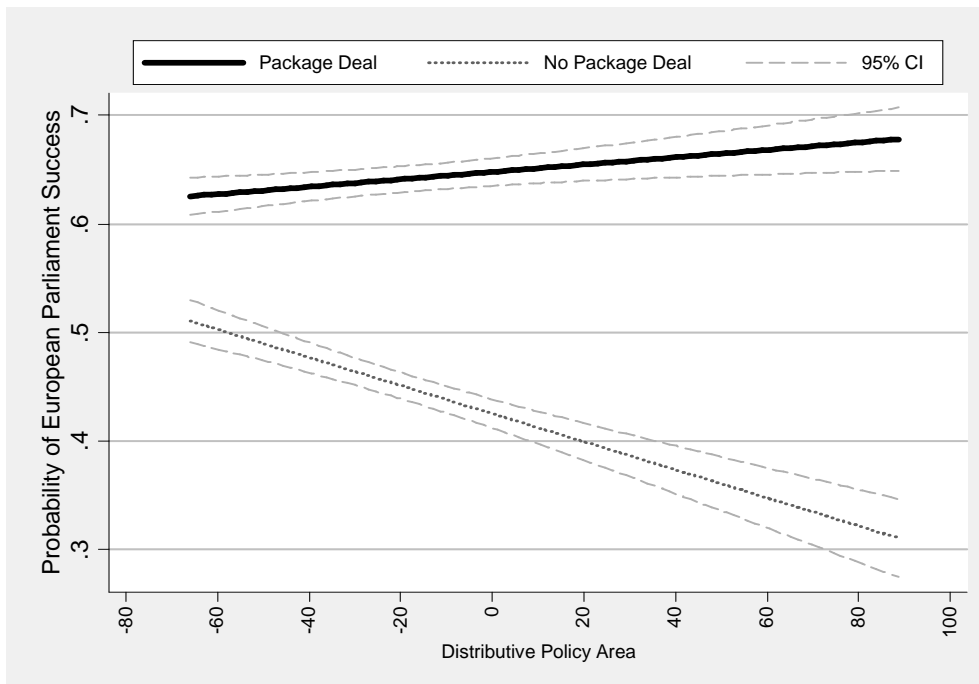
Results

The empirical analysis of the 973 legislative proposals (2369 issues) completed between 1 May 1999 and 30 April 2007 supports the principle argument that package deals lead to increased EP legislative influence in distributive policy areas. The results confirm the general understanding in the literature on EU policy-making that the European Parliament enjoys stronger legislative influence in regulatory policy areas. Although the EP is relatively weaker in distributive policy areas, the results support the argument that through package deals the European Parliament manages to influence important and costly legislative proposals.

The *Package Deal x Distributive Policy Area* variable is significant and positively correlated with EP success. Even when the control variables are added to the model (Model 3), the coefficient of the cross-level interaction remains significant. Therefore, contrary to the traditional view of the European Parliament as a relatively weak legislative institution in distributive policies, through logrolling, the EP manages to influence legislation that is expensive for the Member States.

Figure 3 plots the predicted probability of EP success on EU legislative outcomes according to the use of package deals and the concentration of distributive proposals in policy areas. The plot confirms that the legislative influence of the EP is much greater in regulatory policy areas. EP success in the absence of a package deal is most likely in the policy areas of Internal Market and Services, Enterprise and Industry, Health and Consumer Protection, and Environment. The probability of EP success significantly decreases with the increase in distributive proposals per policy area. In the absence of a package deal, the EP is least likely to succeed in the areas of Budget, Research, Economic and Financial Affairs, Development and Education and Culture.

Figure 2: Impact of Package Deals and Distributive Policies on EP Legislative Influence



