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The Netherlands and Coalition Formation in the Council of the European Union¹

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Abstract

Decision-making in the Council of the European Union largely occurs under the rule of (qualified) majority voting. Under the majority rule, the individual member will have a strong incentive to form coalitions to influence the policy results. This article illustrates in what way the increasingly important (qualified) majority rule in the Council has increased the importance of specific bilateral interactions in the building of coalitions. The results from the analyses are that the power – at least in terms of formal assessments – has become more distributed and shared among the EU members. This means that from the perspective of the Netherlands and other middle-sized countries, the relevance of the large countries has diminished. But also that the probability of being part of a winning coalition has decreased for each member of the EU.

1 Introduction

This contribution aims to analyse the role of the Netherlands in the voting procedures of the Council of the EU (previously the 'Council of Ministers'). The more the Council resorts to the principle of (qualified) majority voting and the larger the total number of EU members, the more voting rules in the Council are likely to affect the incentives for individual members – such as the Netherlands – to form coalitions and hence to strengthen bilateral contacts within the EU.

The focus on the Council in this article is deliberate. Of course, the position of the Dutch government in the Council is not the only factor influencing policy results in the EU, as viewed from the perspective of the Netherlands. Increasingly, the European Parliament (EP) plays a crucial role in the EU's decision-making process. Similarly, the important role of the European Commission can hardly be neglected, especially in terms of its agenda-setting power.

Focusing on the Council, however, makes it possible to obtain estimates on the relative influence of the Dutch government in the EU's intergovernmental decision-making process. It helps to assess how 'old' or 'new' patterns of

bilateral contacts and coalition-formation might benefit or be detrimental to 'Dutch interests', as advocated by representatives of the Dutch government, in the framework of the EU. Adding the EP or the Commission to the analysis makes for a more complex endeavour. Whereas it is theoretically feasible to include either the EP or the Commission or both in the analysis, this article will focus on a narrower, but more tractable scope, by analysing the relative position of the Netherlands in the EU's intergovernmental framework.

Generally, in the course of the EU's history, when members had to decide by unanimity in the Council – whether on the basis of treaty articles or on the basis of the 1966 'Luxembourg compromise' – each member held a *de facto* veto on Council decisions.² With the increase in the use of qualified majority votes, however, this pattern has changed. In reality, formal votes are not resorted to frequently in the Council. But the possibility to apply this rule nonetheless influences the bargaining patterns among the EU member states in the Council and influences the 'negotiating reality'.³ Qualified majority votes generally require approximately 71 per cent of the (weighted) vote total, and EU members' votes are presently attributed on a scale ranging from two for Luxembourg to ten for the four largest members, France, Germany, the UK and Italy. In the framework of the present pattern of vote allocation, the Netherlands has five votes in the Council (as do Belgium, Greece and Portugal).

Accordingly, the main aim of this contribution is to illustrate in which sense the increasingly important qualified majority rule in the Council has increased (or decreased) the theoretical importance of specific bilateral interactions from the perspective of the Netherlands. It thus aims to show how the 'quantitative rules' underlying the practice of decision-making – here as applied to the Council – change the relative significance of bilateral contacts for Dutch foreign policy.

In analysing the effects of voting in the Council on Dutch bilateral relations, the focus will be on the following issues: How has the relative power of EC/EU members changed over time in the framework of the Council under the qualified majority voting rule? Has the relative importance of specific member states or of 'alliances' among members changed from the perspective of the Netherlands in the course of the last decades? Do decision rules and the number of EU members change the relative significance of single EU member states for the Netherlands? Moreover, in the framework of the qualified majority rule, which states are theoretically most important to the Netherlands for forming a 'coalition' in the Council? Are there any indications that the role and importance of these states has changed over time? What are some possible implications of future EU enlargement?

It should be mentioned here that some of these questions might be answered by resorting to the spatial analysis of voting. If we knew the preferences as held by the Dutch delegation, the preferences of other EU institutions and of other

EU member states, we might try to illustrate the best 'strategy' for the behaviour of the Dutch government. Similarly, we might try to predict policy outcomes for specific policy areas. However, this much information is rarely available in practice. Data on preferences of actors in the EU is still rather scarce and plagued by usual questions regarding the origins, stability, sincerity of revelation and other issues. Therefore, this article focuses on a more 'aggregate level' of analysis, not assuming a specific distribution of preferences *a priori*. The methodologies applied derive from *n*-person cooperative game theory.

Generally, decision-making procedures in the EU are not always transparent. However, since 1993, in the wave of attempts to increase the transparency of decision-making in the Council, the outcomes of votes in the framework of different constellations of the Council have been published by the Brussels-based Council Secretariat.⁴ This article will use some of the information available in this context. Apart from providing theoretical insights into how qualified majority votes in the Council increase or decrease the incentives for bilateral contacts among the Netherlands and selected EU member states, the theoretical findings of this article can thus be compared with some actual 'voting behaviour' of the EU's member states in the Council. The data can not provide a 'full picture' of the negotiating behaviour or alliance patterns in the Council. But they can, nonetheless, provide some indications, for instance, on the voting behaviour and interests of individual delegations. More specifically, we can derive information from this data on how often the Netherlands has cast a negative vote in the Council or abstained from voting, and, when it had to resort to this strategy, which other EU members have voted in the same way. Thus, the empirical part of the analysis will indicate, on the basis of published data, with which EU members the Netherlands has formed coalitions or alliances in the Council in practice.

The article is structured as follows: section 2 provides an overview of the distribution of votes and the requirements to either form a qualified majority or a 'blocking minority' in the Council from the founding of the Community until the present. Section 3 gives a quantitative assessment of the relative influence of EC/EU member states in the framework of qualified majority votes over time, based on the data provided in section 2 and by summarizing results for an application of two different 'power indices' (the normalized Banzhaf index of power and the Shapley-Shubik index). The section also focuses on the relative merit of *n*-person cooperative approaches as compared to methodologies using the spatial analysis of voting. Section 4 analyses the theoretical probability of EU member states being a part of a 'winning coalition' in the Council's voting procedures, i.e., being a member of a group of EU states that manages to reach the qualified majority threshold. Again, in order to allow for a study of developments over time, the section provides respective calculations for the entire time span from the beginning of the Community up to the

present. Section 5 has a more empirical orientation: it provides data on actual voting behaviour in the framework of the Council as it has been assessed (and published) by the Council Secretariat. The voting outcomes refer to issue areas as diverse as agricultural policy, education and transportation. Unfortunately, this dataset is limited; nonetheless we can derive some helpful information from it. Section 6 compares the theoretical insights from the first part of the article with the available data on actual voting behavior, and offers a summary of the results and conclusions.

