

# What factors determine bargaining power in EU negotiations?

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# What factors determine bargaining power in EU negotiations?

## Abstract

Since EU Council of Ministers negotiations remain characteristically secretive, outsiders have but little knowledge of the actual factors that determine bargaining power in these negotiations.

However, previous research has shown that gains and losses in these negotiations are relatively equally shared amongst the EU members, and that the influence of exogenous power resources—such as votes are more important than endogenous resources such as bargaining skill (Bailer, 2004).

This article presents an overview of the current literature on bargaining power in EU negotiations. I suggest several areas for future research regarding the partisan preferences of EU governments and the way this influences their coalition formation behaviour. More attention should be paid to the context of these negotiations, their differing meeting frequencies, and the resulting reciprocity logics. Such studies will benefit from analysing the context with multilevel analysis, and from recently published data sets. However, it merits noting that more efforts to generate and analyse negotiation positions will be necessary, in order to see what bargaining power can achieve in the Council.

Key word: European Union Council of Ministers - bargaining power – negotiation – partisan preferences – reciprocity

## 1. Introduction

By now, many studies have emphasized the secrecy of Council of Ministers negotiations, illuminating the problems involved in studying a subject that is not publicly accessible (Schneider et al., 2006). However, this problem is quite frequent in negotiation studies, since many international negotiations are not disclosed to the public or the media. Few observer-written accounts of actual negotiations exist, and most analyses rely on secondary sources like interviews and documents. (Moravcsik, 1998; Zelikow and Rice, 1997). This secrecy is one of the reasons why there is comparatively little knowledge about the Council of Ministers, in contrast to other EU bodies like the European Parliament which offers transcripts of parliamentary speeches and voting records for researchers. Hence, most of the studies about the Council of Ministers concentrate on the actual voting behaviour ((Hagemann and De Clerck-Sachsse, 2007a; Hagemann and De Clerck-Sachsse, 2007b; Hagemann and Hoyland, 2008; Mattila, 2004; Mattila, 2006; Mattila, 2007; Mattila and Lane, 2001), the political dimensions represented (Thomson et al., 2004; Zimmer et al., 2005), or aim to predict bargaining outcomes with various game-theoretic negotiation models (Thomson et al., 2006). Only a handful of studies focus on the actual power distribution in the Council, or discuss which power resources are necessary in order to achieve one's bargaining goals in this organization (Bailer, 2004; Bailer, 2006).

In the first section of the following article, I will outline the state of research on bargaining power in the Council. I will look at studies of both the Council of Ministers and the EU Council summit meetings—although there are important differences between these two negotiation rounds, as I will later point out. In the second part of the article I will discuss further and so far neglected research areas.

## 2. Bargaining Power Resources in the Council of Ministers – a Review of the Literature

Like many scholars, I use Max Weber's (Weber, 1921:28) famous definition of power, described as the possibility to realise one's will even against the resistance of others. Assuming that this ability stems from power resources and not from pure luck (Barry, 1980a; Barry, 1980b), I distinguish between various power facets that can stem from resources such as voting power over economic size, bargaining skill and expertise. As the bargaining resources vary, so do their classifications. Whether they range from a classification between state/institutional/individual resources of power (Tallberg, 2008) or a distinction between exogenous and endogenous power (Bailer, 2004), most researchers agree to distinguish between state-related resources—which are relatively easy to measure and easily observable by outsiders—and concepts that are more dependent on the individual negotiators and harder to grasp, such as strategies and skill. Sticking to this distinction, I review the current state of research on bargaining power resources in the Council in the following subsections.

### 2.1 Voting Power

Most prominent within in the bargaining power literature is the voting power index literature, which calculates the expected power of a member state by the number of votes available in qualified majority voting situations. Power indices indicate an actor's chances of being the pivotal player in a negotiation—i.e., how likely they are to turn a losing coalition into a winning one, such as the Shapley-Shubik index (1954), or a winning coalition into a losing one, as in the Banzhaf index (1965). Voting power studies are especially useful for evaluating different voting distributions in the Council after various enlargement rounds (Widgrén, 1994) and within the context of possible country coalitions (Hosli, 1996). Perhaps most notable is their finding that smaller member states actually have more voting power than their number of votes might indicate. In addition, another useful

analysis has shown that the redistribution of votes at the EU summit of Nice in 2000 favoured the big and nearly-big member states; in particular Spain received a large increase in voting weight (Baldwin, 2005; Baldwin and Widgrén, 2004). Furthermore, Widgrén (2008) has successfully elucidated the gains and losses in voting weight in a comparison of the Nice rules and the intended rules after the Lisbon Treaty and thus contributed to an evaluation of the effects of these treaties for the member states.