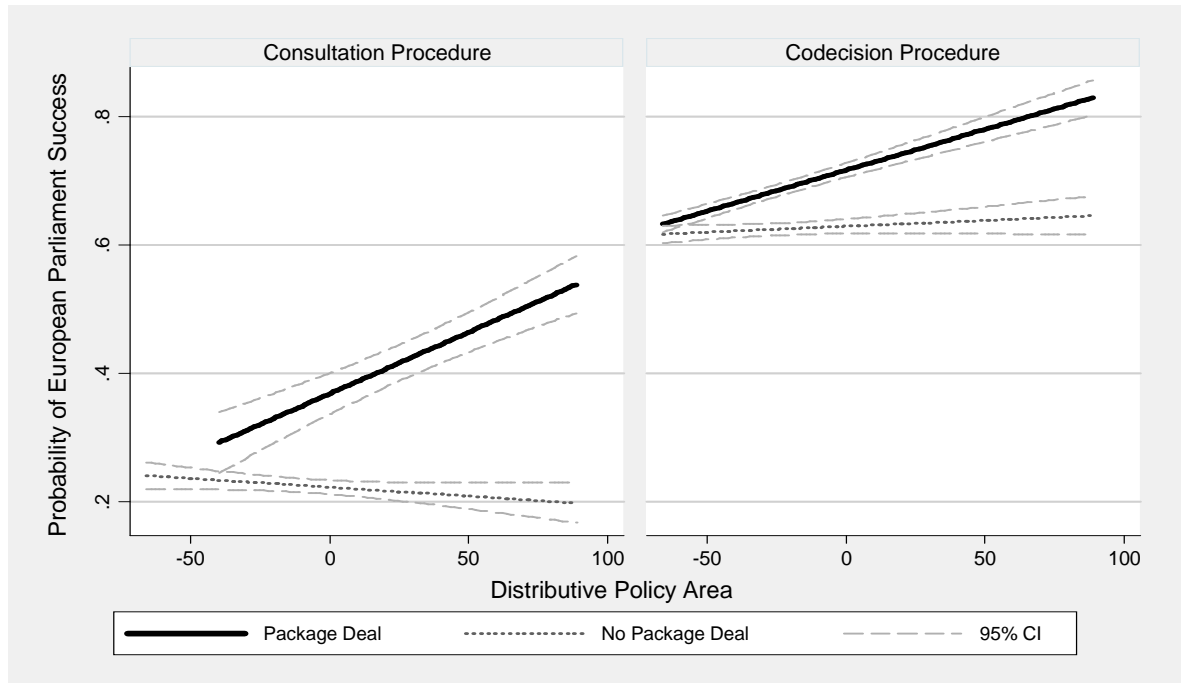
However, although the EP enjoys very little legislative influence in distributive policy areas, when package deals are negotiated this is not the case. Package deals ensure a greater than 60% probability of EP success in all EU policy areas. Hence, although package deals are usually fast - tracked and deprive some MEPs of full participation in the decision-making process, the European Parliament benefits as an institution from legislative exchange with the Council.

Not surprisingly, the legislative procedure is a defining factor in the probability of EP influence on legislative outcomes. Co-decision allows the European Parliament an equal legislative status with the Council and this translates in the EP significantly influencing co-decision proposals. Nevertheless, as Figure 3 illustrates, package deals increase the likelihood of EP success in both the co-decision and consultation procedure. Informal logrolls allow the European Parliament to negotiate consultation proposals on 'co-decision like' terms with the Council.

Assuming the other variables are at their mean, in the co-decision procedure, the probability of EP success through a package deal increases from 60% to 82 % in highly distributive policy areas. In the consultation procedure, package deals increase the likelihood of EP success from 25% to 55 % in highly distributive policy areas. These findings confirm that the use of package deals in

the EU legislative process increases the likelihood of the EP's legislative influence on policy outcomes in both the consultation and co-decision procedures.

Figure 3: Impact of Legislative Procedure and Package Deals on EP Legislative Influence



In addition to the significant effect of package deals on EP legislative influence, several significant results were identified in this study. First, the impatience of the Council matters across EU policy areas. The *Council Impatience* variable is positively correlated with EP success. An impatient Council is more likely to cooperate with the EP and therefore more likely to grant concessions to the Parliament in return for a fast-track decision. In contrast, when the EP is relatively more impatient about the conclusion of a legislative deal, it is in a weaker bargaining position.

Second, EP Cohesion is a significant predictor of EP success across all EU policy areas. EP cohesion at the committee level seems to be slightly less important than EP cohesion at the plenary level. Nevertheless, both the *EP Cohesion* and *EP Plenary Support* variables are significant and positively correlated with EP success. Regardless of the policy area, the legislative influence of the EP depends on its ability to secure a cohesive institutional position on legislative proposals.

Third, support from the *European Commission* significantly increases the chances of EP success. The Commission's position on EU legislation is important and the European Parliament benefits from the Commission's endorsement of EP proposals. The Commission's agenda-setting and implementation powers give it a strong voice in legislative decision-making and the EP benefits from having the Commission on its side. Member States are more likely to reconsider their positions when they are opposed by both the European Parliament and the Commission.