2 The distribution of votes in the Council: a historical overview

Present discussions on a possible re-weighting of votes in the Council – or the introduction of a ‘double-majority rule’ – illustrate how important the attribution of (weighted) votes to EU member states is in the framework of EU decision-making. It is likely that the topic will again be an issue of intensive debate before the next round of enlargement.⁵ In order to provide a background for these discussions, a historical overview of the attribution of votes in the Council is subsequently given.

In the first constellation of Community membership, the three larger members obtained more votes than the smaller ones: from 1958 to 1972, Germany, France and Italy held four votes each in the Council, whereas Belgium and the Netherlands had two votes and Luxembourg one. Hence, the ratio of attribution was 4:2:1. The first enlargement in 1973, when Denmark, Ireland and the United Kingdom joined the Community, implied a re-weighting of votes for the larger members by a factor of 2.5, and by a factor of 2.0 for Luxembourg. The largest EC members had ten votes each, whereas Luxembourg had two votes, and Belgium and the Netherlands each had five. Since the 1973 enlargement, no further adaptations to the weighting of votes in the Council have been made, and new members were fitted into the existing categories.

The requirement to reach a qualified majority remained constant over time, at approximately 71 per cent (or five-sevenths) of the weighted vote total. The distribution of votes over time and the respective requirements with respect to the decision threshold are given in Table 1.

Whereas the requirement to reach a qualified majority has remained rather constant over time, the hurdle to forming a blocking minority has tended to decrease as a function of the member total and the distribution of voting weights, by successively approaching 29 per cent. With the present membership constellation it is 29.9 per cent.

In the rounds of enlargement after 1973, the Community was joined by several more small and medium-sized countries: by Greece in 1981, Portugal

Table 1 The distribution of votes and the requirement for a qualified majority in the Council of the EU

Member States	1958-72	1973-80	1981-85	1986-94	Since 1995
Austria	--	--	--	--	4
Belgium	2	5	5	5	5
Denmark	--	3	3	3	3
Finland	--	--	--	--	3
France	4	10	10	10	10
Germany	4	10	10	10	10
Greece	--	--	5	5	5
Ireland	--	3	3	3	3
Italy	4	10	10	10	10
Luxembourg	1	2	2	2	2
Netherlands	2	5	5	5	5
Portugal	--	--	--	5	5
Spain	--	--	--	8	8
Sweden	--	--	--	--	4
United Kingdom	--	10	10	10	10
Total	17	58	63	76	87
Qualified Majority (absolute and as a percentage of the total vote)	12 (70.6%)	41 (70.7%)	45 (71.4%)	54 (71.1%)	62 (71.3%)
Blocking Minority (absolute and as a percentage of the total vote)	6 (35.3%)	18 (31.0%)	19 (30.2%)	23 (30.3%)	26 (29.9%)

Table adapted from Hosli (1993, 1996)

together with somewhat larger Spain in 1986, and by Austria, Finland and Sweden in 1995. The distribution of votes among the members provides some indications about the balance between large and small countries over time and the relative significance of individual members in forming either a qualified majority or a blocking minority.

Can a closer examination of the pattern of allocation, however, also provide some indications about the distribution of relative influence among the member states over time? In order to answer this question, the following section will apply mathematical analyses to assess the relative influence of member states in the framework of specific voting rules⁶ and to provide results of these assessments as applied to the history of the EU.

3 The relative influence of EU member states in the framework of qualified majority votes

How can the influence of a member in a voting system be assessed? Generally, when unanimity is required to take decisions, each member of the committee holds a *de facto* veto. In other words, decisions cannot formally be taken against a member's preference.⁷ However, the more members a committee encompasses, the more difficult it is to reach unanimous agreement.⁸ But how is 'relative influence' distributed among members when decisions can be taken on the basis of the (qualified) majority rule?

Possible ways to measure this influence are by the means of 'power indices', derived in the framework of *n*-person cooperative games. For instance, the Banzhaf (1965; compare Penrose 1946) and the Shapley-Shubik (Shapley and Shubik 1954) indices of power are measures based on the concept of a member's 'pivotalness'. They essentially calculate the proportion of cases in which a committee member can cast a pivotal vote, i.e., turn a voting coalition from a winning into a losing one and vice versa. The Shapley-Shubik index respects the different orderings (permutations) in which members can join a coalition, whereas the Banzhaf power index considers all possible combinations of membership (i.e., all theoretically possible coalitions among members). In more applied settings, in the framework of the Shapley-Shubik index, one may assume that members join a coalition in sequence. Those most interested in an issue join first, those least interested last. The member that makes the coalition win, by getting the sum of votes over the defined threshold, casts the pivotal vote. In the framework of the Banzhaf index, coalitions of various sizes in terms of membership can be built. If a coalition encompasses a sufficient number of members (i.e., votes), members within the coalition have bargaining leverage: if by abandoning such a coalition, a member can turn it from a winning into a losing coalition, the member is said to be able to make a 'critical defection'. Expressed rather generally, power indices then provide a measure for the expectation of payoffs among the players. Both indices may make sense intuitively if applied to coalition formation in the Council: assuming coalitions build up in sequence is a logical way to proceed. But, one can also assume that members hold rather similar policy positions when entering a coalition, and that their relative bargaining power may then be measured by their relative credibility and their ability to make a critical defection. Since both indices can make sense intuitively, we will provide results for both of them here. As applied in this study, they generate rather similar results.

Recently, research using power indices, especially as applied to the Council, has been criticized on two major grounds: first, that they abstract from other institutions in the EU, and second, that they 'ignore' preferences (see, for example, Garrett and Tsebelis 1996 and Tsebelis and Garrett 1999). To the first

critique, we might reply that similar analyses have been conducted to assess the relative influence of political groups in the European Parliament (e.g., Lane and Maeland 1995; Lane et al. 1996; Peters 1996; Raunio 1997; Hosli 1997, 1998). Power indices, more generally, are suitable for analysing the relative influence of actors in the framework of systems applying some variants of weighted voting schemes. Hence they can be applied to analyse voting in the Council, or to measure the strength of national or party groupings in the EP. Moreover, some analysts have attempted to incorporate the influence of different EU institutions into the analysis of decision-making in this framework, essentially aiming at measuring the relative strength of different EU institutions in the EU's decision-making process. See, for example, the analysis by Laruelle and Widgrén (1997).