It is important to note, however, that voting power indices are subject to criticism—most notably that they ignore important facets of the negotiation process, and that they do not take factors such as agenda-setting rights and preferences of bargaining parties into account (Garrett and Tsebelis, 1999; Garrett and Tsebelis, 2001). Some modellers have responded to these critiques by incorporating preferences into their voting indices (Steunenberg et al., 1999); (Pajala and Widgrén, 2004; Widgrén, 20003). Nonetheless, additional bargaining power resources, such as skill or the influence of different bargaining contexts, are not captured in these approaches; in light of this, I consider voting power to be a useful analytical tool, but one that needs to be enriched with additional actor information.

## 2.2 Power due to economic size

The pure size of states, defined in economic terms, has traditionally been considered as power resource (Moravcsik, 1998) simply because larger states possess a more important position in international economic networks (Keohane and Nye, 1989) and also have the latent power of blocking trade. The effect of this power resource is not yet clear. In Council of Ministers negotiations, Bailer (2004) has found a positive effect for the bargaining resource of economic size. Tallberg (2008) confirms this finding for EU summit meetings, a finding derived from qualitative interviews with participating heads of states. Slapin (2006), however, could not find significant effects for economic size in his systematic study of the intergovernmental Amsterdam negotiations.

The analysis of the power resource votes versus economic size also suffers from the fact that these two measurements are so strongly correlated; it is difficult to distinguish them in practice.

### 2.3 Institutional Power

Apart from these state's or governments' resources, institutional power is a possible resource of power in EU negotiations, and in intergovernmental negotiations in particular (Slapin, 2008; Tallberg, 2008). Slapin's (2007) analysis of the intergovernmental Amsterdam treaty negotiations shows that exit rights and veto rights (Slapin, 2008) grant more leeway to bargaining governments in intergovernmental negotiations than economic size or other resources would suggest. However, for the focus of our research—that is to say, the bargaining power in Council negotiations—only veto rights are actually relevant, since the exit of a country will only be *ultima ratio* and relatively rare. Veto power, however, is evenly distributed amongst member states in decisions under unanimity.

Apart from exit and veto rights, the power to set the agenda (Kingdon, 1995; Niskanen, 1971) is a power resource which every member state receives for six months in a rotation cycle. Several studies of the power of the presidency have used the DEU data set to show that the right to preside over Council sessions and to manipulate the agenda actually leads to more power for this limited period of time—especially in the last stages of the decision making process (Schalk et al., 2007; Thomson, 2008; Warntjen, 2008).

### 2.4 Bargaining Skill and Information

A negotiator's level of bargaining skill is predicated upon its individual psychological characteristics and bargaining strategies (Snyder and Diesing, 1977:194). The various degrees of negotiation skills of diplomats—dependent on their selection mechanisms, experience and education—may have an influence on the course of negotiations (Hopmann, 1996:104). Although the more popular

negotiation literature (Zartman and Berman, 1982) generally assumes that skill levels matter, there is relatively little systematic research about the influence of bargaining skill on negotiations, let alone in the Council of Ministers negotiations. In game theory John Nash (1950) was the first to incorporate the fact that various players can vary according to their differing skill levels into his model.

As for EU Council summits, Tallberg (2008) finds that personal authority and expertise seem to matter in intergovernmental negotiations, more so than the sizes of states. A contradictory result has been found for the Council of Ministers, where skill does not seem to influence the bargaining success of a country's representative too strongly (Bailer, 2004). Investigations of this question suffer from the problem of measuring skill in a satisfying way; mostly it has been measured with interviews in which interview partners have estimated skill qualitatively (Tallberg, 2008) or quantitatively on a numerical scale (Bailer, 2004).

Another related concept concerns the degree of information a negotiator possesses, as well as his position in the council's communication networks. Naurin (2007a) measures this "network capital" by taking stock of how desired an actor is as a communication partner in the eyes of his colleagues, in the council's working groups. In his study he employs a telephone survey to find out which country's representatives communicate with each other in order to detect coalition patterns. One of his findings concerns the varying network density between member states; indeed, the larger member states possess more intense communication links with other Council members than the smaller ones. Beyers and Dierickx (1997) came to a similar conclusion when analysing the working groups of the Council.