Moreover, the *Council - EP Salience Tie* variable is significant and negatively correlated with EP success. The EP is more likely to fail to affect legislative outcomes when both institutions share similar intensities of preferences over proposals. Therefore, the European Parliament will be more successful if it can trade its support on a salient for the Council proposal for the Council's support on a more salient for the EP proposal. The negative coefficient of the *Relative EP Salience* variable on the other hand, suggests that the European Parliament also influences proposals that are more salient to the Council.

Finally, the *type of issue* under negotiation conditions the legislative success of the European Parliament. Most importantly, the EP is highly successful when it bargains for fundamental rights additions to legislative proposals. Issues of transparency, human rights, and privacy protection enjoy a much higher success rate compared to budgetary and policy substance issues. Furthermore, the EP seems to be successful in gaining further institutional powers.

In summary, the results support the argument that package deals increase the legislative influence of the European Parliament in distributive policy areas. Package deals are concluded regularly in EU decision-making as they allow the EP and the Council to exchange favours and negotiate enforceable agreements. Logrolls are usually fast-tracked and deprive some MEPs from their full involvement in the legislative process. Nevertheless, through package deals the European Parliament gains the ability to influence some of the EU's most expensive policies. Thus, the European Parliament manages to translate its budgetary powers into legislative influence.

CONCLUSION

This paper analysed the use of package deals in EU decision-making and traced their effect on the legislative influence of the European Parliament. The existing studies of EU legislative politics overlook the importance of the employment of package deals on EU legislative outcomes. This paper studied all completed legislation passed under the co-decision and consultation procedures between 1 May 1999 and 30 April 2007. It highlighted that logrolling is an important process in EU decision-making. The paper found that 25% of all legislative proposals are negotiated through a package deal. In line with the literature on legislative ‘gains from exchange’, package deals in the EU are likely to occur conditional on five factors: distributive proposals, party leaders involvement, different preference intensities between the EP and the Council, urgency, and policy area workload.

The paper argued that through the package deal the European Parliament gains legislative influence in the EU’s distributive policy areas. The results of the empirical analysis of more than 2350 issues discussed between the EP and the Council supported this hypothesis. Package deals are regularly employed as they allow the Council and the Parliament to achieve their most preferred policy outcomes. While logrolls may reduce the ability of ordinary MEPs to participate in the decision-making process, they allow the European Parliament as an institution to influence distributive legislative proposals.

Finally, the paper demonstrated that the legislative influence of the European Parliament varies across policy areas and the policy context conditions the outcomes of EU legislative bargaining. Overall, the European Parliament is more likely to influence legislation in regulatory policy areas. Nevertheless, package deals allow the EP to gain greater influence in some of the EU’s most expensive policy areas. In addition to package deals, EP success in EU decision-making is conditional on institutional impatience, different preference intensities between the EP and the Council, type of issues under discussion, European Parliament cohesion and Commission support.

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Appendix I: Correlations of Variables: **Package Deals in EU Decision-Making**

	Package Deal	Distributive Proposal	Redistributive Proposal	Regulatory Proposal	Administrative Proposal	Urgent	Party Leaders	Absolute Distance	Saliency Tie	Policy Area Workload
Package Deal	1.000									
Distributive Proposal	0.209	1.000								
Redistributive Proposals	-0.049	-0.280	1.000							
Regulatory Proposal	-0.098	-0.572	-0.448	1.000						
Administrative Proposal	-0.091	-0.175	-0.137	-0.281	1.000					
Urgent	0.137	0.306	-0.076	-0.241	0.055	1.000				
Party Leaders + Rapporteur	0.245	-0.120	0.049	0.089	-0.038	-0.044	1.000			
Absolute Saliency Distance	0.122	0.100	0.002	-0.088	-0.003	0.071	0.164	1.000		
Parliament - Council Saliency Tie	-0.122	-0.083	-0.028	0.085	0.019	-0.059	-0.062	-0.648	1.000	
Policy Area Workload	0.286	-0.006	-0.146	0.098	0.036	-0.006	0.248	0.071	-0.077	1.000

Appendix II: Variables and Sources: Descriptive Statistics: **Package Deals in EU Decision-Making**

