# Actors, institutions, and ideas shaping agricultural policy trajectories: A comparative analysis of developments in direct aids to farmers in the EU and the US

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#### **Abstract:**

During recent decision making on farm policy in the EU and the US, both governments were confronted with increasing criticism on existing policies. The legitimacy of the agricultural support policies were questioned due to their environmental side effects and unequal distribution of support, benefiting large farms over smaller ones. In addition, the direct payments schemes in both the EU and the US were under fire for paying farmers for 'doing nothing', while in a period of high food prices farmers should not need such payments. It is interesting to see that whereas the EU in its most recent Common Agricultural Policy reform in 2013 decided to retain the direct payments but increase their environmental conditionality, the US in 2014 decided to discontinue direct payments all together and turn crop insurance into a central pillar of its farm safety net instead. How can it be explained that, confronted with similar pressure, the EU and US opted for such different policy solutions?

This paper will argue that in order to understand the different trajectories in agricultural policy in the EU and the US, it is not sufficient to look at variation and changes in material factors and interests only. Instead we have to focus on how these interact with developments in policy ideas. The dominant agricultural policy ideas in both countries combined with their institutional set-ups resulted in different legitimation dynamics, with different dominant actors and discourses and resulting in different policy outcomes. The findings of this comparative case study will also allow for conclusions on the interplay between ideas, agents and institutions in agricultural policy making in different institutional contexts.

### Introduction

Over the years, agricultural policy in the United States and the European Union (EU) has both converged and diverged. While the EU's Common Agricultural Policy (CAP) originally relied on price intervention and export subsidies to support farm income, it has shifted from price support to direct income support since the MacSharry reform in 1992. The introduction of direct income support brought convergence with US agricultural policies, where such support had already been introduced earlier. While the EU has continued and extended direct income support and increasingly decoupled the payments from production ever since the MacSharry reform, US agricultural policy has vacillated between more and less (de)coupled payments and in the 2014 Farm Bill discontinued decoupled direct income payments altogether. It has increasingly focused on subsidized crop insurance as the main instrument in the farm *safety net* instead, a policy instrument that is hardly developed in the CAP. While the EU and the US were confronted with similar problems in regard to their agricultural policies – budgetary constraints, critique of the policy's environmental side-effects, and the unequal distribution of support payments – the US and the EU thus opted for different solutions.

This paper aims to answer the question why the US chose to eliminate decoupled direct payments and strengthen its crop insurance program in the 2014 Farm Bill, while the EU continued using decoupled direct payments as its main form of farm income support in the 2013 CAP reform.

A number of variables are usually assumed to affect agricultural policy. Both in the EU and the US, a large degree of influence is attributed to producer interests (Ackrill 2000; Keeler 1996; Swinnen 2015). Farm organizations have good access to the European Commission (Commission) and to many member state governments as well. In the US, they have access to the US Department for Agriculture (USDA) and, more importantly in relation to the Farm Bill, to Congress, their interests being of particular importance for Senators and Representatives from states with significant agricultural or rural constituencies. Over the past decade, however, agricultural policies and institutions have started to shift towards more 'post-exceptionalism' (Daugbjerg and Feindt 2017; Sheingate et al 2017). Nevertheless, despite agriculture's decline in terms of percentage of the overall workforce and direct contribution to domestic income both in the EU and the US, their importance for other economic sectors (e.g. the food processing industry and increasingly the renewable energy

sector as well) and for the overall economy in rural areas, combined with the relatively high degree of agricultural interest mobilization often allows them to punch above their weight. While this usually results in farm interests being seriously taken into account in agricultural policy making both in the EU and the US, this does not necessarily mean that their preferences will be directly translated into policies. When it comes to the selection of farm support instruments, European farm organizations, for example, first opposed the shift from price support to direct income support in the 1990s and were unable to prevent the introduction of environmental conditionality a decade later. That most economically developed countries continue to support their farmers in one way or another is certainly in part related to farm lobby mobilization and influence, but in order to explain the precise shape of agricultural policy in terms of policy instruments and settings, other variables have to be taken into account as well.

Budgetary considerations also significantly affect the chances of reform in the agricultural policy domain. Both in the EU and the US, periods of budgetary problems are often necessary to induce significant agricultural policy change. Considering that the deliberations on the 2013 CAP reform and the 2014 Farm Bill took place during the financial and economic crisis and agricultural budgets were under serious threat, this was a variable of importance in both cases under study in this paper. While budgetary issues necessitate reductions in spending, by themselves they do not automatically prioritize one type of reform over another, a priori eliminating one policy instrument rather than another for example (except perhaps based on the estimated expenses of different policy instruments). Budgetary pressure alone can therefore not explain the precise shape of the policy reform outcome in terms of policy instruments and settings.

Finally, trade considerations are important in agricultural policy-making (Daugbjerg and Swinbank 2009). Agreements that the EU and the US have signed in the World Trade Organization (WTO) constrain agricultural support policies. These agreements do not forbid domestic support to states' agricultural sectors, but they limit more market-distorting support instruments and thus steer states away from some policy instruments while allowing others. While this certainly provides directions for domestic agricultural policies, it does not determine support instruments and therefore in itself does not explain precise policy reform outcomes.

If we want to better understand the shape of policies and policy reforms – why one policy solution gains dominance and is selected rather than alternatives – it is not enough to focus on the policy actors' preferences and contextual (budget and trade) variables discussed

above. We also need to take into account: 1) the role of ideational variables in shaping actor preferences and/or their strategies in the policy process; and 2) the institutions that affect the power-relations between policy actors. This paper will bring in ideational variables by focusing on the role of policy paradigms – ideas about the proper goals of policies as well as the effective and appropriate instruments to achieve them – and how these interact with policy actor's preferred policy solutions and the legitimating discourse they apply in the policy process. We work from the assumption that ideas influence actor's perceptions of interests, policy problems and appropriate policy solutions and thus their policy preferences. As a result, they affect policy outcomes. Whose ideas dominate in the decision-making outcome – affecting why one policy solution is selected rather than another – depends on the institutional power relations between actors involved as well as their ability to convince others with their legitimating discourses. It is thus by analyzing developments actor interests and preferences, in conjunction with dominant policy ideas and institutional power relations, that this paper seeks to explain the different policy trajectories in the EU and the US.