## 2.5 Domestic Constraints

Related to the concept of bargaining skill is the skilful use of a constrained bargaining position.

Domestic constraints can be distinguished in institutional constraints such as referenda requirements



or subnational actors as the German Bundesländer and in actor constraints like euroskeptical voters or fierce interest groups such as farmers. Starting with Schelling's (1960) "paradox of weakness", Putnam (1988) popularized the notion that international-level negotiators can use their constrained win-set to ask for concessions from their negotiation partners. However, most formal modellers now agree that this finding has to be qualified slightly. Although Iida (1993), Mo (1995) and Tarar (2001) are able to elucidate situations in which negotiators benefit from domestic constraints, they all condition the conjecture in one way or the other. One implication of this work, for instance, lies in the fact that negotiators risk a process breakdown, if the non-constrained governments are not well-informed about the constraints of the other side.

For EU summits meetings, Schneider and Cederman (1994) have shown that domestic ratification constraints can yield important power at EU negotiations; this has also been confirmed by Hug and König (2001) and König and Hug (2000). In addition, Slapin (2006) has convincingly described the impact of domestic constraints on intergovernmental negotiations, such as the Amsterdam Treaty negotiations. However, in the case of the Council of Ministers, a positive effect stemming from domestic constraints on bargaining success has not yet been confirmed (Bailer and Schneider, 2005; Schneider et al., 2008).

This brief review of the current state of bargaining power shows that much remains to be done. The most comprehensive and systematic research has so far taken place in the realm of voting power indices, which fail to account for many facets of negotiators. Studies that incorporate additional bargaining power resources are limited to certain periods and measurement challenges. In the following paragraphs, I highlight some neglected research areas and suggest ways for addressing these gaps.

### 3. Further research areas and challenges

#### 3.1 Opportunities for Coalition Formation – the Role of Partisan Preferences

One relatively neglected area of EU summit and Council negotiation study is the influence of the partisan preferences of EU governments. In their analysis of the positions of national parties on European integration, Marks and Wilson (2000) convincingly demonstrate that partisan party families are more influential on negotiations than nationality. However, this strand of the literature concentrates predominantly on the question of whether the Left-Right dimension is more important than the Anti-Pro-EU-Integration dimension, for explaining party positions in the EU (Hix, 2001; Hooghe et al., 2002; Ringe, 2005; van der Eijk and Franklin, 2004), and in particular in the European Parliament (Hix et al., 2006). These studies do not investigate whether a majority of Europhile countries or right-wing parties can increase an actor's bargaining power.

Since the partisan composition of governments is a highly influential aspect of the democratic processes in the member states, it is amazing that the influence of the state governments' various partisan orientations in the Council has not received more attention. If the partisan dimension plays a role in the Council, we should expect a positive influence from negotiation partners with a similar ideological orientation. Being closer to the ideological median of member states might benefit a government by providing it with more possible coalition partners. We do not know whether a right-wing government profits from more right-wing oriented Council, or whether the partisan similarity of negotiators influences their preparedness to shift positions, to compromise or to form coalitions. Theoretical guidance to analyze this question can be found in the theories for coalition formation. Robert Axelrod pointed out that a coalition which is to form for a winning coalition must be a connected minimum winning coalition. Axelrod argued that coalitions would not form if they are not situated next to each other so that he assumed similar preferences as a precondition for coalitions. Ideological similarity between coalition partners reduces conflict and

they are especially likely to form when coalition deals are difficult to attain and keep over time (Carrubba and Volden, 2004). Following from this knowledge of coalition theories in parliamentary democracies, future researchers should pay attention to the question whether similar partisan orientation of a government facilitates joining a coalition and turning it from a losing into a winning coalition. For a leftist government the costs involved with joining a coalition of left-wing governments might be lower than joining a coalition of right-wing governments sharing the same policy-preferences. The assumption of such an investigation is the differentiation between issue-specific negotiation positions and the partisan orientations of the EU governments whose influence is still debated.