Name	Description of variables	Sources	Obs.	Min.	Max.	Mean	Std. Dev.
Package Deal	1 = Proposals and issues were decided as a package between the EP and the Council; 0 = otherwise	Statements of EP rapporteurs, Council minutes	973	0	1	.251	.434
<i>Legislative Cost Type</i>							
Distributive Proposal (EU budget)	1 = A legislative proposal included a direct reference to the EU financial framework; 0 = otherwise	Legislative text	973	0	1	.263	.441
Distributive Proposal (Member States budgets)	1 = A legislative proposal involved costs to be covered by Member States' budgets; 0 = otherwise	Legislative text	973	0	1	.180	.384
Regulatory Proposal	1 = A legislative proposal involved costs to be covered by private actors (and no direct costs for EU budget or Member States); 0 = otherwise	Legislative text	973	0	1	.478	.500
Administrative Proposal	1 = A legislative proposal involved no or insignificant costs and required the administrative updating of legal acts; 0 = otherwise	Legislative text	973	0	1	.079	.270
Urgent	1 = Specific deadline for the legislative proposal to come into force; 0 = otherwise	Commission draft, EP Reports	973	0	1	.452	.498
Party Leaders Involved	1 = Party leaders involved in the negotiations with the Council, in addition to the rapporteur	Council Register; EP Procedural pages	973	0	1	.120	.325
Policy Area Workload	Percentage of legislative proposals per policy area containing two and more issues	EP Legislative Observatory	973	14	90	55.062	22.385
Absolute Preference Distance	Absolute Preference Distance = EP Salience (standardized 1-10) - Council Salience (standardized 1-10), regardless of the sign (+ or -)	Council Document Register; EP Reports, Procedural Pages	973	0	1	1.062	1.263
Parliament - Council Salience Tie	1= Equal preference intensities attached to a proposal by the EP and the Council; 0 = otherwise	Council Document Register; EP Reports, Procedural Pages	973	0	1	.372	.484

Appendix III: Classification of Issues and European Parliament Success according to Issue Type

- 1. Budgetary issues:** EP demands for higher or lower spending by the Commission or the Member States, co-financing, funding for specific urgent matters; funding for specific programmes, budgetary undertakings by some Member States and not others, financial declarations, etc.
- 2. Policy substance issues:** EP demands for the extension or the limitation of the scope of the legislation, the introduction of further clarifications on the definitions and terms; requirements for in-depth impact assessments of the policy area; addition of clauses, specific for the subject field.
- 3. Fundamental rights issues:** EP demands for human rights, transparency, privacy, and asylum. They include EP demands for data protection, references to the Charter of Fundamental Rights, human rights conventions, protection of citizens and third-country nationals, children's rights.
- 4. Institutional powers issues:** EP demands for the establishment or the increase of the legislative powers of the European Parliament. Parliament may demand a greater role for the EP in the policy area; ability to monitor and control the establishment of new bodies; Parliamentary scrutiny of Council activities; reports by the Commission and the Council, submitted to the EP periodically.

I. Success rate of issues contested by EP according to issue type

	Type of Issues Contested by the EP				
	Total	Policy Substance	Budgetary	Fundamental Rights	Institutional Powers
Total proposals	973				
Total Issues	2369	1528	256	269	316
of which EP successful (%)	1230 (51.9)	754 (49.3)	109 (42.6)	214 (79.6)	153 (48.4)
Co-decision Proposals	470				
Co-decision Issues	1567	1080	146	196	145
of which EP successful (%)	1022 (65.2)	670 (62.0)	75 (51.4)	163 (83.2)	114 (78.6)
Consultation Proposals	503				
Consultation Issues	802	448	110	73	171
of which EP successful (%)	208 (25.9)	84 (18.8)	34 (30.9)	51 (69.9)	39 (22.8)

Appendix IV: Correlations of Variables: **European Parliament Success in EU Decision-Making**