In the remainder of this paper I will first elaborate on the role of ideas (in the form of policy paradigms) in the policy process and how these affect actor preferences and policy making, filtered by actor's institutional power positions. I subsequently identify the major policy paradigms in the agricultural sector. In the methods section I will introduce the two cases, reflect on how the institutional differences between them are likely to affect the policy-making dynamics, and discuss the document selection and analysis. The empirical section will start with a short overview of agricultural policy developments in the EU and the US with a specific focus on the introduction and development of direct payments, subsequently framing these policy developments in terms of dominant agricultural paradigms in the US. The paper will then move to the analysis of the 2013 CAP reform and 2014 farm bill debates, focusing on the preferences of the policy actors involved and the argumentation and rationalization (legitimating discourse) – including problem definitions and solution definitions – used to legitimate these policy preferences and choices.

### 1. Ideas, actor preferences, and institutions in the policy process

Usage of the concept of policy paradigms was made popular in public policy studies following Hall's elaboration of the concept and application to economic policy making in Britain (1993). Assuming that policy-making processes include three key aspects – overarching policy goals, policy instruments, and settings of these instruments – he argues

that 'policymakers customarily work within a framework of ideas and standards that specifies not only the goals of policy and the kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to address' (Hall 1993: p. 279). He labeled this interpretive framework a 'paradigm'. Hall's conceptualization of policy paradigms has subsequently been applied by a range of scholars to specify and explain policy developments in a variety of policy domains.

Policy paradigms thus contain ideas about the proper goals of public policy in a specific domain as well as the appropriate and effective type of instruments to attain these goals. It is integral to these type of ideas, that they shape the interest perceptions and policy preferences of the actors holding them. As such, the cognitive (means-end related) and normative (appropriateness related) ideas that are embedded in a policy paradigm constrain actor preferences with respect to policy solutions. Policy ideas, such as those embedded in policy paradigms, thus affect policy solution dynamics by influencing actors' identification and definition of effective and appropriate policy solutions. As such, ideas at least – at the individual level - constrain the solutions that an actor 'perceives' and potentially - when broadly shared in politics and society - define which policy solutions will be considered acceptable government activity. As Rochefort and Cobb (1993, p 67) argue, solution acceptability does not only depend on effectiveness of proposals, but also on whether the proposals are considered appropriate. In the policy-making process, therefore, the influence of specific policy actors in solution definition and selection in part depends on their persuasion and argumentation (Cairney and Zahariadis 2016, p. 89), and political actors are able to use discourses based on different policy paradigms strategically to achieve their goals (Alons 2019). That said, material factors and institutional power positions should not be neglected either as they affect actors' access to and position in the policy-making debate and thus potentially provide them with a strong starting point to affect problem definition, solution definition and policy selection based on their ideational convictions.

What the paradigm an actor ascribes to looks like in terms of appropriate policy objectives, instruments and overarching view of the sector, can be induced from the legitimating discourse the actor applies to justify his preferences and policy choices. It should be noted that policy actors are likely to use legitimating discourses strategically, for example aligning with what they believe will convince particular audiences (Blyth 2002; Fouilleux 2004). Therefore, not everything actors say can automatically be taken as an expression of what they believe and thus of their ideas. Nevertheless, checking the consistency in their discourse over time and in communicating to different audiences allows for more robust

analysis of the underlying policy ideas – the policy paradigm – they ascribe to. Moreover, even if policy actors apply legitimating discourses strategically, their discourses will still be indicative of the legitimacy concerns that shape the debate – providing insights in the dominant view in society on the policy problems in the sector and the type of solutions that are considered appropriate – and are therefore still indicative of underlying policy paradigms and testament to the influence of ideas in the policy-making process.

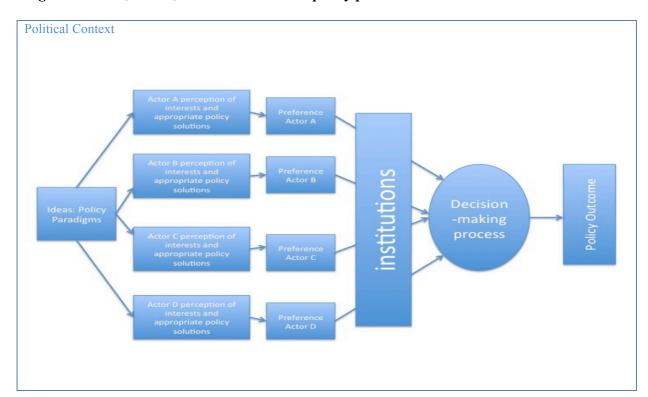


Figure 1: Ideas, actors, institutions and the policy process

### 2. Policy paradigms in agriculture

Agricultural policy is an issue area where new paradigms have surfaced over time. In the literature conceptualizing and applying policy paradigms in Agricultural Policy Studies, there is wide agreement that three major paradigms exist: (1) the 'dependent agriculture' paradigm; (2) the 'competitive market' paradigm; and (3) the 'multifunctionality' paradigm.

After World War II, in a period of food shortages, the **dependent agriculture paradigm** surfaced as the dominant set of ideas guiding the development of agricultural policies both in the EU and in the US. This paradigm represents the farm sector as an exceptional sector different from other economic sectors, and farming as a unique and hazardous enterprise (Daugbjerg and Swinbank 2009), due to the unstable natural conditions farmers are confronted with and the relatively limited price elasticity of agricultural goods. As

a result, the price mechanism is considered a suboptimal means of achieving an efficient and productive agricultural sector, and government intervention in the market is required. Special treatment is further warranted, because the sector contributes to the important national goal of providing a secure and safe food supply (Coleman 1998; Daugbjerg 2003; Skogstad 1998). This paradigm legitimated state intervention in the agricultural sectors of developed countries all over the world by means of a variety of instruments, including price support, export subsidies, and farm credit programs. Over time, however, such policies resulted in production surpluses, increasing expenditure and budgetary problems, as well as deteriorating relations with trading partners. Existing policies came under pressure, as well as the legitimacy of the ideas on which they were based, and new policy paradigms came to the fore.

One of these, the **competitive market paradigm** takes issue with the assumed 'specialness' of the agricultural sector – and thus with the idea of exceptionalism on which the dependent agriculture paradigm is based – arguing that it should be treated like any other economic sector and the farmer should be considered an entrepreneur. Market forces should take precedence over state intervention and be the prime determinant of income and production; farmers should protect themselves (through insurance for example) against income losses due to natural conditions and those who cannot compete should quit farming (Coleman 1998; Daugbjerg and Swinbank 2009; Skogstad 1998). State intervention should be limited to providing a safety net. Following this interpretive framework, policy makers should significantly reform their agricultural policies and discontinue interventionist policy instruments, except for temporary intervention in emergency situations. Another paradigm surfaced, however, which provided a renewed legitimation of state intervention in the agricultural sector, albeit based on a different rationale: the multifunctionality paradigm.