For the European Council, Manow et al (2008) have been among the first to systematically investigate the impact of various party ideological Council summit configurations and the impact that a more left- or right-leaning majority of EU governments might have on EU summit decisions. They have discovered that the political center of gravity in the Council has moved from the right in the 1950s towards the left in the 1990s, and that this move has provoked a change in social policy. Tallberg and Johansson (2008) stand in opposition to this conclusion, however, with their finding that there is less party mobilization potential than expected in the Council summit meetings. In their view issue-specific, interest-based coalitions of states are more important to explaining decision-making in the Council, on various negotiation topics.

For the Council of Ministers, it is also not clear whether the Left-Right dimension exists, let alone if it can be used as a bargaining resource. The findings depend partly on the data that is used, and if this data represents final voting data or initial negotiation positions; Both Hagemann (2007) and Mattila (2004) find the Left-Right-wing dimension of EU governments to be one significant independent variable to explain the voting behaviour in the Council of Ministers. Hagemann and Hoyland (2008) find that the governments with similar party-political preferences show a similar

voting behaviour in the Council using all Council voting records from 1999 to 2007. However, Hagemann and Hoyland do not account for other possible explanations for voting behaviour (such as similar negotiation positions) and study voting at a relatively high aggregated level not differentiating between policy areas.

Using the DEU data set, which includes initial negotiation positions (Thomson et al., 2006), a Left-Right dimension could not yet be identified. Several analysts using these data have suggested that the political dimensions break down along a North-South dimension (Thomson et al., 2004; Zimmer et al., 2005), more specifically a regulatory versus market-based approach (Thomson et al., 2004) or an EU budget-related one (Zimmer et al., 2005). In this manner, the structural and domestic interests of the states prove more germane in explaining the negotiation position of an EU government in Council negotiations than partisan preferences. In addition, Naurin (2007b) rather detects a geographical trend in the communication patterns of the EU Council working groups rather than evidence to suggest that partisan preferences impact the communication behaviour of the EU Council working groups. Even in the case of government changes, the communication patterns do not appear to be affected (Naurin, 2008).

On a promising note, newly-released data sets by Warntjen et al. (2008) and Döring and Manow (2008) contain the party preferences of all EU governments since the 1950s. These will allow for more in-depth studies of whether a more right- or left-leaning Council composition influences negotiations. Because of this, researchers will be better able to examine the minutiae of how these different Council compositions influence actors' abilities to find coalition partners, for example, or unite with supporters of certain policy proposals.

### 3.2 The level and frequency of meetings and its Implications for the Negotiations – Reciprocity and the Use of Strategies

Although studies of EU summit negotiations (the “European Council”) and the Council of Ministers (the “Council of the European Union”) have been cited in this article nearly interchangeably, it is important to note the difference between these two negotiation rounds. In EU summits, heads of states and diplomatic support staffs negotiate with one another, while the negotiations in the Council of Ministers play out over various discussion rounds from the working groups via the Coreper to the actual Council of Ministers rounds (Hayes-Renshaw and Wallace, 2006)<sup>i</sup>. Nearly 80% of the proposals are already negotiated at the lowest working group level, which is staffed with civil servants from the EU delegations or from the national capitals; of the remaining 10-15% are negotiated by the diplomats in Coreper and 5-10% are overseen by the ministers themselves. Some proposals fluctuate between various negotiation levels, travelling up and down according to their degree of contestation (Häge, 2007). I expect that in such situations personal negotiation skills and their effects are distinctly harder to detect since the individual negotiators treating the issue change so frequently. This undermines the analysis of bargaining power resources linked to traits such as skill in Council of Ministers meetings. It stands in marked contrast to EU summits, where one negotiation round can essentially be investigated with the same negotiators and facilitates the analysis of more individual bargaining power resources. Furthermore, it has not yet been investigated whether certain bargaining power resources matter more on some levels than others.

The variation in meeting frequency between the Council and the EU summit negotiations, and the variations in frequency between various Council formations has only recently received more scholarly attention (Häge, 2007:305). Dependent on workload, some civil servants in the Council meet every week, and are based in their respective delegations in Brussels (as in the budgetary working group); other groups consist of civil servants who meet twice a year and are sent to Brussels

by their national ministries. Häge (2007) shows that a strikingly disparate number of decisions is taken in the various Council and working groups: most of the decisions are debated in internal market and agriculture councils, whereas culture and health councils effect the lowest numbers of decisions. I hypothesize that this has various implications for negotiation behaviours, in terms of reciprocity and the use of strategies.