	Success	Package Deal	Co- decision	Council Impatience	European Parliament Cohesion	EP Committee Supported	Relative EP Salience	Parliament – Council Salience Tie	Commission Support EP	Issue Budgetary	Issue Policy Substance	Issue Fundamental Rights	Issue Institutional Powers	Distributive Policy Area
Success	1.000													
Package Deal	0.186	1.000												
Co- decision	0.372	0.283	1.000											
Council Impatience	0.130	0.207	0.184	1.000										
European Parliament Cohesion	0.012	-0.062	-0.134	-0.124	1.000									
EP Committee Supported	-0.052	-0.243	-0.283	-0.105	0.349	1.000								
Relative EP Salience	-0.067	-0.025	-0.166	-0.133	0.111	0.162	1.000							
Parliament - Council Salience Tie	-0.105	-0.091	-0.129	-0.023	0.015	0.057	-0.074	1.000						
Commission Support EP	0.237	0.069	0.202	0.058	-0.083	-0.089	-0.073	-0.006	1.000					
<i>Issue Type Contested by EP</i>														
Issue Budgetary	-0.065	0.018	-0.067	0.014	0.076	0.062	0.082	-0.031	-0.134	1.000				
Issue Policy Substance	-0.070	0.000	0.129	0.014	-0.094	-0.096	-0.128	0.062	0.107	-0.469	1.000			
Issue Fundamental Rights	0.198	0.021	0.051	0.059	-0.013	-0.013	0.031	-0.013	0.181	-0.125	-0.482	1.000		
Issue Institutional Powers	-0.028	-0.036	-0.168	-0.086	0.075	0.080	0.077	-0.047	-0.197	-0.137	-0.529	-0.140	1.000	
Distributive Policy Area	-0.040	0.014	-0.277	-0.085	0.208	0.160	0.310	-0.085	-0.092	0.191	-0.230	0.028	0.122	1.000

Appendix V: Variables and Sources: Descriptive Statistics: **European Parliament Success in EU Decision-Making**

Name	Description of variables	Sources	Obs.	Min.	Max.	Mean	Std. Dev.
Success	1 = EP demands included in final legislative act; 0 = EP demands NOT included in final legislative act	EP report, amendments, final text	2369	0	1	.519	.500
Package Deal	1 = Proposals and issues were decided as a package between the EP and the Council; 0 = otherwise	Statements of EP rapporteurs, Council minutes	2369	0	1	.366	.482
Distributive Policy Area	% of distributive proposals – % of regulatory proposals contained in a policy area	Legislative text	2369	-66.0	88.6	-17.394	41.534
Council Impatience	1 = The Council started discussions and prepared a draft text of the legislative proposal before the EP had done so; 0 = the EP prepared a draft text before the Council	Council Document Register; EP Legislative Observatory	2369	0	1	.399	.490
EP Cohesion	Percentage of MEPs in the drafting committee voting in favour of the committee report (of all committee members present)	European Parliament Reports: Committee votes	2369	51	100	89.203	13.340
EP Plenary Support	1 = The EP plenary supports the committee report and no further amendments are tabled by MEPs; 0 = Committee report amended or rejected by the Plenary	European Parliament plenary sittings	2369	0	1	.729	.444
Relative EP Preference Intensity	Relative EP Preference Intensity = EP Saliency (standardized 1-10) - Council Saliency (standardized 1-10), including the direction (+ or -)	Council Document Register; EP Reports, Procedural Pages	2369	-8	9	.222	1.963
	EP Saliency = number of EP Committees giving an opinion on a proposal	EP Reports, Procedural Pages	2369	1	10	2.500	1.587
	Council Saliency = number of documents held per legislative proposal	Council Document Register	2369	1	10	2.273	1.680
Parliament - Council Saliency Tie	1 = Equal preference intensities attached to a proposal by the EP and the Council; 0 = otherwise	Council Document Register; EP Reports, Procedural Pages	2369	0	1	.299	.458
Commission Support EP	1 = Commission support for issue contested by the EP; 0 = No Commission support	Commission Statements	2369	0	1	.520	.500
Issue Type	1 = <i>issue budgetary</i> (EU spending, co-financing, funding for specific programmes);	EP report, amendments	2369	0	1	.108	.311
	2 = <i>issue policy substance</i> (scope of the legislation, clarifications on definitions and terms;	EP report, amendments	2369	0	1	.645	.479
	3 = <i>issue fundamental rights</i> (human rights, data protection, asylum, privacy, freedoms	EP report, amendments	2369	0	1	.114	.317
	4 = <i>issue institutional powers</i> (change of decision-making procedure; reports);	EP report, amendments	2369	0	1	.133	.340
Co-decision	1 = Co-decision; 0 = consultation	EP Legislative Observatory	2369	0	1	.661	.473