It has to be stressed, however, that spatial models of voting as applied to the EU, and as used by some of these critiques, aim to assess the relative 'power' of actors and institutions, or to make forecasts on specific policy decisions, based on knowledge about the distribution of preferences of all crucial players.⁹ While this focus may have merits in some instances, this much information is often not available in practice. By contrast, voting power analysis has been criticized on the grounds that it makes 'non-realistic' assumptions in terms of the possibilities of coalition-formation. It needs to be stressed, however, that power indices do not 'ignore' preferences. At least in their more traditional versions, they rather deliberately abstract from them, acknowledging that preferences are not known *a priori*. In this framework, actors are seen to have concluded an 'incomplete contract' (Widgrén 1999), or to have acted behind a 'veil of ignorance'. For a more thorough explanation of power index approaches that counters recent criticism see, for example, Holler and Widgrén (1999).

In the last several years, quite a few pieces of work have provided information on voting power indices as applied to the EU and their modes of calculation (see Brams 1985; Hosli 1993; Widgrén 1994; Johnston 1995a; Lane and Maeland 1995; and Peters 1996). In order to avoid repetitions, we will provide only a concise overview of how they are assessed and what insights they have generated when applied to decision-making in the Council.¹⁰ It should also be noted that both the Shapley-Shubik index and the Banzhaf index of power can be extended to take the formation of *a priori* unions into account, if this is considered to be helpful.¹¹ Probabilities can then be applied to the formation of such unions.¹² One analysis along these lines is that by Kirman and Widgrén (1995).¹³

What are the results when such 'power measures' are applied to the distribution of votes in the Council from the beginning of the Community to the present day under the qualified majority rule? An analysis along these lines indicates that, as is to be expected, the relative voting power of countries has decreased with the increase in the number of members. In the first

constellation of Community membership, the largest EC members each held almost one-fourth of the total voting power (measured by either index). By contrast, in the present situation, their share is only 11.7 per cent (Shapley-Shubik index) or 11.2 per cent (Banzhaf index). Similarly, the Netherlands started out with a share in voting power of 15 per cent (Shapley-Shubik index) or 14.3 per cent (Banzhaf index), but its share has dropped to 5.5 per cent and 5.9 per cent, respectively, in the present constellation of members.

As far as the leverage of coalitions is concerned, this analysis shows that originally France and Germany together held almost half of the total voting power, as measured by the sum of their individual indices. But their combined influence dropped to about one-fourth in the period between 1986 and 1994 and it is currently approximately 23 per cent. The Benelux countries had a combined voting power of about 30 per cent between 1958 and 1973. In the present constellation of EU membership, the sum of their individual Shapley-Shubik power indices is 13.1 per cent (and 14.1 per cent when measured by the sum of their Banzhaf indices).

Based on relative levels of prosperity, Greece, Portugal, Spain and Ireland may currently be considered to constitute the Union's 'South'. The combined voting power of this group is about one-fourth in the present constellation of 15 EU members. The decrease in relative influence of this group was predominantly caused by the fact that the new members of the 1995 expansion belong to the Union's 'North'. Future enlargement, however, will change the relative position of this group, not least by making it comparatively more 'northern' (on the grounds of relative economic prosperity).

The combined individual power shares of the four largest EU members – Germany, France, Italy, and the UK – has dropped considerably over time: from almost three quarters of the total in 1973 to less than half in the present situation. The combined influence of the three smallest EU members – Denmark, Ireland, and Luxembourg – has decreased from more than 12 per cent in 1973 to 9.1 per cent (Shapley-Shubik index) or 9.5 per cent (Banzhaf index) as of now. On the other hand, small members occasionally experience increases in voting power when new members join – even when their voting weights are not altered – because new opportunities arise to participate in winning coalitions. Such cases have been termed the "paradox of new members". (See Brams & Affuso 1975, 1985.) Luxembourg is an example of the paradox of new members as it gained relative voting power with the 1973, 1981 and the 1995 enlargements. As Norway decided in 1994 not to join the EU, the other Scandinavian countries hold a collective share of about 12 per cent of total voting power.

If, instead of voting as individuals, the respective members of a coalition act as a 'bloc', how does this affect their relative voting power?¹⁴ In this framework it is assumed that the Benelux countries¹⁵ (Belgium, the Netherlands and

Luxembourg), the 'Paris-Bonn axis' (Germany and France; see Szukala and Wessels), the 'cohesion countries'¹⁶ (since 1986 Greece, Ireland, Portugal and Spain) and the 'Nordics' (since 1995 Denmark, Finland and Sweden; see Widgrén 1993; Petersen 1997) each constitute a fixed voting alliance. This is a rather strong assumption, but it provides helpful indications about the effects when these members act as a (cohesive) coalition.

Analysis along these lines demonstrates that the Paris-Bonn axis, viewed as an a priori union, has lost relative voting power since the inception of the Community. By comparison, the Benelux members as a 'voting bloc' gained voting power through the enlargement in 1973. In contrast to other voting alliances, the share in voting power of this group of countries as a bloc also increased as a result of the most recent enlargement. The 'South' and the Paris-Bonn axis currently hold equal shares in overall voting power. The influence of the Nordics as a voting bloc is now equal to the United Kingdom or Italy as individual members. (As long as the Nordics do not build alliances with other members, such as Germany, the Netherlands, or possibly the UK.)

By forming a voting bloc France and Germany were able to considerably increase their voting power in the original membership constellation: their collective Shapley-Shubik index was 66.7 per cent as compared to 46.7 per cent for the sum of their individual shares (or 60 per cent instead of 47.6 per cent as measured by the normalized Banzhaf index). In contrast, building an alliance did not improve the relative position of the Benelux countries (when measured by either index).

From the perspective of the Netherlands, this means that although the Paris-Bonn axis has declined in relative importance over time, other members and coalitions among members have become somewhat more relevant, such as the South, the Nordics, and also cooperation in the Benelux. Generally, over time, power has become more evenly distributed among the members and new partners are potentially relevant, also for the Netherlands, in the decision-making process.