The **multifunctionality paradigm** emphasized the multiple environmental and social functions of farming for which farmers are not rewarded by the market, justifying the granting of public money to farmers to safeguard the multiple functions or public goods that the agricultural sector supplies (Coleman 1998; Daugbjerg 2003; Moyer and Josling 2002). The rise of the competitive market and multifunctionality paradigms did not constitute a complete break with the dependent agriculture paradigm, however. In the CAP for example, there has been paradigmatic contestation over the past decades, one paradigm being relatively more dominant at one point in time and another at other points in time, without the remaining paradigms being discarded (Feindt 2010).

Table 1: Policy paradigms in agriculture

	Dependent agriculture paradigm	Multifunctionality paradigm	Competitive market paradigm
Policy Problem	Inadequate farm income Price-mechanism suboptimal to secure income stability and productivity	Inadequte farm income Public goods underrewarded by market	Market instability as a result of state intervention in the market
Policy Solution	Government intervention to support farm income	Government intervention to safeguard multifuctionality	Market-oriented policies; temporary government intervention in emergency situations
Broader vision of the sector	The farm sector is exceptional and deserves special treatment.	The farm sector contributes to national goals and provides public goods	The farm sector is not exceptional and should be treated like other sectors

Considering that the ideas that make up a policy paradigm contain beliefs with respect to what should be considered policy problems and appropriate policy solutions, the paradigm concept is fitting for research that aims to analyse the role of ideas in policy making While a specific paradigm is constraining – favouring some solutions over others – it need not determine the choice for a specific policy option, because it also offers some flexibility for policy makers. This is the case first of all, because different policy options or solutions can be legitimated based on a single paradigm (cf. Coleman 1998), and secondly, because in some cases a single policy solution, can be legitimated on the basis of different paradigms (Alons and Zwaan 2016). In this vein the EU first legitimated direct payments as income support based on the dependent agriculture paradigm, while later it also supported the payments as remuneration for the provision of public goods, based on the multifunctional paradigm. It is argued that a paradigm mix has thus evolved in the EU (Daugbjerg et al 2017) which emphasizes once more the possibility of actors using legitimating discourses strategically (see Alons 2019).

When, then, can policy ideas such as those embedded in a policy paradigm be considered to contribute to explaining differences in policy trajectories between countries and changes in policy choices within countries over time? For policy ideas to play a role, fundamental policy differences between countries should either coincide with differences in the dominant policy paradigms in the two countries, or with differences in the conceptualization and legitimation of similar policy solutions (one state presenting it in line with and the other presenting it in opposition to the same paradigm). Changes in policy solutions (definition and selection) within a country over time can then be explained either by a shift towards a new dominant paradigm or a shift in reasoning within the existing paradigm, where policy solutions that were first considered fitting with the existing paradigm are later

re-conceptualized as ineffective or inappropriate means to achieve the paradigm's policy objective. In both cases, the dominant discourses will change. While this can be the sole result of changes in ideas on the part of the policy actors, this need not be the case. Changes in the dominant discourse can also be brought about by changes in institutional power-relations, for example, benefiting actors (and their ideas) that were not part of the policy network before. It can furthermore reflect a change in strategy on the part of policy actors who gear their discourse towards what they believe to be the dominant ideas and convictions in society. In order to explain the policy developments under study in this paper, it is therefore important to look at the interaction between (changes in) dominant ideas and discourses with (changes in) institutional power relations and material contextual factors.

### 3. Methodological considerations

The two cases analysed in this paper are the 2013 CAP reform in the EU, focusing on the decision to maintain direct payments and introducing a 'greening' component in these payments, and the 2014 Farm Bill in the US, zooming in on the decision to eliminate direct payments and extend crop insurance. The EU and US are interesting cases to compare, as both cases provide what could be called periodical 'institutional' windows of opportunity for debate on agricultural policy. In the US, the Farm Bill usually expires every four years, unless it is extended or reauthorized by Congress, usually resulting in a 'new' Farm Bill. Reauthorization is required to secure the funding for many of the existing farm programs. Reforms of the CAP are also negotiated periodically (every 5-7 years) and have become increasingly closely connected to simultaneous negotiations on the Multiannual Financial Framework (MFF) setting the financial parameters for the CAP. While both cases provide a window of opportunity for change, a tight budgetary context and one in which particularly the direct payments were under fire, the policy outcomes in the two cases were very different.

While I assume that policy paradigms will affect both EU and US actors' identification of policy problems and appropriate and effective policy solutions, which policy paradigm turns out to be dominant in the decision-making process will in part depend on the policy-making institutions and the associated actor constellations and power dynamics. The ideas of actors with more favorable power positions are more likely to dominate the decision-making process and affect policy outcomes than those of less powerful actors. This way, the institutional context determines who is involved in the different phases of the decision-

making process and most likely to shape the policy debate and outcome (Schmidt 2000; 2002).

The institutional set-ups for agricultural policymaking in the EU and the US are different, leading to variation in relative power for the executive and legislative for example, as well as variation in pathways through which non-governmental actors have access to and are likely to influence policy making. These institutional differences produce variation in policy dynamics and may thus serve as part of the explanation of why the decision processes took different substantive directions and resulted in different outcomes in the EU and the US.

In the EU, the Commission (the European equivalent of the 'executive'), usually operating through the Directorate General for Agriculture and Rural Development (DG AGRI) is the only actor with the right of initiative. It develops reform proposals and subsequently tries to guide these through Council and Parliament. Although the member states and European Parliament eventually decide on the policy, the Commission is often able to specify 'the alternatives among which Member States will ultimately choose' (Smyrl 1998, p. 96). Since the Lisbon Treaty, the European Parliament has co-decision powers with respect to agricultural policy and thus also has to agree to the proposal (simple majority), before it can be approved and implemented. Interest groups have a formalized role in the decisionmaking process through the so-called Civil Dialogue Groups (Advisory Groups up to 2014). Civil Dialogue Groups include different types of interest groups and civil society groups ranging from producer interests such as farm interest groups to environmental and consumer groups. Farm interest groups are relatively better represented than other groups. The Commission consults the Civil Dialogue Groups, but is not obligated to include their preferences in the policy proposals. The power of interest groups such as producer groups derives from both formal and informal connections to decision-makers (Alons 2017).

