The hidden drivers of the legislation of the Common Agricultural Policy – the case of the 2013 CAP reform

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Abstract

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For decades, the European Council took the dominant role in formulating the agricultural policy and legislation of the European Union. Nevertheless, debate about the legislative influence of the European Parliament has intensified with the gradual empowerment of the EP in the decision-making processes of the EU. The Treaty of Lisbon represents a key milestone in this process as ordinary legislative procedure was through this treaty extended to cover the Common Agricultural Policy. This article investigates the legislative influence of Members of the EP in the 2013 CAP reform using a novel dataset of EP amendments. The article makes a threefold contribution. First, it applies structural equation modelling in the context of EU decision-making and food policy legislative success through the creation of latent variables, which permit observation of the combined impact of similar variables. Third, it incorporates analysis of a number of new explanatory variables related to the Member States that MEPs represent, including agriculture-related variables. The weak fit of the predefined, experience-based model suggests that the legislative outcomes of the 2013 CAP reform were influenced by non-observable or non-measurable factors.

Keywords: Common Agricultural Policy; European Parliament; co-decision (ordinary legislative procedure); structural equation modelling

Introduction

The Common Agricultural Policy (CAP) is the highest budget common policy in the EU since its establishment in 1962. CAP also constitutes the backbone of food policy legislation in the European Union. The entering into force of the Treaty of Lisbon in 2009 extended the scope of the codecision procedure to Common Agricultural Policy, which attracted scientific attention in light of the recent reform of CAP. Swinnen and Knops (2012) focus on the role of the EP in the co-decision procedure, while Greer and Hind (2012) concentrate on investigating the inter-institutional relations among the Commission, Parliament and the Council in the field of the CAP. They confirm that, even according to the co-decision procedure, the Council is the most powerful actor as concerns CAP legislation, and that the EP, although its legislative power has increased, is still not a real co-legislator. Other papers discussed the food policy implications of some key elements of the 2013 CAP reform, including "greening" (Erjavec and Erjavec, 2015) and Single Farm Payments (Urban et al., 2016).

The aim of this research is to analyse the factors that influence Common Agricultural Policy-related decision-making. The paper contributes to international food policy debate by analysing the influence and interrelatedness of observable and quantifiable external and internal factors on food policy legislation in European Union. The paper helps get a better understanding of the role of European Parliament in agricultural policy formulation and legislation. While significant previous research deals with analysing the policy outcomes of the 2013 CAP reform, research focusing on the decisionmaking and legislative process of this reform is practically non-existent. There is a lot about "what", but minimal about "how". European food companies and farmers' associations as well as Member States and EP Groups could potentially capitalize on the main outcomes of this research by increasing their influence on the legislative process and outcome.

The research offers policy implications in three directions. First, it reveals what variables have the highest impact on the legislative outcome. Second, it comes up with novel insights into which stage of the legislative process – Committee, Plenary or Council – plays the key role in CAP the decision-making. Finally, yet importantly, testing the fit of the experience-based model highlights how much we can describe the CAP legislative process with currently available observable and measurable factors.

The rest of the paper is organised as follows: First, we present hypotheses, based on a literature review. Second, the database is described and the methodology applied to examine it. Third, results are presented. Finally, the paper concludes.

Hypotheses

The following hypotheses were derived, based on an examination of the related pre-existing literature:

H1: Specific legal-institutional factors increase the probability of the adoption of EP amendments in the COMAGRI

The hypothesis is based on the findings of Tsebelis and Kalandrakis (1999), Tsebelis et al. (2001), Lucic (2004), and Kardasheva (2009). They find that the probability of the adoption of EP amendments is higher in the case of first reading amendments (Tsebelis and Kalandrakis, 1999; Lucic, 2004), amendments supported by the European Commission (Tsebelis et al., 2001) and amendments tabled under urgent procedure (Kardasheva, 2009) compared to amendments tabled as second readings, amendments not having the backing of the European Commission, as well as amendments in non-urgent procedures.

Yordanova (2009) states that from all the Members of COMAGRI, party coordinators are more powerful in the European Parliament. Tsebelis (1995) states that the powerful members within each EP committee are the chairmen, Imre Fertő, Attila Kovács

rapporteurs and party coordinators. This conclusion is confirmed by William (2013) regarding committee leaders, and Hageman (2009) and Hurka et al. (2014) regarding chairs, vice-chairs and party coordinators. The key legislative role of party coordinators is also confirmed by Kaeding and Obholzer (2012).