Research on the cooperation of actors has shown that the opportunity for reciprocation (returning to one's exchange partner a behaviour of the same valence that s/he just performed (Parks and Komorita, 1998:151)) facilitates cooperation (Keohane, 1986); Axelrod (1984) called this the effect the "shadow of the future". This form of reciprocity describes a "trial and error learning" in which states adjust their behaviour when they realize that they are better off cooperating than trying to gain an advantage that may be neutralized by retaliation (Welch Larson, 1998:131).

Negotiation partners who engage in relatively frequent negotiations are likely more consensus-orientated and willing to grant concessions, since they might soon be in a position to ask for favours in the same round. They are also more likely to recognize that long-term losses of mutual defection might outweigh the short-term gains of defection (Jönsson et al., 1998). Conversely, parties who engage in less frequent negotiations would seem likely to be more adversaries and end with more losers and fewer compromises in which long amendments and appendices try to appease all interests involved. This has already been stated for international negotiations; indeed, the more confrontational negotiation style of Europe in the 17<sup>th</sup> century, fraught with power asymmetries, has been transformed in a more compromise-oriented negotiation style, due to narrower networks and greater cooperation (Mastenbroek, 1991; Saner, 2000). For the Council working groups, Fouillex et al. (2001) note different degrees of "familiarity" dependent on the various meeting frequencies of telecommunication and information society working groups.

A social-constructivist interpretation of this would include socialization effects in these rounds, and hypothesize that working in these groups changes values and norms, which in turn influences negotiation behaviour (Egeberg et al., 2003). However, in his survey of working group officials, Beyers (2005) was unable to find evidence for socialization. This is confirmed by Häge's (2007) analysis of the likelihood that topics get decided at the working group level rather than the ministerial level. He found that working groups which meet more often than others do not manage to decide more issues in their groups than groups that meet less frequently. Therefore, I expect that it is the rationalist exchange logic and not socialization which facilitates negotiations in more frequent negotiations.

Future research should investigate whether the effect of bargaining power resources depends on the frequency of meetings. In very frequent meeting rounds skilful and forward-looking negotiators might be able to gain more in their exchanges with their negotiation partners than in negotiation rounds which do not offer these opportunities due to their rarity. The more often the negotiators have the possibility to exchange favours and ask for concessions, the more important internal power resources such as skill might be which is a logic also postulated by integrative bargaining theorists (Elgström and Jönsson 2000)

However, the varying frequency of negotiation rounds might also have implications for the occurrence of strategic positions and the use of strategies versus assuming sincere positions. Strategies such as package deals, logrolling, or the use of the "paradox of weakness" – a constrained winset due to domestic opposition (Schelling, 1960)—depend heavily on the credibility of actors (Hovi, 1998). In information-rich environments where negotiation counterparts know each other well, it is a lot harder to "bluff," or to exaggerate constraints, than in bargaining rounds where negotiators do not know each other—or the situations in the respective member states—very well. Adapting to positions after having signalled a different position at the beginning of negotiations leads

to relocation costs and a possible credibility loss (Thurner et al., 2003) as the literature on signalling games shows. This could explain why negotiation delegations have sometimes achieved spectacular successes due to domestic constraints (e.g. the British budget rebate, the Danish and British opt-out of the Maastricht Treaty) in summit negotiations. By contrast, domestic constraints on a permanent basis, such as the influence of the German Länder on the German negotiation positions, might prove to be a burden on the negotiation strategy of a delegation. The effect of this paradox of weakness strategy might wear off if it goes on a permanent basis. Therefore, I assume that the use of strategies is rarer, and that negotiation positions are more sincere than strategic in frequent negotiations (Bailer, 2007). To my knowledge, no comparative investigation into the various effects of bargaining power in the different Council rounds, in differing policy groupings and at differing levels (working groups, Coreper, Council), has yet been conducted. This offers exciting new avenues for further exploring the influence of the “you always meet twice” phenomenon.

An analysis of the different working groups and Council rounds would allow a more nuanced exploration of whether the differing characteristics of policy sectors influence the negotiation process. Previous research (Bailer, 2004) has shown that the influence of bargaining power resources depends on the specific policy fields. However this study only distinguished between agriculture and internal market policies (Bailer, 2004). In future research it is necessary to differentiate between the wide arrays of policy areas dealt with in the European Union. Negotiation areas might differ to the degree of expertise required (Quaglia, 2010) so that expert knowledge in highly technical or jurisdictional affairs might develop into a sort of bargaining power resource which might not be needed in other more political areas. The degree of integration—as measured by Hooghe and Marks (2001), for example—the levels of Europeanization, and the general levels of salience attached to certain policy issues could be analysed using multilevel analysis. By these means, analysts might be able to account for characteristics of actors and negotiation topics in a more sophisticated way, and



regard the effects of negotiation issues not as “noise” but as interesting and relevant effects offering more insight into the effects of independent variables that had been ignored (Rabe-Hesketh and Skrondal, 2008; Snijders and Bosker, 1999).