When it comes to agricultural policy-making in the US, the bulk of 'agricultural' policies is decided on in the so-called 'Farm Bill', a multi-year collection of authorizing legislation that governs an array of agriculture and food programs. While the executive may be able to influence a number of boundary conditions for a new Farm Bill, the legislative branch ahs 'primary responsibility for policy formulation' (Sheingate et al 2017, p X). Both

<sup>&</sup>lt;sup>1</sup> A complexity with respect to the 2014 Farm Bill is that it first appeared that the Joint Select Committee on Deficit Reduction would set the parameters for the new Farm Bill. However, when the Committee could not reach a bipartisan consensus by the November 2011 deadline, the Farm Bill followed a more traditional legislative process. By that time, however, the joint committee process had already increased the pressure for reform, instigating a collection of policy proposals of interested actors in 2011, and 'generat[ing] substantial movement towards reshaping the policy framework underlying the farm safety net and other major farm bill issue areas, such as conservation and nutrition' (CRS 2011, R42040, p. ii).

the Senate and the House of Representatives – through their Agricultural Committees and influenced and constrained by the decisions of their Budget Committees – propose their version of a new Farm Bill, after which they negotiate and compromise resulting in the final Farm Bill which has to pass both in the Senate and the House of Representatives. The US President can veto the Farm Bill, but Congress can override this veto with a two third majority in both Chambers. Where the Commission and Council play a leading role in the EU, the role if the legislative is key in US decision-making on the Farm Bill. This results in very different policy making dynamics, one likely consequence of which is that domestic constituencies and interests groups will have relatively easier access and that party considerations and party politics will play a larger role in the US than in the EU.<sup>2</sup> This does not mean that domestic constituencies are of no importance in the EU setting, but their demands are likely to be more effectively transmitted to the EU level through the Council of Ministers than through European Parliament. With the relatively greater impact of party politics in the US and greater interest group access, I would also expect that the chance of policy reversals over time are more likely in the US than in the EU.

The empirical part of this paper describes the context in which decisions in the EU and the US in the 2013 CAP reform and 2014 Farm Bill were made, how different actors, through their framing of the policy problem and legitimating discourses, tried to steer the debate into a direction fitting with their interests and preferences, and how these dynamics resulted in the eventual policy outcome. To this end, a large number of documents were selected and analysed for each case. For the EU these include the official Commission communications and legislative proposals, Commissioner speeches, reports of Council deliberations, EP reports, and interest group position papers. In addition, media sources are used to supplement information on the decision-making process and actor positions. For the US case it is more complex to find documents in which the legitimating discourse behind proposals for the Farm Bill can be found. Farm Bill proposals in the Senate and the House only surface in official documents once complete proposals are pulled together in the Committees, and these texts are rather legal in nature (setting out the exact legislative proposals) and often do not include explanations of the considerations and legitimating discourses underpinning the proposals. To uncover the rationales the different actors involved use to legitimate their preferences, I therefore did not only collect documents of the Administration (White House, United States Department of Agriculture) but also analyzed the Congressional Record (transcripts of

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<sup>&</sup>lt;sup>2</sup> That said, it should be noted that the Agriculture Committees in the Senate and the House are among the most bipartisan Committees.

Committee hearings and House and Senate floor debates). I further used interest group position papers, media sources (through the Factiva search engine) and publications by the Congressional Research Center to get a good indication of the issues at hand, the important policy actors and their positions. Based on the collected documents, the legitimating discourses for the policy preferences was analysed, uncovering connections to the three different paradigms in terms of problem definition, policy solution, and broader policy view and objectives (see table 1 for an overview).

# 4. Developments in EU and US farm policies until the early 2000s: convergence through direct support

Agricultural policy in the United States and the European Union started to develop at different times – US policies dating back to the Great Depression in the 1930s, while the CAP was only developed in the 1950s – and include different policy instruments despite similarities in overarching policy goals. Both countries wish to ascertain a sufficient and safe food supply (food security) for their citizens at reasonable consumer prices. At the same time, an important objective of farm policy both in the US and the EU is to guarantee a certain level of income for farmers. Considering that farming is a relatively risky profession, due to potential environmental changes and natural disasters (Mother Nature argument) as well as market conditions beyond the farmers' control (market failure argument), state intervention in the sector is considered warranted. Despite this similarity in overarching policy objectives, US and EU policies have started from different policy-instrument mixes (Coleman 1998). While their policies have converged over time in important respects, significant differences remain.

With respect to agricultural policy instruments, a distinction can be made between price support policies and income or producer support policies. The former are policies that are aimed at affecting market prices and through these prices they, indirectly, also affect farm income. The latter include policies that directly contribute to farm income. Although these policies do not seek to affect market prices, the payments resulting from these policies may be based on or connected to market prices.

In terms of price support, the US and the EU have used intervention prices, intervention buying, commodity storage, external tariffs and export subsidies to affect the

<sup>&</sup>lt;sup>3</sup> These market conditions include the inelasticity of farm commodity prices (consumers can only consume so much as a result of which larger supply will quickly result in lower prices) and the fact that farmers cannot directly respond to price changes by reducing or increasing production.

sales prices of agricultural commodities and hence farm income from the market. While the US conducted their price support largely by means of non-recourse loan programs and the EU focused on direct intervention buying and storage, the effects were similar.

Income support was part of US farm policies from the start. During the Great Depression, President Roosevelt did not only introduce disaster programs (providing payments to farmers in cases of natural disasters which destroyed their harvests), but also payments in exchange for setting aside land. In the Farm Bill of 1973 'deficiency payments' were added to the policy mix: these are counter-cyclical payments that pay the difference between a government-set target price and the market price (if the market price is lower) in the form of 'direct' payments. These payments are thus a form of price protection for when market prices are low and they supplement farmers' income directly. In their original form, these deficiency payments were connected to both current prices and current production.