Kreppel (1999) argues that more important and weighty – in her words "policy" – amendments are less likely to be adopted. Lucic (2004) also states that the probability of the adoption of non-policy, less important amendments is higher. In contrast, Fertő and Kovács (2014) argue that the adoption rate of weighty, policy amendments is higher than the average adoption rate.

H2: Specific characteristics of MEPs whose table amendments can decrease the probability of the adoption of these amendments by COMAGRI

Sigalas (2010) find that the age of the MEPs is significantly negatively correlated with the activity of MEPs in terms of parliamentary questions and plenary speeches. He also highlights that the gender of MEPs does not explain their legislative activity.

Yordanova (2009) and Hurka et al. (2014) find that MEPs are more powerful if they have served previously on the same EP committee. Mamadouh and Raunio (2003) also conclude that representatives in their first mandate produce relatively few legislative reports.

Other papers emphasize that both seniority and gender (namely, being female) are positively and significantly correlated to rapporteur assignments, indicating the greater influence of individuals with such characteristics in the EP (Yordanova, 2009; William, 2013).

H3: Specific characteristics of MEP's Member States affect the probability of the adoption of amendments, both in EP plenaries and in the Council

Sigalas (2010) find that MEPs from the central countries of the EU – Austria, Belgium, France, Germany, Luxembourg, Netherlands and the United Kingdom – are more active during the roll-call votes in the EP plenary compared to MEPs from peripheral countries. Kovács (2014) concluded that the probability of adoption of amendments tabled by MEPs from net contributor Member States is higher.

Regarding rapporteurship assignments, Hurka and Kaeding (2012) find that the MEPs from the EU-12 Member States are underrepresented compared to EU-15 Member States. Similarly, Kaeding and Obholzer (2012) and Hurka et al. (2014) argue that MEPs from accession countries have less chance of being rapporteurs of committee reports. Hokovsky (2012) highlights that new Member State MEPs are underrepresented in terms of leadership positions, rapporteurships, and in key parliamentary activities such as tabling amendments and putting forward parliamentary questions.

H4: Specific characteristics of EP amendments increase the probability of their adoption in COMAGRI

Some papers highlight that the probability of adoption is higher in case of compromise amendments (Shackleton, 2000), as well as recital amendments (Kreppel, 1999). Kreppel (1999) also finds that less important amendments are adopted more often. She argues that recital amendments are less controversial, and, given that they are legally not binding, they could be considered less important with a higher likelihood of being adopted. Finke (2012) find that rapporteurs have a dominant role at the stage of amendment proposal, suggesting that amendments drafted by rapporteurs in the draft report might be more likely to be successful.

H5: Political factors of the decision-making procedures of the EP affect the probability of the adoption of amendments at all three levels of decision-making (i.e. COMAGRI, EP plenary, Council)

Previous articles have confirmed that the probability of the adoption of EP amendments is higher in the case that there is EP unity behind the amendment (Kreppel, 1999) and/or when the amendment is supported by the European Commission, or if the EP manages to link its opinion to codecision proposals (Kardasheva, 2009).

Related to the intra-EP legislative power of the MEPs, Hoyland (2006) find that MEPs whose parties are incumbent in national government are more likely to be rapporteurs of co-decision reports than those of national opposition parties. This is related to the 'Samegov' variable used in this paper.

In a context related to how our 'Large EP' variable was employed, Hoyland (2006) find that 'Partysize' variable is positively associated with the number of allocated co-decision reports. Hurka et al. (2014) find that it is more likely that the legislative reports will be allocated to members of the EPP group for rapporteurship.

Kaeding (2005), and Mamadouh and Raunio (2003), state that the two largest EP Groups – EPP and PSE – are

overrepresented in terms of report allocation in the EP, suggesting the greater legislative influence of these two groups. Hix and Hoyland (2013) claim that in more than 70% of the roll-call votes grand coalitions play a role. Therefore, in most of the cases of successfully adopted amendments, there exists a People's Party – Socialist coalition. Hix et al. (2003) also reveal that the EPP and PES jointly exercise dominant power in the EP and collude to prevent smaller groups from securing influence.