4 The probability of belonging to a 'winning coalition'

The last section looked at members' relative influence in the framework of qualified majority votes. However, how often is a member able to be part of a 'winning coalition', i.e., a group of countries that endorses a specific policy proposal? And how often, statistically, will a member be part of a 'losing coalition', that is, a coalition that cannot reach the threshold to constitute a 'blocking minority'?

Formally, the existence of a winning coalition can be described in the framework of simple games.¹⁷ Generally, winning coalitions (W) have the

power to control a game and to determine the outcome (the set of losing coalitions is denoted by L).¹⁸

A 'weighted majority game' is a simple game in which a weight is assigned to each player. A coalition in such a game wins if the sum of the weights of the members in the coalition is larger than or equal to the decision rule (the 'quota' of the game). A weighted majority game G is formally represented by $G = [q; w_1, w_2, \dots, w_n]$, with q denoting the quota and w_i being the voting weight of player 'i'. In a weighted majority game, a winning coalition satisfies the condition:

$$S \in \text{Wiff } \sum_{i \in S} w_i \geq q \quad (1)$$

Hence, the collective weight of the coalition players has to be equal to or exceed the decision quota. Similarly, the requirement to form a 'blocking minority' is that the sum of votes of the coalition members equals or exceeds the blocking minority 'threshold' (but it does not reach the quota for a qualified majority).

As has been seen before, the total number of coalitions (combinations) that can be formed out of n members is 2^n . For instance, in the framework of a three-member voting body, eight coalitions are possible. With the players A, B, and C, the following coalitions are possible: {A}, {B}, {C}, {A,B}, {A,C}, {B,C}, the 'grand coalition' {A,B,C} and the empty coalition $\{\emptyset\}$. Excluding the empty coalition, the number of possible coalitions is $2^n - 1$.

Depending on the relevant decision rule, however, only some of them are winning.¹⁹ For instance, under the unanimity requirement, only the coalition that encompasses all members, the grand coalition, is winning.²⁰ In the framework of the simple majority rule – here corresponding with the two-thirds majority requirement – the coalitions {A,B}, {A,C}, {B,C} and {A,B,C} are winning.²¹ Under the unanimity rule, the frequency of winning coalitions is one in seven (excluding the empty coalition), resulting in a relative flexibility of 14.29 per cent. With the simple majority rule, four out of the seven coalitions are winning, generating a relative flexibility of 57.14 per cent.

The proportion of winning coalitions can be calculated for any voting body and any number of members. Note that this procedure does not only include minimum winning coalitions (MCWS; Riker 1962), but also 'oversized coalitions'.²²

Table 2 presents an overview of the proportion of winning coalitions in the EU's history that could be formed among the members when qualified majority voting was applicable. The respective number of winning coalitions under the unanimity rule are also shown for comparison.

Increased membership has considerably decreased institutional flexibility under the unanimity rule – as it applied to decisions taken either on the basis of the Luxembourg compromise or decisions that required unanimity by the

Table 2 The 'flexibility' of decision-making: the proportion of winning coalitions as compared to all possible coalitions in the Council from 1958 to the present (in per cent)

Decision Rule	1958-72	1973-80	1981-85	1986-94	Since 1995
Number of Members	6	9	10	12	15
Total number of possible coalitions (combinations)	63	511	1023	4095	32767
<i>Qualified Majority</i>					
Total number of winning coalitions	14	75	140	402	2549
Share of winning coalitions of all possible coalitions (in per cent)	22.22	14.68	13.69	9.82	7.78
<i>Unanimity</i>					
Total number of winning coalitions	1	1	1	1	1
Share of winning coalitions of all possible coalitions (in per cent)	1.5873	0.1957	0.0978	0.0244	0.0031

Treaty of Rome (such as taxation and the protection of workers' rights). Hence, expansion of membership had detrimental effects on the Council's 'ability to act'. Under the formal rule of unanimity, one in 63 coalitions (or 1.59 per cent) is winning in the framework of a six member committee, whereas this proportion decreases to one in 32,767 (or 0.0031 per cent) with 15 members.

How did this degree of flexibility change in the framework of the qualified majority rule? Since the proportion of weighted votes was adapted with every enlargement to approximately 71 per cent of the weighted vote total (see Table 1), one would expect flexibility – measured as the share of winning coalitions in all possible coalitions among members – to have remained more or less constant. However, Table 2 shows that this is not the case. The historical overview shows that a rather significant decrease in institutional flexibility has occurred since: whereas the percentage of winning coalitions that could be formed among Community members under the qualified majority rule was 22.22 per cent in the first period of the Community's existence, this decreased to 14.68 per cent with the first enlargement and has declined ever since: between 1981 and 1985 it was 13.69 per cent and in the period 1986-94 it dropped to 9.82 per cent. In the present constellation of EU membership, the ratio of winning coalitions to all coalitions that can be formed among the 15 member states is 7.78 per cent.

What is the probability that a member will be included in a winning coalition? To answer this question, it is necessary to calculate the proportion

of times a member is part of a winning coalition. The concept to be applied here is similar to the 'inclusiveness index' as used recently by König and Bräuninger (1998). But, instead of measuring the proportion of times a member is part of a winning coalition to all possible winning coalitions, it assesses the ratio of a member's participation in a winning coalition to all possible coalitions of a committee. For example, we can measure the probability that the Netherlands will be in a coalition that gains the qualified majority requirement as compared to all the coalitions that could be formed among EU members. The respective formula is:

$$\frac{\omega_i}{2^n - 1} \quad (2)$$

where ω_i denotes the number of times member i can be included in a winning coalition. Hence, equation (2) provides a figure on the ratio of a member's potential inclusion in a winning coalition as compared to the total of possible coalitions among members.

Similarly, to establish the probability that a member is part of a losing coalition the following equation can be used:

$$\frac{\lambda_i}{2^n - 1} \quad (3)$$

A losing coalition, in our framework, is a coalition that does not have a sufficient number of votes to reach the qualified majority threshold, but at the same time does not have sufficient votes to gain a blocking minority. With the present constellation of EU membership, the threshold is 26 votes (or 23 to 25 votes when the 'Ioannina Compromise' applies).

To make comparisons over time from the perspective of individual EU member states, Table 3 presents figures on the probability of a member being included in a winning (or losing) coalition in the framework of qualified majority votes for the different stages in the EU's history. The probability of a member being included in a winning coalition under the unanimity rule is evidently 1 at any time.