The 1980s and 1990s heralded an increasing focus on market-orientation in the US. It did not only bring reductions in loan rates, but also the freezing of target prices and yields on which deficiency payments were based (effectively decoupling them from current production but not from current prices) and reductions in the acreage eligible for the deficiency payments. Market-orientation was further enhanced in the 1996 Farm Bill, under the banner of 'Freedom to Farm', in which planting restrictions and grain reserves were eliminated, while deficiency payments were replaced by transitional direct payments (labeled production flexibility contract payments) that were decoupled from current production and prices. These payments would decline over the next seven years, after which they were to be eliminated. For many politicians in Congress it was considered a method of weaning farmers off government support and adapting to market conditions.

Things did not work out as planned, however. Declining prices combined with adverse natural conditions forced Congress to provide for ad hoc disaster payment programs and resulted in the 2002 Farm Bill making the transitional direct payments permanent and reintroducing deficiency payments, now called 'counter-cyclical' payments. Despite policy criticism in the media, in society and among a number of Congressmen (Senate Hearing 25.4.2007, p. 4; Washington Post 2.7.2006; Department of Agriculture Documents 9.2.2007), these policies were largely continued in the 2008 Farm Bill, but were increasingly and more widely challenged in the run-up to the 2014 farm bill. In the context of budgetary deficits combined with high agricultural commodity prices and increasing farm income, the commodity programs in the farm legislation were important targets (CRS 1.6.2012, p. 7). The 2014 farm bill eliminated decoupled direct payments and introduced a Price Loss Coverage

(PLC) program to replace the existing counter-cyclical program. At the same time it strengthened insurance programs by introducing Agricultural Risk Coverage (ARC) as a new revenue insurance program as well as a Supplemental Coverage Option. These changes indicate an important shift in focus from income support through decoupled payments back to more coupled support as well as a shift towards greater reliance on crop insurance as the key component of the farm safety net. These changes combined also arguably made the overall agricultural policy somewhat less market-oriented than it had been before.

Developments in the EU showed a different trajectory. The shift from price support to income support that commenced in the US ever since the 1970s did not materialize in the EU until the 1990s, when problems with production surpluses, budgetary constraints and trade pressure came together and forced significant CAP reforms. The resulting MacSharry reforms of the CAP in 1992 significantly lowered intervention prices in exchange for direct payments (first labeled 'compensatory payments') to farmers. These payments were linked to current production, but not to market prices. The reform thus initiated a shift from price support to income or producer support, making the CAP more market-oriented.

In the debate on later CAP reforms in 1999 and 2003, the legitimacy of farm support and direct payments was at stake due to the unequal distribution of the payments, their market-effect, as they were still based on production, and agriculture's negative environmental side-effects. The Commission addressed these problems by largely decoupling the direct payments from current production and prices and introducing environmental conditionality (called 'cross compliance'), making the distribution of direct payment dependent on farmers' compliance with a number of existing basic environmental and animal husbandry regulations. It also instituted a 'second pillar' to the CAP for Rural Development, which included the agri-environment policy through which farmers could obtain additional funding in exchange for introducing particular environmentally-friendly farming practices. This environmental conditionality was further enhanced in the 2013 CAP reform, where a greening component of 30% of the direct payments was connected to meeting three environmental criteria with respect to permanent pasture, ecological focus area and crop rotation.

Table 2: Direct payments in the US and the EU

			production	market	
			decisions	prices	
US	1973-1985	Deficiency Payments	✓	✓	
	1985-1995	Deficiency Payments		✓	
	1996-2001	Transitional 'Production Flexibility Contract Payments' or 'Agricultural Market Transition Payments'			<b>√</b>
	2002-2013	Permanent Direct Payments			<b>√</b>
	2002-2013	Counter Cyclical Payments		✓	
	2014+	Price Loss Coverage		✓	
EU	1993-2002	Compensatory Payments	✓		
	2003-2012	Direct Payments (Single Area Payments)			<b>√</b>
	2013+	Direct Payments: 70% 'Basic Payment' and 30% 'Green Payment'			<b>✓</b>

Note that in the US the partly coupled Counter Cyclical Payments existed alongside the fully decoupled Direct Payments, whereas in the EU the direct payments evolved from partly coupled payments to increasingly decoupled payments.

In terms of underlying policy ideas, agricultural policy in the US has alternated between interventionist policies and more market-oriented policies between 1950 and 1970 to turn increasingly market-oriented with the loan rate and target price reductions in the 1985 reform. But it was the 1996 reform that really indicated a paradigmatic shift towards a liberal market paradigm according to Skogstad (1998), as market support instruments were discontinued and direct payments were transitional and completely decoupled. However, even then it was acknowledged that '[t]he signing of the death certificate for the state-assisted paradigm must await the termination of government income support in 2002 and the removal of remaining production restrictions' (Coleman, Skogstad and Atkinson 1996, p. 283). While more recent scholarly analyses of developments in the agricultural policy paradigm in the US are lacking (at least I could not find any), it is safe to conclude that with the later re-introduction of countercyclical support and changing the transitional direct payments into permanent payments, the US has arguably moved towards more market-intervention again. Despite a policy discourse that remains predominantly market-oriented, the dependent agriculture (or state-assisted) paradigm is still alive in the US.

Whether the introduction of direct payments in the EU in 1992 also brought a shift from the state assisted to the liberal market paradigm is highly questionable. While Elton (2010) and Patterson (1993) would support that position, others argue that the policy changes did not reflect a paradigm shift, as the goals of the CAP remained unchanged (Daugbjerg and Swinbank 2009) and the legitimating discourse still reflected the state assisted paradigm (Skogstad 1998).<sup>4</sup>

The policy changes introduced in the 1999 and 2003 reforms went hand in hand with increasing references to the multifunctionality paradigm, legitimating farm support on the basis of the multiple functions farmers perform for society, for which the market does not reward them (Garzon 2005). By the start of the debate on the 2013 CAP reform, the CAP was a policy that combined a collection of different policy instruments, which were legitimated on the basis of discourses fitting with different paradigms. Scholars in the Agricultural Policy field have thus concluded that with respect to the CAP, there is currently not one clearly dominant policy paradigm, but rather a paradigm mix has surfaced (Daugbjerg et al 2017, Alons 2019). New paradigms came without discarding existing paradigms (Feindt 2010, Alons 2017).