### 3.4 Improving Measurement

As mentioned in the introduction, a common problem of negotiation studies lies in the secrecy of negotiations and a subsequent lack of data. In the Council of Ministers, votes (Mattila, 2004), vote explanations (Hagemann and Hoyland, 2008), position data collected with interviews (Bueno de Mesquita and Stokman, 1994; Thomson et al., 2006), and negotiation documents (Bueno de Mesquita and Stokman, 1994; König, 1997) have all been used as data resource to study decision making behaviour. The votes and explanations are really only suitable for studying the final decision-making behaviour of the governments—and in particular, actors’ aptness to disagree and to vote against the majority (Sullivan and Selck, 2007). Indeed, these tools are useful mostly for parsing the results of negotiation processes. In order to study actual negotiations and informal exchange processes, it is necessary to have negotiation position data from the beginning of each bargaining round, and to compare them with the final bargaining result. One source of such information comes in the form of interviews conducted with negotiation participants, a method which is time-consuming and relatively expensive. The most extensive collection of negotiation positions has been provided by the DEU project (Thomson et al., 2006); presently, there have been several attempts to extend this data set to include the new member states (Thomson, 2007). One alternative to these interviews is the analysis of negotiation documents. An example of such an approach may be found in several studies about the intergovernmental negotiations leading to the Treaty of Amsterdam. where preparatory synopses of all the actors’ negotiation positions led to several studies of these summit negotiations (Turner et al., 2003).

A so-far undervalued data resource may be found in the Council negotiation protocols, which have been published for several years and are available on the Council website<sup>ii</sup>. These documents contain summaries of the decisions, and are not transcripts of the discussions (Sullivan and Selck, 2007). However, in some cases, the progress of negotiations is traceable since the positions and disagreements over the bargaining issues are noted in a relatively standardized way. The potential to evaluate of these documents with text-coding documents has not been fully exploited yet. Sullivan and Selck (2007) discuss the possibility of using the wordscores technique (Laver et al., 2003) for analysing Council protocols—although they admit that there are still several obstacles to the application of this technique (e.g. the salience estimation of technical points). These points are included in the Council protocols, but might not represent actual negotiation issues. An alternative would be an analysis of *Agence Europe*, an extensive news service on EU activities. A thorough investigation of how information from *Agence Europe* could be used to identify negotiation issues and how information from the Council protocols could be evaluated to generate negotiations positions would promise valuable data for assessing the effect of bargaining power in the Councils.

#### 4. Conclusion

Since the Council of Ministers is the most important decision-making body in the European Union, especially when it comes to day-to-day legislation in the EU, it is desirable to acquire more knowledge of the role of bargaining power in this body, and of the bargaining success achieved from these power resources. In a general attempt to acquire more data on decision-making in the EU, I propose testing and evaluating new text-coding instruments in order to generate traceable and less expensive data on negotiation positions in the Council. However, these have to be treated with caution, and compared with the more expensive but possibly more encompassing interview

information. More data on negotiation positions in more policy areas would allow for more research into bargaining resources, and the effects of these bargaining resources in varying negotiation contexts. To this end, I would expect varying effects, dependent on the frequency of meetings due to varying reciprocity logics. Additionally, the data sets that are already available should be used to more carefully study whether the most important political dimension in European politics – that is to say, the Left-Right dimension – matters for the effect of bargaining power in the Council. The already existing knowledge about the importance of hard bargaining factors such as economic size and votes should be enriched with highlighting the dependence of its effect on the negotiation context and the possibility to form coalitions.

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<sup>i</sup> In addition, decisions in the Councils can be taken with qualified majority vote, whereas the discussions in the EU summits must be concluded unanimously Tallberg, J. (2008) 'Bargaining Power in the European Council', *Journal of Common Market Studies* 46(3): 685-708.

<sup>ii</sup> <http://www.consilium.europa.eu/showPage.asp?id=549&lang=en&mode=g>