H6: There is a positive relationship between the COMAGRI adoption and the EP plenary adoption of amendments

Fertő and Kovács (2014) find that the EP plenary adopted practically all – more than 90% – of the amendments supported previously by the COMAGRI in the 2013 CAP reform.

Data and Methodology

This paper analyses the amendments tabled to the four legislative proposals of the 2013 CAP reform. The dataset contains 8,614 legislative amendments. Table 1 shows the distribution of amendments by legislative instrument. Majority of the amendments were tabled to legislative proposals on Single Common Market Organisations, followed in number by Direct Payment Regulation and Rural Development Regulation. These amendments were all tabled to the legislative proposals between December 2011 and January 2013, before the EP's responsible committee vote. A total of 193 Members of the EP made amendments to these four legislative instruments.

In order to analyse the impact of explanatory variables in terms of MEPs and their Member States, joint EP amendments – amendments tabled by multiple MEPs – were extracted into a binary coded dataset. It means that variables are coded using the same number of lines in the dataset as the number of MEPs who jointly tabled the amendment (i.e. in the dataset one row contains the binary coded variables of one MEP). After extraction of joint amendments, the dataset contained 16,637 rows. The use of binary and ordinal depen-

 Table 1. Legislative instruments and number of EP amendments analysed

Common Agricultural Policy Regulation	Co-decision procedure 2014-2020		
	Legislative instruments	Number of EP amendments	
Direct Payment Regulation	Regulation (EU) No 1307/2013	2,575	
EAFRD Regulation	Regulation (EU) No 1305/2013	2,471	
SCMO Regulation	Regulation (EU) No 1308/2013	2,596	
Horizontal Regulation	Regulation (EU) No 1306/2013	972	
Total		8,614	

dent variables in structural equation modelling is supported by Muthén (1979, 1984) and Arbuckle (2013).

We have limited knowledge about the factors which influence EU decision-making, including the adoption of EU legislative instruments, the interrelations among these factors, or their impact on final legislative outcomes. The objective of the use of structural equation modelling is to better understand the decision-making processes of the EU, with a focus on the European Parliament, and identifying the factors that influence political decisions and political-legislative outcomes. The main research question is what factors – or clusters of factors – influence EU decisions, and how. In our case, this concerns the adoption of EP legislative amendments. In order to test our hypotheses, a following structural equation model is defined. In the first step we define the variables for the model.

We define five latent variables. The legal-institutional latent variable incorporates the explanatory variables connected to the CAP legislative proposals, as well as to CO-MAGRI membership. Second latent variable is used for the explanatory variables connected to Member States, for the type of the amendment, for the personal characteristics of the MEP, as well as for the political affiliation of the MEP.

In internal EP decision-making there are three levels at which the institution either adopts or rejects EP amendments. Decisions about legislative amendments – including draft reports, open, OGC and compromise amendments – are first made in the COMAGRI. In the second phase, the EP plenary votes on the COMAGRI-adopted amendments. Finally,

a decision is made by the Council about those amendments adopted by the EP plenary (following trilogue negotiations). The dependent variables reflect these three decision-making phases (Table 3).

Table 3. Dependent variables in th	ie model
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Code	Abbre-	Meaning	
	viation		
Y ₁	η_1	The amendment was adopted by COMAGRI	
Y ₂	η_2	The amendment was adopted by the EP plenary	
Y ₃	η_3	The amendment was adopted by the Council	

The relationships among the latent variables, as well as their connections with the resulting variables, are defined in Table 4.

Regarding the relationships among the result variables, we can assume the existence of a one-directional relationship from the COMAGRI to the EP Plenary, and also from the EP Plenary to the Council.

The path diagram (Fig. 1) shows that latent explanatory variables form three separate spheres: 1) 'Sphere of the MEP' contains the latent variables connected to the MEPs and their Member States; 2) 'Sphere of content' contains the latent variables about the characteristics of the amendment; 3) 'Institutional-political sphere' contains the legal, institutional and political factors.