# 5. The 2013 CAP-reform: the continuation of direct income payments

Although legitimacy challenges to the CAP had resulted in the abolition or change of different policy instruments in earlier reforms (Grant 2010), this had not translated in increasing support for the CAP. At the start of the debate on a new CAP reform, the policy still struggled with a legitimacy crisis (Bréhron 2011). Particularly direct income payments were scrutinized. Environmental groups continued to emphasize the policy's polluting effects, (Eastern) member states and farmers condemned the unequal distribution of payments between states and farm types, while citizen and consumer organizations demanded more services in exchange for their taxpayer money (Zwaan and Alons 2015). The Commission had to deal with these policy problems within the context of the financial and economic crisis, when budgetary constraints were significant and the CAP budget itself was 'up for discussion' (Matthews 2015, 170). The CAP urgently required legitimation as a policy and justification as to why such a large share of the EU budget should be devoted to it.

<sup>&</sup>lt;sup>4</sup> Skogstad also argues that a complete paradigmatic shift would have required that the direct payments were decoupled and thus not intervening with the market (1998, p. 473).

At the start of the reform debate, the Commission repeatedly acknowledged that important legitimacy challenges existed and needed to be addressed, particularly with respect to the CAP's direct payments.

The effectiveness of our current policy has lessened over time. The current payments [...] have lost their effectiveness. They are undermined by their lack of credibility and transparency in the eyes of the public. [...] We need to restore the meaning, the sense of the CAP. That is what we want to do with this reform [...]; make our instruments coherent again, particularly direct payments (Commissioner Ciolos 12 April 2010).

At this point, responsiveness to public expectations was repeatedly invoked as a justification for CAP reform. The Commission placed a strong emphasis on the need to make the policy more understandable for citizens and taxpayers, and better geared towards their demands, for example in terms of the social and environmental public goods they expected from farming (Commissioner Cioloş 12 April 2010; 20 July 2010). For the first time in the history of the CAP an extensive public consultation was launched before the Commission presented its first communication containing their CAP reform plans.

In its Communication and later in its more elaborate and technical legislative proposals, the Commission maintained the existing argument – in line with the dependent agriculture paradigm - that farmers need support because their income is far more volatile that that in other sectors and presented direct payments as mainly having an economic function, as basic income support for farmers. In addition, based on the multifunctional paradigm, they contended that direct payments are also a reward for farmers for the provision of public goods, such as maintaining rural landscapes, combating biodiversity loss and mitigating and adapting to climate change (Commission 2010; Ciolos, 6 January 2011). The Commission acknowledged, however, that in order to regain the legitimacy of direct payments in the eyes of citizens and taxpayers, a 'redistribution, redesign and better targeting' of those payments would be required (Commission 2010: 8).

The reform the Commission proposed sought to achieve this fist of all by introducing a 'basic income payment' that was no longer based on historic references and would thus result in convergence of payments within and between member states. Secondly, compulsory greening of direct income payments was proposed, by linking 30% of the direct payments to compliance with three greening practices beneficial to the climate and the environment: crop diversification, permanent pasture, and a seven per cent ecological focus area. According to Commissioner Ciolos, the greening measure would create clearer linkage between state

support for agriculture and the public goods and services provided by agriculture, assuming the legitimacy of the idea of public money for public goods that are not rewarded by the market, in line with the multifunctional paradigm (Commission 2010; Ciolos 12 April 2010; 6 January 2011; 12 March 2013). Finally, the Commission proposed to cap direct income support at a maximum of 150.000 EURO per farm. It legitimated this position on the basis of an economies-of-scale argument, claiming that '[d]ue to economies of size, larger beneficiaries do not require the same level of support for the objective of income support to be efficiently achieved' (Commission 2011). From the perspective of the dependent agriculture paradigm, ascribing an income support role to farm support, this is a valid argument. However, member states with a substantial number of relatively large farms such as the U.K. and Germany, countered this claim appealing to the multifunctional rationale for direct payments that the Commission itself had also emphasized. They argued that the delivery of public goods does not depend on farm size and that if direct payments are remuneration for the public goods that farmers provide, they should therefore not be capped for larger farms (Council 2011; the farm lobby made a similar argument: COPA-COGECA 2010).

Civil society organizations, particularly environmental groups, welcomed the Commission plans to 'green' direct payments. They had already adopted and defended the idea of 'public money for public goods' (IEEP, 4.9.2009) which fit well with the Commission's discourse accompanying their greening proposals. While environmental groups were cautiously positive about the greening plans (IEEP 10.11.2010 [a,d]), they doubted the changes were sufficient to have significant effects (IEEP 2010b), and feared that the Commission would surrender to member state and EP scrutiny of the proposal (Agra Europe 2010[b], EEB 2010). According to their analysis the Commission's bold ambitions to green the CAP had become diluted by prioritizing the (re)legitimization of direct payments over the maximization of the delivery of environmental public goods (Baldock and Hart 2011). But even these 'diluted' ambitions were considered too far-reaching by member states in the Council of Ministers and by the European Parliament (Council 2013). Their interventions did not only result in significant watering-down of the greening requirements – to the extent that critics claimed most farmers would not have to take any additional action to qualify for the 30 per cent 'greening' component in the direct payments (Bureau and Mahé 2015) – the original Commission plans for convergence in payments between old and new member states were also diluted and capping was only introduced on a voluntary basis. Although European Parliament completely endorsed the multifunctional paradigm, claiming that '[t]he multifunctional role of the European agricultural sector [...] delivers public goods of major importance to our societies, whose supply cannot be secured through the market: food security, safety and quality at an affordable price for EU citizens' (COMAGRI 2010), in legitimating direct income payments, they prioritized the public goods of food security and food safety over the green services emphasized by the Commission. In this vein they repeatedly adopted productivist arguments in line with the dependent agriculture paradigm, emphasizing that the EU needs a high degree of food self-sufficiency to be able to meet its responsibilities towards its citizens (European Parliament 2010a; 2012). The food security argument turned out to be important both in the Council and in the EP (Swinnen 2015).

The analysis of the debate on the 2013 CAP reform with respect to developments in direct payments shows that the presence of a paradigm mix in the EU, including both the dependent agriculture and the multifunctional paradigms, allowed for the continuation and (re)legitimization of the direct payment instrument. While a liberal market discourse was not absent in the debate, it was applied to other instruments of the CAP rather and did not negate the conviction that agriculture cannot be left to the market completely. The fact that the Commission's original proposals were significantly watered-down by both the Council and European Parliament, means that the legitimacy of the direct payments, both as being 'income support' on the basis of the dependent agriculture paradigm and 'remuneration for public goods' on the basis of the multifunctional paradigm, can arguably still be challenged on the basis of an insufficiently targeted and unequal distribution as well as insufficient linkage between the payments and the public goods that farmers actually provide. This is likely to continue to be an issue in future reform debates.