Generally, it can be seen that the probability of a member being included in a winning coalition has declined for all members with each enlargement. These figures correspond with the earlier assessments on members' relative voting power within the Council under the qualified majority rule. The probability of being in a winning coalition has decreased for the largest members from 19 per cent in 1958-72 to 6.5 per cent at present. For the Nether-

Table 3 The probability of individual members being included in a winning coalition (W) or in a losing coalition (L) in the framework of qualified majority votes in the Council, 1958 to the present, in per cent (ratio of individual membership in winning coalitions or losing coalitions to all possible coalitions among members)

Member States	1958-72		1973-80		1981-85		1986-94		Since 1995	
	W	L	W	L	W	L	W	L	W	L
Austria	-	-	-	-	-	-	-	-	0.051	0.027
Belgium	0.159	0.063	0.102	0.045	0.094	0.043	0.067	0.031	0.054	0.024
Denmark	-	-	0.094	0.053	0.081	0.056	0.062	0.037	0.048	0.030
Finland	-	-	-	-	-	-	-	-	0.048	0.030
France	0.190	0.032	0.125	0.022	0.117	0.020	0.084	0.014	0.067	0.011
Germany	0.190	0.032	0.125	0.022	0.117	0.020	0.084	0.014	0.067	0.011
Greece	-	-	-	-	0.094	-	0.067	0.031	0.054	0.024
Ireland	-	-	-	-	0.081	-	0.062	0.037	0.048	0.030
Italy	0.190	0.032	0.125	0.022	0.117	0.020	0.084	0.014	0.067	0.011
Luxembourg	0.111	0.111	0.078	0.068	0.081	0.056	0.054	0.044	0.045	0.033
Netherlands	0.159	0.063	0.102	0.045	0.094	0.043	0.067	0.031	0.054	0.024
Portugal	-	-	-	-	-	-	0.067	0.031	0.054	0.024
Spain	-	-	-	-	-	-	0.079	0.020	0.062	0.016
Sweden	-	-	-	-	-	-	-	-	0.051	0.027
United Kingdom	-	-	0.125	0.022	0.117	0.020	0.084	0.014	0.067	0.011

lands, the decrease has been from 15.9 per cent in the Community's first phase of existence to 5.4 per cent today. For Luxembourg, the drop has been from 11.1 per cent to 4.5 per cent. The successive 'dilution of power' of the original EC member states in the Council's voting process is hence paralleled by a reduction of the probability of a member being part of a winning coalition under the qualified majority rule.

Similarly, the probability of being in a losing coalition has decreased, in quantitative terms, from 3.2 to 1.1 per cent for the largest members and from 6.3 to 2.4 per cent for the Netherlands between 1958 and the present. Therefore, the effects of enlargement on the probability of being included in a losing coalition are less than the effects on the probability of being in a coalition that reaches the qualified majority threshold. Generally, a lower probability of being included in a winning coalition indicates a need for more political activity in order to ensure that one's interests are represented in the framework of decisions as taken in the Council. Finally, when the Ioannina Compromise applies, the probability of members being included in a winning coalition decreases – as does the probability of being in a losing coalition.²³

5 Some first assessments of actual voting outcomes in the Council

Data on voting outcomes in the Council is available for votes held since 1993. Data is published, for instance, by the Council Secretariat (1995 for the period December 1993-94) and by the Secretariaat Generaal van de Raad van de Europese Unie (1997 for 1995).

Votes in the Council are not frequently adhered to in reality. There is little doubt, however, that the distribution of votes in the Council does influence the 'bargaining reality' in the Council, in deliberations preceding Council meetings, and in the framework of COREPER I and II or of Working Groups. Nonetheless, voting in the Council is resorted to only in a minority of all instances. A rough estimate is that actual voting is only used for about 15 per cent of all decisions. Therefore, the dataset used here is not fully representative of actual voting procedures in the Council. Moreover, the data fails to list the instances when decisions are taken by consensus (which is in the majority of cases) or when voting is otherwise avoided.

Nonetheless, the available data can provide some indications about which members are more inclined to be formally opposed to issues decided in the Council and which coalitions or alliances have been formed in reality.²⁴

Why do member states vote for or against certain issues in the Council? Evidently, national delegations' votes for or against a decision that is supported by a (qualified) majority in the Council may be based on domestic interests. But in some cases, an outcome may also indicate a situation in which members are actually being 'outvoted' in the Council. The first instance is not very important in terms of the realization of a member's own preferences, as strategic voting based on domestic political calculations is unlikely to run counter to its own interests. Being (sincerely) outvoted on issues, however, is a matter of more concern. It implies that a country's preferences are not being represented in a collective decision as taken by the Council. From the perspective of Dutch foreign policy, this is a relevant aspect.

Several questions come to mind when the issue of 'being outvoted' is studied. For instance, could the Netherlands have prevented being outvoted on certain issues? Should it have used bilateral diplomacy in the preparatory stages of deliberations in the Council in order to form alliances or to attempt to form a blocking minority to prevent a Council decision detrimental to its own interests?

Other questions are also of crucial relevance: was there a tendency for the Netherlands to be outvoted together with relatively stable coalition partners? Do the voting outcomes reveal some tendencies of the Netherlands to form coalitions more generally (whether these are winning or losing coalitions)? Are there any partners that could potentially be of interest to the Netherlands, but

Table 4 Voting patterns in the Council: the propensity of governments to cast a negative vote or to abstain (6 Dec. 1993 to 31 Dec. 1994)¹