Based on the path diagram and the relationships between the latent result variables and the latent explanatory variables, the structural equations may be derived as follows:

Name	Abbreviation	Meaning
\mathbf{X}_{1}	CAP	The amendment was tabled to either the 1st or the 2nd pillar of the CAP. The 1st pillar is Direct Payment and SCMO. The 2nd pillar is EAFRD.
X ₂	Member	The amendment was tabled by any member or substitute member of COMAGRI.
X ₃	Net contributor MSs	The amendment was tabled by an MEP from a net contributor Member State .
X ₄	Agricultural MSs	The amendment was tabled by an MEP from an agricultural Member State.
X ₅	EU-15 MSs	The amendment was tabled by an MEP from an EU-15 Member State.
X ₆	Constituency	The amendment was tabled by an MEP from a Member State which delegates its representatives to the European Parliament on a constituency basis.
X ₇	Recital	The amendment was tabled to the Recital part of the legislative proposal.
X ₈	Draft report	The amendment was tabled by the Rapporteur.
X ₉	Joint	The amendment was tabled by multiple MEPs.
X ₁₀	Compromise	The amendment was adopted in the form of a compromise amendment.
X ₁₁	Multiple terms	The amendment was tabled by an MEP in at least their second EP-term.
X ₁₂	Male	The amendment was tabled by a male MEP.
X ₁₃	Large EP Group	The amendment was tabled by an MEP who is either a member of the EPP or the S&D Group in the EP.
X ₁₄	Same government	The amendment was tabled by an MEP whose political affiliation is the same as the government in their Member State (i.e. the Minister from their Member State in the Council has the same political affiliation).

 Table 2. Explanatory variables in the SEM model

Parameter	Description of the relationship
γ_{11}	Regarding the COMAGRI vote on amendments, it is considered important if the MEP is either a Member or the Substitute Member of the COMAGRI, and also, to which CAP legislative proposal the amendment was specifically tabled. (At the EP plenary stage, the legislative proposals are treated – and therefore voted on – in the manner of a package).
γ ₂₂	National delegations in the EP usually form their positions before the EP plenary votes (this happens less frequently than before votes in the Committee)
γ_{23}	In the Council, national interests play the greatest role.
γ_{31}	The type of amendment – especially in the case of draft reports and compromise amendments – is an important factor before the COMAGRI vote. In the EP plenary, these amendments are only considered as COMAGRI-supported amendments.
γ_{41}	Personal characteristics – especially the number of EP terms – are important at the most personal level of decision-making; i.e. at the COMAGRI level, where personal prestige can also impact the adoption of legislative amendments (and very often, voting results are also close). In the plenary vote, with more than 750 MEPs, personal characteristics play a much less significant role.
Γ ₅₁	Party affiliation largely determines the outcome of the voting at COMAGRI level: before the vote, working groups of EP Groups decide on the voting list; i.e., on which amendments they adopt and which ones they reject.
γ ₅₂	Party affiliation also determines voting at the EP plenary: before the plenary vote, EP Groups decide on the voting list; i.e., on which amendments they will adopt and which ones they will reject.
γ ₅₃	The same political affiliation of an MEP and Minister of the MEP's Member State – a participant in the Council – makes cooperation between the MEP and the Minister easier.

Table 4. Relationships among latent variables in the model



Note. In the path diagram X represents the observed independent variable, Y is the observed dependent variable, ξ is the latent independent variable, η is the latent dependent variable, β marks the relationships between the result variables, δ is the residual term of the exogenous latent variable, γ means the relationship between the latent explanatory variables and the latent result variables, ζ is the stochastic residual term of the latent endogenous variable, ε is the measurement error of the endogenous manifest variables.

Fig. 1. SEM model path diagram

$$\begin{split} \eta_1 &= \gamma_{11}\xi_1 + \gamma_{31}\xi_3 + \gamma_{31}\xi_3 + \gamma_{31}\xi_3 + \zeta_1; \\ \eta_2 &= \gamma_{22}\xi_2 + \gamma_{52}\xi_5 + \zeta_2 + \beta_1\eta_1; \\ \eta_3 &= \gamma_{23}\xi_2 + \gamma_{53}\xi_5 + \zeta_3 + \beta_1\eta_1, \end{split}$$

where ξ denotes the latent independent variable, β denotes the latent dependent variable, η denotes the relationship between the result variables, γ denotes the relationship between the latent explanatory and latent result variables and ζ denotes the measurement error of the endogenous manifest variables.