The 2013 CAP reform case shows that the multifunctionalist idea that farmers should be rewarded for the services they provide for society was widely shared. Despite the usual references to the exceptionalism of the agricultural sector and the related legitimation of farm income support, a multifunctionalist legitimating discourse dominated the debate on direct payments. The increasing importance of this argument is at least partially based on policy-makers perceptions of their political interests: aware of the policy critique shared by the public as well as widespread public preferences for a more environmentally oriented CAP, policy actors focused on policy solutions in line with the multifunctionalist paradigm. This does not mean that political actors did not genuinely share these ideas – they may or they may

not have<sup>5</sup> - but clearly the ideas were dominant enough in the policy debate that they affected the political actors' perceptions of their interests, the perception of proper policy solutions and their policy discourse.

### 6. The 2014 Farm Bill: from income support to risk management

In the run-up to the 2014 farm bill, the debate among policy actors partly centered on similar issues as was the case in the EU, but the budgetary deficit element proved a far more important contextual factor in the US. Institutional rules dictated substantial reductions in the 'baseline' for agriculture. On top of that, the earlier mentioned Deficit Reduction Committee for a while threatened to take away the prerogative of policy initiative from Congress, putting the policy in the hands of budget experts rather than agricultural experts. Due to budget rules, the necessary cuts could not easily be made on conservation or nutrition assistance, which made commodity support —which included direct payments — an important target for budget reductions (CRS 10.4.2014, p. 12). Combined with the contextual factor of high agricultural commodity prices and record high agricultural incomes, the decoupled direct payments were an easy target. In the policy debate, these circumstances led to changes in the conceptualization of what type of policy instruments (and thus potential policy solutions) did and did not fit in a market-oriented 'safety net' approach based on an 'only-when-farmers-really-need-it' argument.

While such a safety net approach resonates with the market liberal paradigm, it should be noted that most policy actors were not against government intervention in the agricultural sector per se. Repeated references can be found to the 'Mother Nature' and 'market failure' arguments that legitimate the provision of a 'reliable safety net' for farmers (Secretary of Agriculture Vilsack 14.10.2011; 21.2.2013; 13.1.2014). In this vein, Bob Stallman of the American Farm Bureau Federation (AFBF) stated (Senate Agriculture Committee Hearing 15.3.2012, p. 61):

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<sup>&</sup>lt;sup>5</sup> Daugbjerg and Swinbank (2016) for example argue they did not, but rather used the discourse strategically. Also, the farm lobby – which was for once (at least in the initial phase of the reform debate) in sync with environmental organizations in presenting direct payments as connected to environmental services – is arguably more enthralled by maintaining direct payments than providing environmental services per se. Not surprisingly, their discourse often focused on the need of direct payments as a compensation for the stricter environmental and animal husbandry rules EU farmers had to abide by relative to their competitors from third countries.

The challenge we al face is how to draft a farm program that provides a strong, consistently viable safety net that protects farmers against crippling revenue declines, whether caused by failing markets or Mother Nature, while at the same time remaining cognizant of budget deficit challenges and changing public sentiment.

However, despite the fact that the discourse applied to legitimate state intervention in the sector in general thus supports the dependent agriculture paradigm, when it comes to the reasoning applied to legitimate or reject specific *intervention instruments*, the dominant discourse was in accordance with the liberal market paradigm rather. Thus, state intervention itself was not at stake, but perspectives on the most effective and appropriate policy instruments changed.

With respect to commodity support, the White House argued that particularly direct payments were too generous, because they were provided independent of actual production, yield, or farm income and therefore provided unnecessary and indefensible support in the current context of high prices, yields and incomes (White House 2011, p. 17). The United States Department of Agriculture (USDA) (2012, p.124) summarized the problem in that direct payments provided too much support in good times, while they were 'not an adequate safety net during difficult times'. The gist of the argument here is that farmers should only receive support payments at times that they actually need them, and direct payments clearly did not fit that bill. This discourse dovetailed with farm policy criticism that had been ongoing in the media, not only during the 2014 farm bill debate, but to some extent also during the 2008 farm bill debate already (see p. 13) (New York Times 16.1.2011; Penton Insight 20.1.2011 and 30.3.2011).<sup>6</sup>

The debate in the Senate Agriculture Committee showed a similar focus on a safety net for times of need. In his testimony, for example, Vilsack explained (Senate Agriculture Committee Hearing 17.2.2011, p. 10 and p. 18-19:

I think the question is at what level do we, in fiscally constrained times, [,,,] propose assistance and when do we provide it. Do we provide small amounts over a period of each and every year regardless of how well the year is [i.e. direct payments, GCA] or do we help those folks out at a time when they are desperately in need?

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<sup>&</sup>lt;sup>6</sup> The Pittsburgh Post-Gazette for example referred to direct payments as 'an ATM spitting out money in good times and bad'.

Committee Chair Debbie Stabenow emphasized that the focus should be on effective and defensible policies and that, therefore, the era of direct payments was over (Senate Agriculture Committee Hearing 15.3.2012, p.1). Only the debate in the House of Representatives (House) showed relatively more defense of direct payments. Chairman Lucas argued (Congressional Documents and Publications, 8.2.2011):

Direct payments are a significant part of the safety net we provide for producers. It is something they can rely on; it is something they can show their banker. Also, direct payments are the most WTO compliant part of the safety net.

These arguments proved not sufficiently convincing in the context of high budget deficits, however. Also, WTO concerns had receded into the background.<sup>7</sup> First of all, because the type of support instruments (such as CCP and marketing loans) on which expenditure was limited due to WTO rules, were not resulting in any expenses under the high commodity prices. Secondly, because the Doha round was considered completely stalled.

While the major farm organization, the AFBF, initially lobbied for the continuation of all agricultural support instruments including direct payments, albeit at a lower level, they became aware that they were fighting a loosing battle and changed their tune in line with the dominant 'safety-net-in-time-of-need' discourse (Associated Press 14.1.2011; AFBF 2011a, 2011b, Inside US Trade 7.10.2011). They subsequently applied this discourse to promote a strengthened revenue-based crop insurance instrument instead, arguing that this 'would come into play only when [...] needed rather than being an expected annual supplement to farm income' (Senate Agriculture Committee 15.3.2012, p. 2). AFBF Chair Bob Stallman also emphasized that 'it's much easier for policy-makers and the public to understand a revenue risk management approach – it's insurance and they understand the purpose of insurance. It's there when coverage is needed' (Delta Farm Press 14.3.2012).