Member State	Negative Vote (N) or Abstention (A)	Agriculture	Fisheries	Internal Market	Environment	Transportation	Social Affairs	Research	Education	European Citizenship	Consumer Protection	Transparency	Total
Belgium	N	2	-	-	-	-	-	-	-	-	-	-	2
	A	1	-	-	-	-	-	-	-	-	-	-	1
Denmark	N	4	-	3	2	-	-	-	-	-	-	2	11
	A	-	-	-	-	1	-	-	-	-	-	-	1
France	N	-	-	1	-	-	-	-	-	-	1	-	2
	A	2	-	1	-	-	-	-	-	-	-	-	3
Germany	N	3	-	3	2	-	-	-	-	-	1	-	9
	A	2	-	3	-	-	-	1	-	-	-	-	6
Greece	N	2	1	-	-	-	-	-	-	-	-	1	4
	A	-	-	-	-	-	-	-	-	-	-	-	-
Ireland	N	-	1	-	-	-	-	-	-	-	-	-	1
	A	-	-	-	-	-	1	-	-	-	-	-	1
Italy	N	1	-	1	1	-	-	-	-	-	-	-	3
	A	-	-	1	-	1	1	-	-	-	-	-	3
Luxembourg	N	2	-	2	-	-	-	-	-	-	-	-	4
	A	-	-	-	-	-	-	-	-	-	-	-	-
Netherlands	N	3	1	2	1	-	-	1	-	-	-	2	10
	A	1	1	2	-	1	-	-	-	-	-	-	5
Portugal	N	2	-	1	-	-	-	-	-	-	-	-	3
	A	-	-	-	-	-	1	-	1	1	-	-	3
Spain	N	-	-	2	-	-	-	-	-	-	-	-	2
	A	-	5	-	-	1	1	-	-	-	-	-	7
UK	N	4	1	1	1	-	-	-	-	-	-	-	7
	A	7	2	4	1	-	-	-	-	-	-	-	14
Total	N	23	4	16	7	-	-	1	-	-	2	5	58
	A	13	8	11	1	4	4	1	1	1	-	-	44

1) Source: Council Secretariat (1995); compare Hosli (1999)

with whom Dutch diplomacy – for cultural, traditional, political or other reasons – so far fails to have strong bilateral ties?

In order to find at least some partial answers to these questions, Table 4 presents an overview of the frequency with which EU member states have been 'outvoted' in the framework of actual votes in the Council. The overview distinguishes between abstentions (A) and no-votes (N). The table refers to the time period 1993-94, the first period for which voting outcomes have been publicized.

The data is taken from the list compiled by the Council Secretariat (1995).

As Table 4 illustrates, the Netherlands was outvoted relatively often in the period shown. There are a total of ten occasions when the Netherlands voted against an issue that was then accepted in the Council. On five occasions, the Dutch delegation abstained from voting.

Has the Netherlands, in the framework of these votes, tended to form specific alliances with other EU partners? Table 5 illustrates which other parties were being 'outvoted' on the same occasions with the Netherlands. (Here, only negative votes are considered and the analysis abstracts from abstentions).

The data for 1993-94 does indeed seem to illustrate that there are some 'coalition partners' with whom the Netherlands appears to cooperate on a rather frequent basis. Germany and Denmark seem to be frequent 'partners' of the Netherlands, having voted four and five times respectively with the Netherlands against an issue. By contrast, there are no occasions when the Netherlands voted negatively together with France, Italy or Spain.

It is worth reiterating the fact that in the framework of this analysis only 'losing coalitions' in the Council are being considered – the picture might be

Table 5 Opposing ('losing') coalitions with respect to different policy fields, voting in the Council 1993-94

	Agriculture	Fisheries	Internal Market	Environment	Transportation	Social Affairs	Research	Education	European Citizenship	Consumer Protection	Transparency
Opposing ("Losing")	{P, UK}	{GR}	{DM, L, SP}	{DM}	-	-	{NL}	-	-	{F, G}	{DM, GR, NL}
Coalitions (Negative Votes only)	{I}	{IRL}	{DM}	{G}	-	-	-	-	-	-	{DM, NL}
	{DM}	{NL}	{G}	{I, UK}	-	-	-	-	-	-	-
	{G, NL}	{G}	{SP}	-	-	-	-	-	-	-	-
	{B, DM, L, NL}	{F}	{I}	-	-	-	-	-	-	-	-
	{DM}	{I}	{L}	-	-	-	-	-	-	-	-
	{B, G, NL}	{L}	{P}	-	-	-	-	-	-	-	-
	{G, GR}	{DM, G, NL}	-	-	-	-	-	-	-	-	-
	{L, UK}	-	-	-	-	-	-	-	-	-	-
	{P}	-	-	-	-	-	-	-	-	-	-
	{DM, UK}	-	-	-	-	-	-	-	-	-	-

Abbreviations: B: Belgium; DM: Denmark; F: France; G: Germany; GR: Greece; IRL: Ireland; I: Italy; L: Luxembourg; NL: Netherlands; P: Portugal; SP: Spain; UK: United Kingdom

different if we considered coalitions that involved the Netherlands and that met the relevant decision quota (i.e., for winning coalitions). A rough extrapolation of the above results illustrates the following relationships: as we can estimate that the votes, as published by the Council Secretariat for the period 1993-94, relate to approximately 15 per cent of all the legislative acts adopted in the Council at that time, and that outcomes were listed for a total of 261 accepted legislative proposals, the total of relevant decisions was approximately 1740. In ten out of the 261 cases (or 3.83 per cent of the total), the Netherlands was part of a losing coalition. The theoretical probability of being included in a losing coalition for the Netherlands was 0.031 in the aftermath of the 1986 enlargement. Hence, the voting outcomes reveal that the Netherlands was actually part of a losing coalition more often than the estimated statistical probability indicated. However, it must not be forgotten that in practice the majority of decisions are taken by consensus. Nevertheless, the relatively high number of Dutch 'no-votes' in 1993-94 indicates a relatively high frequency of being 'outvoted' compared to the other Community members.

How about the voting outcomes for the years 1995 and 1996? The voting data used for these years is taken from *Secretariaat-generaal van de Raad van de Europese Unie* (1997) and a document entitled *Statistiques 1996*, also drawn up by the Council Secretariat, that contains preliminary results on voting outcomes and legislative acts. The data includes the voting behaviour of the three new EU member states as of 1995. On the whole it appears that the Netherlands was 'outvoted' less frequently in both years as compared to 1993-94. Abstracting from abstentions and vote explanations, in the case of the co-decision procedure, there is only one instance in 1995 in which the Netherlands was actually outvoted (here together with Germany). The issue concerned a decision (3052/95/EG) related to information exchange about national policy measures in which a partial derogation from the principle of the free flow of goods was to be accepted (the Council's 'common position' was to be formulated on 29 June 1995). In the framework of the assent, the consultation and the cooperation procedures, three occasions are listed when the Netherlands was outvoted. The respective losing coalitions in these cases, were: {DM, G, NL}, {DK, L, NL, S} and {NL, S, UK}. Generally, among the countries that were outvoted relatively frequently in the Council's decision-making process in the course of 1995, are Germany, Sweden (especially with respect to regulations in the domain of agricultural policy) and the UK.