The relationships between the observed and the latent explanatory variables, and the measurement model, are as follows:

$$\begin{split} X_1 &= \lambda_1^{X} \xi_1 + \delta_1, X_2 = \lambda_2^{X} \xi_2 + \delta_2, X_3 = \lambda_3^{X} \xi_3 + \delta_3, X_4 = \lambda_4^{X} \xi_4 + \delta_4; \\ X_5 &= \lambda_5^{X} \xi_5 + \delta_5, X_6 = \lambda_6^{X} \xi_6 + \delta_6, X_7 = \lambda_7^{X} \xi_7 + \delta_7, X_8 = \lambda_8^{X} \xi_8 + \delta_8; \\ X_9 &= \lambda_9^{X} \xi_9 + \delta_9, X_{10} = \lambda_{10}^{X} \xi_{10} + \delta_{10}, X_{11} = \lambda_{11}^{X} \xi_{11} + \delta_{11}; \\ X_{12} &= \lambda_{12}^{X} \xi_{12} + \delta_{12}, X_{13} = \lambda_{13}^{X} \xi_{13} + \delta_{13}, X_{14} = \lambda_{14}^{X} \xi_{14} + \delta_{14}, \end{split}$$

where X denotes the independent variables, δ denotes the residual term of the exogenous latent variable and λ denotes the factor weight of the endogenous manifest variables.

The observed result variables is as follows:

 $\mathbf{Y}_1 = \lambda_1^{\mathbf{Y}} \boldsymbol{\eta}_1 + \boldsymbol{\varepsilon}_1, \ \mathbf{Y}_2 = \lambda_2^{\mathbf{Y}} \boldsymbol{\eta}_2 + \boldsymbol{\varepsilon}_2, \ \mathbf{Y}_3 = \lambda_3^{\mathbf{Y}} \boldsymbol{\eta}_3 + \boldsymbol{\varepsilon}_3,$

where Y is the observed dependent variable and ϵ is the measurement error of the endogenous manifest variables.

Results and Discussion

First, we present a correlation matrix of the variables is provided (Fig. 2). The polychoric correlation coefficient is a measure of association for variables. Figure 2 displays the polychoric correlations of pairwise variables, and indicates how the variables in one latent variable of the SEM model are correlated.

Fig. 3 illustrates the standardized parameter estimates. The model fit is very weak. The value of NFI is only 0.007, and RMSEA 0.706, while RFI is -0.047. This means that the relationships and clustering of the observed and latent variables, as well as the latent explanatory and result variables, are not in line with the preliminary model which was drawn up based on the author's experience and relevant theory. Consequently, interpretation of the results should be treated with care.¹



¹The p-value of the model is 0 to three decimal places, in spite of the weak model fit. Nevertheless, with this sample size the sampling variation is so small and the tests are so powerful that even the smallest difference could be significant.



Note: Legal: Legal-institutional factors; Member State: Factors connected to the Member States; Amendment: Factors connected to the amendments; MEP: Member of the EP proposing the amendment; Politics: Political factors; COMAGRI: Adoption by COMAGRI; EP Plenary: Adoption by the EP Plenary; Council: Adoption by the Council of Agriculture Ministers.

Figure 3. SEM model of 2013 CAP reform in the European Parliament

The results of the model show that the value for the parameter between the legal-institutional latent explanatory variable and the COMAGRI latent result variable is 0.06. The positive value of this parameter – although minor – confirms H1, and the findings of Tsebelis and Kalandrakis (1999), Tsebelis et al. (2001), Lucic (2004) and Kardasheva (2009); namely, that legal-institutional factors increase the probability of adoption of EP legislative amendments. The positive impact of legal-institutional variables slightly confirms the findings of Tsebelis (1995), Yordanova (2009), Hageman (2009), William (2013), Hurka et al. (2014) in terms of committee membership, as well as Kreppel (1999) and Lucic (2004) in terms of the importance of legislative amendments.