First assessments of the voting outcomes of 1996 reveal the following pattern: the number of negative votes cast by the Netherlands is rather low. Not a single negative vote appears to have been cast in the framework of the co-decision procedure (but some cases of vote abstention can be found). One negative vote was cast in the framework of the cooperation procedure: the opposing coalition was formed, in this case, by Denmark, Finland and the Netherlands.

It concerned a vote on 29 January 1996 on an issue concerning humanitarian aid (3052/95/EG). Under the consultation procedure, one negative vote was cast by the Netherlands – together with Germany and Finland – concerning competition policy.²⁵ Hence, in terms of statistical occurrence, the number of negative votes cast by Dutch delegations in the Council appears to be considerably lower than the estimated theoretical probability would suggest.

The voting behaviour for the years under consideration reveals that the Netherlands appears to have relatively 'stable' partners in the coalition formation process within the Council. Occasions on which the Netherlands has been outvoted have become less frequent. Despite this decline, it is important to ask – also because of the theoretical opportunities to exert influence – whether a shift to newer bilateral contacts (and possibly changing partners according to the issue at stake) could increase the prospects of the Netherlands to realize its own interests in the framework of Council decisions. The results of the more formal analysis above reveal that more intense cooperation with the Nordics or the South might be interesting for the Netherlands and that even a revival of cooperation with the other Benelux countries might be of more interest than is generally being assumed.

Finally, one must bear in mind that future enlargements of the EU may again increase the need to have smaller groups of countries who act together and prepare common stances in the framework of Council deliberations. In other words, coalition formation in the Council will also increase the necessity for the Netherlands to extend some bilateral contacts if its own interests are to be realized to the greatest possible extent in a Union encompassing 21, 26 or even more members.

6 Conclusions

How has the increasingly important qualified majority decision rule in the Council influenced the coalition formation process in the Council and the relative importance of individual member states in the Council's decision procedures? What results can be drawn from this analysis for the relative importance of coalitions and hence bilateral diplomacy of the Netherlands within the EU framework?

The following trends appear to be especially relevant from the perspective of the Netherlands: over time, the relative significance of the large EU members – especially of Germany and France – has decreased in the framework of qualified majority votes. Power, at least in terms of formal assessments, has been distributed among more EU members. Hence, the Paris-Bonn axis, from the perspective of the Netherlands and other middle-sized EU members, should be of somewhat less relevance today than it was in the first phases of the Commu-

nity's existence (at least in more formal terms; informally, not least because of a tendency to initiate new proposals, this 'tandem' may nonetheless still be rather crucial in the EU framework). Similarly, the probability of being part of a winning coalition, in formal terms, has decreased for all members over time.

But generally, forming a coalition increases the leverage of EC/EU members in the framework of qualified majority votes. For instance, it is striking that in the present constellation of EU membership, the Benelux as a coalition would probably have more (formal) influence than is generally assumed. The importance of the South is relatively extensive in the current membership constellation. Therefore, it might be interesting for Dutch diplomacy to focus on some of the representatives of this group (such as the Spanish and the Italians). Finally, due to policy preferences that may sometimes be close, it may also be useful to concentrate more on the new Scandinavian partners. Lastly, the UK could still be a rather important partner for the Netherlands at times. Although the empirical data as presented in the last part of this article can only show part of the 'reality' of decision-making in the Council, it is nonetheless helpful to compare the theoretical findings presented in the first part with some actual voting outcomes.

A first glance at the empirical data indicates that as compared to the theoretical calculations, the Netherlands, in the Council's voting procedures during 1993-94, was outvoted relatively frequently. This indicates that the Netherlands may not always have been the 'complacent' European partner its reputation would lead us to believe. However, the Netherlands was outvoted much less within the Council in subsequent years. Generally, voting outcomes for 1993-94 illustrate that Dutch foreign policy was not always able to find allies to block Council decisions that were against Dutch interests. Evidently, this provides perspectives for a more active bilateral diplomacy in the preparatory stages of Council decision-making. A first glance at the data seem to show that these assessments are less relevant for the subsequent years, 1995 and 1996.

Both the theoretical analysis and the data on voting and legislative acts indicate that it might be helpful for the Netherlands to focus on new patterns of bilateral diplomacy, that could imply a shift from more traditional partners to other countries that are important within the present (and the future) EU. Such shifts are, of course, somewhat constrained by the relative distance from or closeness to policy preferences of respective partners, but over all it could be worth considering such a strategy.

The theoretical calculations as presented in this article and the (relatively scarce) available empirical evidence cannot tell the complete story. But hopefully, they provide sufficient information to draw some conclusions that may help to serve the interests of Dutch bilateral diplomacy in the framework of the EU's intergovernmental decision-making procedures in the present and future.

Notes

1. This article is linked to a project that analyses the interests of Dutch foreign policy in terms of bilateral contacts within the EU. This project was led by Alfred Pijpers (Pijpers [ed.] 1999, 'Nederland zoekt het tweegesprek: neobilaterale accenten in de Europese politiek', Instituut Clingendael). The present article was written while I was a Visiting Scholar at Clingendael. I would like to thank the Director of the Institute, Alfred van Staden, for his hospitality, and several of its members, especially Jan Rood (Director of Research), Alfred Pijpers, Marianne van Leeuwen and Rob Schreurs, for their useful and insightful comments. Two (anonymous) referees have also helped to strengthen the analysis as presented here.

2. See, for instance, Teasdale (1993). The Luxembourg compromise, resorted to in the mid-60s, required unanimous voting whenever a member's 'crucial national interests' were at stake. It perpetuated consensual decision-making in the Community up to the mid-1980s.

3. These patterns, evidently, also apply to the issues that are settled in the framework of COREPER I and II or Working Groups linked to the Council.

4. Data for December 1993 to December 1994, for instance, can be found in Council Secretariat (1995). I would like to thank Jan-Erik Lane for pointing out this valuable data source to me in earlier discussions on the topic.

5. In fact, the need to reconsider this issue – together with the question of the total number of Commissioners – is expressed in a Protocol to the Amsterdam Treaty. See *Protocol on the Institutions with the Prospect of Enlargement of the European Union*, article 1:

At the date of entry into force of the first enlargement of the Union, (...) the Commission shall comprise one national of each of the Member States, provided that, by that date, the weighting of the votes in the Council has been modified, whether by reweighting of the votes or by dual majority, in a manner acceptable to all Member States, taking into account all relevant elements, notably compensating those Member States which give up the possibility of nominating a second member of the Commission.