H2 claims that certain factors related to the MEP decrease the probability of adoption in COMAGRI. The parameter value of the relationship between the Member and the EP Committee latent variables is 0, indicating a lack of explanatory power, so H2 may be rejected. The lack of impact of personal characteristics contradicts research by Yordanova (2009), Sigalas (2010), Hurka et al. (2014), Mamadouh and Raunio (2003) and William (2013).

According to H3, all four factors connected to the Member State of the MEP increase the probability of the adoption of EP amendments, both at EP plenary and Council level. The value for the relationship between the 'Member State' and 'EP plenary adoption' latent variables is 0.01, and that for the 'Member State' and 'Council adoption' is 0.11. Though to a very limited extent, these results confirm H3 at both levels of decision-making (EP plenary and Council), and thereby agree with the findings of Sigalas (2010) and Kovács (2014). The results also corroborate the findings of Hurka and Kaeding (2012), Hokovsky (2012), and Kaeding and Obholzer (2012) regarding EU-15 Member States. Our findings are in line with Kaeding (2004), Mamadouh and Raunio (2003) concerning the net contribution of Member States. We can conclude that Member State-related factors have impact on the adoption of amendments in the Council.

H4 implies that amendment-related factors have a positive effect on the adoption of the amendments in the CO-MAGRI. The parameter value for the relationship between the 'Amendment' and 'COMAGRI adopted' latent variables is 0.56, thereby confirming H4. This result is in line with the conclusions of Shackleton (2000) regarding compromise amendments.

H5 states that political factors increase the probability of adoption of EP amendments at all three levels of decisionmaking. The parameter value for the relationship between the 'Political factors' latent variable with the 'COMAGRI adopted' latent variable is 0.12, -0.15 with the 'EP plenary' latent variable and 0.61 with the 'Council adoption' latent variable. This identification of a positive relationship with final adoption confirms H5. It is important to note that political factors have the strongest impact on the decision-making in the Council, which shows the significant influence of MEPs whose political affiliation is the same as that of their respective national governments. These results confirm the findings of Kreppel (1999), Hoyland (2006) and Kardasheva (2009).

H6 suggests that the adoption of EP amendments by CO-MAGRI positively influences their adoption in the EP plenary. The parameter value of the relationship between these two latent result variables – in line with the conclusions of Fertő and Kovács (2014) – is 0.68; accordingly, H6 may be adopted.

Conclusions

The legislative role and influence of the European Parliament has attracted significant scientific attention, especially since the Maastricht Treaty entered into force. We analyse the decision-making procedures of the European Parliament during 2013 CAP reform employing a novel dataset.

Our results show that three latent explanatory variables have impact on the adoption of EP legislative amendments. Both the 'Member State' and 'Politics' latent variables have an impact on decision-making in the Council. This finding confirms our a priori expectations given that the Council is composed of delegates of Member States and the 'Politics' latent variable contains the 'Same government' variable which indicates a link exists between the EP and the Council based on same party affiliation. Moreover, the 'Amendment' latent variable indicates that the type of amendment has a key impact on its adoption in the COMAGRI. Notice, however, that the type of amendment is closely interlinked with the MEP who proposes it in some cases: draft and compromise amendments, are tabled by the rapporteurs of the legislative files. This reflects the key role of rapporteurs in the legislative process.

Finally, the weak fit of the model refers to the fact that legislation and its outcome is influenced by factors – observed and latent – that were not investigated in the research described in this article. These variables are most probably non-observable or non-measurable. One of our main conclusions is that most of the observable and quantifiable factors have minimal influence on the intra-EP legislative process of the 2013 CAP reform. Nevertheless, it is also important and valuable to know which factors, contrary to experts' expectations, have no or minimal impact on the legislative proce-dure and outcome.

Our research provides some policy implications. First, COMAGRI is the most important body in the decision-making phase. It is the backbone of legislation; its position is dominantly adopted at the two latter decision-making phases. Second, the type of amendment is more important than the characteristics of the sponsoring MEP. Finally, the nationality of a sponsoring MEP is relevant not only in the EP, but also when entering into negotiations with the Council. It implies that informal relations between MEPs and Council members or officials along national lines have a clear impact on the final adoption of an EP amendment.

Further studies should focus on extending the number of explanatory variables in the analysis, as well as investigating the policy content of amendments. This article might trigger further research and efforts to collect, quantify and analyse further data on the legislative process of the European Union.

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