I would like to thank Jan Rood for drawing my attention to this article.

6. The analysis used here is based on n-person cooperative game theory. This approach, to summarize, makes it possible to account for the a priori influence of individuals and of coalitions in the framework of specific voting procedures.

7. However, decisions may nonetheless be taken when other strategies are applied, such as 'side-payments' or 'log-rolling'. Side-payments refer to compensation given to a bargaining party that will lose from a particular collective policy measure in order to gain its support. Log-rolling refers to 'vote trading' in the sense that one actor votes for an issue that does not serve his or her interests in exchange for the support of another actor on an issue that is of greater importance. Log-rolling has been described as a relatively efficient means to reach decisions, since a response to different intensities of preferences held by the actors is possible. A basic analysis of log-rolling is Tullock (1976: 41–55). 'Package deals' refer to a situation in which decisions are taken about different issue areas simultaneously to achieve support by all actors involved (they can thus also be conceived as log-rolling involving several actors). Another expression for

package deal is 'issue-linkage'. On issue-linkage in the Community, see Weber and Wiesmeth (1991).

8. An early – and very illustrative – analysis of this pattern is provided in Buchanan and Tullock (1962). On the issue as applied to the EU, compare Hosli (1998).

9. See, for example, Tsebelis 1994 and the correction of his model by Moser 1996, or Garrett, McLean and Machover 1995. The spatial analysis of voting in combination with extensive-form games has been used by authors such as Steunenberg 1994, Crombez 1996, and Laruelle 1997. The latter piece is comparatively broad in scope by allowing for different constellations of actors' preferences in the EU.

10. A simple example can illustrate the way in which such indices are assessed. Assume a three-member voting body. Member A holds five votes, member B three and member C has two votes. Hence, the vote total is ten. Let the decision rule or quota (q) be a qualified majority of six votes. This defines the weighted voting game {6; 5,3,2}. Apart from the empty coalition {}, there are $2^3-1 (=2^3-1=7)$ ways in which members can form a coalition: {5}, {3}, {2}, {3,2}, {5,3}, {5,2}, {5,3,2}. But there are $3!=6$ ways in which coalitions can be formed if we consider the sequence in which members join the coalition, in an overall build-up process towards the 'grand coalition': {5,3,2}, {5,2,3}, {3,5,2}, {3,2,5}, {2,5,3}, {2,3,5}. In the first example, the members denoted in bold italics are the 'critical' ones with respect to the particular coalition for the calculation of the Banzhaf index: if they defect, the coalition is rendered lost. Similarly, in the framework of the Shapley-Shubik index (second example), members denoted in bold italics are the players that can make the pivotal contribution that renders the coalition a winner (or loser). From the perspective of the (normalized) Banzhaf power index, the total of critical defections of all players in the above weighted voting game is five, with member C holding a share of 3/5th of overall voting power, whereas members A and B have 1/5th of the power each. From the perspective of the Shapley-Shubik index, member A is the pivotal voter in four out of the six cases. It thus holds 4/6=2/3 of total voting power. Members B and C, by contrast, are viewed as having 1/6th of the a priori power each.

11. On procedures to calculate the indices under the assumption of a priori unions see Owen (1977) for the Shapley-Shubik index and Owen (1982) for the Banzhaf power index.

12. For an extended approach in this framework, see Hosli (1996).

13. Another article in which members' power in the domain of trade policy is assessed, using restrictions on the possible set of coalitions, is Bilal and Hosli (1999).

14. For more details on this analysis, see Hosli (1996).

15. On developments and cooperation in the framework of the Benelux, compare Pijpers and Vanhoonaeker (1997).

16. The expression refers to the group of countries that advocated extensive financial North-South transfers in the framework of the negotiations on the Maastricht Treaty. Here, they are considered to be Greece, Ireland, Portugal and Spain. On cooperation in the group 'South', see Tsakaloyannis (1997).

17. The following definitions go back to the seminal work of Van Neumann and Morgenstern (1947). On relevant concepts and definitions in this framework, see van Deemen (1989; 1997). A simple game is an ordered pair of sets $G=(N,W)$, where N denotes the player set and W is a set of coalitions (or subsets of N). An element of W

is called a winning coalition. The following axioms apply with respect to winning coalitions: (1) any coalition that contains a winning subcoalition is itself winning; formally, if $S \in W$ and $S \subseteq T$, then $T \in W$ (monotonicity requirement); (2) there are winning coalitions: $W \neq \emptyset$; (3) the empty coalition is not winning ($\emptyset \notin W$). Axioms (2) and (3) ensure that trivial games are excluded.

18. On simple games and legislatures more generally see, for instance, Rapoport (1970: 207-21.)

19. According to axiom (3) with regard to winning coalitions, moreover, the empty coalition is never winning.

20. The weighted majority game, in this case, is $[3; 1,1,1]$.

21. In this example, the weighted majority game can be denoted by $[2; 1,1,1]$.

22. For the assumption that larger than minimum winning coalitions form in the framework of EU decision-making, compare Budden and Monroe (1993).

23. When the 'blocking minority threshold' is considered to be 23 votes in the present constellation of EU membership, the respective figures are:

	ω_i	λ_i
Austria	0.031	0.016
Belgium	0.034	0.013
Denmark	0.030	0.017
Finland	0.030	0.017
France	0.042	0.005
Germany	0.042	0.005
Greece	0.034	0.013
Ireland	0.030	0.017
Italy	0.042	0.005
Luxembourg	0.028	0.019
Netherlands	0.034	0.013
Portugal	0.034	0.013
Spain	0.039	0.008
Sweden	0.031	0.016
United Kingdom	0.042	0.005

24. Votes in the Council, certainly, cannot provide much indication of members' preferences in a spatial context. Interesting work in this direction has been conducted recently by Lane and Mattila (1998). The authors use multidimensional scaling to locate various actors in the EU in a policy space, finding that the space is clearly multidimensional in character. The authors also find a tendency for the Netherlands, Denmark and Germany to form coalitions together. Reference to this piece has been provided by a helpful comment from one of the (anonymous) referees to this article.

25. Règlement (CE) no 1904/96 du Conseil du 27 septembre 1996 modifiant le règlement (CE) no 3094/95 relatif aux aides à la construction navale (AL), JO L 251 du 03/10/96 P 005.

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