Counter cyclical payments (under a new name and with increased target prices were considered an appropriate policy solution, because they were perceived (or at least presented) as fitting with the safety-net-in-time-of-need rationale (Senate Agriculture Committee

<sup>&</sup>lt;sup>7</sup> Some members of Congress, such as Lucas, sought to defend direct payments, presenting them as 'the most WTO compliant' part of the farm safety net (Republican Committee News Release/Congressional Documents and Publications, 8.2.2011). While formally correct, this did not become the dominant discourse.

15.3.2012, p. 172; House Agriculture Committee 18.5.2012, p. 2229). One could argue, however, that whether a counter cyclical measure is really a mere safety net depends on the level of the target price. In this vein, Senator Brown argued that the new target prices were so high that they would cover the full cost of production: 'In a sense, it becomes nothing more than another income transfer program, not a risk management tool' (Financial Market Regulatory Wire 14.5.2012).

The shift that the 2014 farm bill brought about to a strengthened focus on crop insurance as a policy solution, now presented as the cornerstone of the farm safety net, is in line with the idea of a 'safety net risk management approach' (Senate Agriculture Committee 15.3.2012, p. 174). Such a shift was confirmed in the Senate farm bill report that stated that the farm bill 'takes a significant step forward in reforming commodity policy by moving away from traditional income support and towards risk management with assistance only in the case of loss' (Senate Farm Bill report 2013 S954 Committee Report, p. 2). In this respect it is striking that in the policy discourse around the 2008 debate, direct payments, counter cyclical payments and marketing loans were invariably presented as the three components of the farm safety net, while crop insurance tended to be discussed in terms of risk management only (Senate Hearing 8.9.2006, p. 8; Senate Report 2.11.2007, p. 204, p. 269). In the 2014 debate, these terms seem to have become conflated, with crop insurance as their key policy instrument.

While the legitimating *discourse* indicates a pure safety net risk management approach, which in principle fits well with the liberal market paradigm, an answer to the question whether the actual policies are completely in line with these paradigmatic ideas is less straightforward. The higher target prices made farm policy less market-oriented and could result in increasing US payments that would be categorized in the WTO amber box (Inside US Trade 12.10.2012). While farmers insuring themselves against risk posed by natural disasters and yield and price swings is in principle in accordance with the liberal market paradigm, agricultural economists are critical of the degree to which the premiums of these insurance products are subsidized by the state (Coble and Barnett 2013; Goodwin and Smith 2013). Support to insurance companies and farmers can be legitimated within the paradigm to the extent that insurance products would otherwise not be offered and/or purchased due to market

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<sup>&</sup>lt;sup>8</sup> At that time, direct payments were also the preferred means of farm support on the part of many farmers that testified during Congressional hearings, supported by many members of Congress (Senate Hearing 23.6.2006, p. 19 and p. 27; 24.6.2006, p. 15; 15.8.2006, p.10; 16.8.2006, p. 11; 17.9. 2006, p. 14).

failure. It is questionable, however, whether the further extension of insurance products and types of coverage may not be too generous 'taking further risks out of production decisions' (Representative Kind during House Floor Debate 29.1.2014). Similar critique could already be found in the media throughout the reform debate, once it became clear that the elimination of direct payments would be accompanied by strengthened and extended crop insurance (Washington Post 29.4.2012; New York Times 7.6.2012)

We may conclude that in the US case direct payments were essentially rejected as policy solutions based on cognitive (they provide support when it is not needed and lack sufficient effect when it is needed) and normative (they are inappropriate and indefensible when commodity prices and farm income are high) arguments. Thus direct payments shifted from being presented as a legitimate part of the farm safety net, to being an unwanted policy instrument. This shift was not caused by a shift in the dominant agricultural policy paradigm per se – the liberal market paradigm remained dominant with respect to the legitimation of specific policy instruments – but by a narrowing of the perception or conceptualization of what a farm safety net should be (namely: a policy to kick-in only in time of need and loss) and, subsequently, which policy solutions did and did not fit in that approach. This renewed focus particularly fits with the idea of risk management and thus the policy solution of crop insurance. Changes in perceptions within the paradigm therefore shaped the policy debate and the definition and selection of policy solutions. It should be noted that material, contextual and institutional factors were important in bringing about this change. The deficit combined with high prices and farm incomes was an indispensible source of pressure that enabled the policy change. It contributed to the discourse that had already started earlier in the media and in segments of Congress, that farm support was too generous and should be restricted to times of need and loss, becoming dominant now and shaping the debate and policy outcome.

# **Conclusion**

This paper has shown that the 2013 and 2014 reforms of EU and US agricultural policy resulted in increased policy divergence and that this was not caused by paradigmatic changes on either side of the ocean, but by changes within the dominant paradigm, particularly in the US. The EU policy showed overwhelming continuity. Although a strengthening of the earlier introduced discursive shift towards a multifunctionalist or public goods legitimation of direct payments was noticeable in the policy debate – guiding policy solutions in more

environmentally oriented direction – it is questionable to what extent the new 'greening' component will actually make the policy much greener. What is important, however, is that the policy discourse is indicative of the ideas that are regarded important in society and which policy actors either shared or to which they catered in order to push forward their preferred policy solutions.

In the US the policy changes were more substantial – not so much in terms of additions to the instrument toolkit, but definitely in the emphasis within the policy mix, which shifted away from income payments (particularly direct payments) towards risk management. This change was made possible by a mix of ideational, material and institutional factors. A window of opportunity opened due to the pressure of the budget deficit, further increased by institutional factors in terms of specific budget rules, supplemented by a shift in dominant policy ideas leading to changes in solution definitions within the liberal market paradigm.

Another interesting outcome is that while the CAP in the EU in its entirety is essentially based on a paradigm mix, including all three paradigms, with different instruments being legitimated on the basis of different paradigms, the US policy discourse shows application of the dependent agriculture paradigm to legitimate intervention *per se*, but legitimates particular policy solutions or instruments of intervention based on a liberal market discourse. It should be noted that to some extent that is exactly what it is: a discourse. For part of the actual policy instruments maintained or introduced in the 2014 farm bill, including the counter cyclical program and crop insurance, are arguably not entirely in sync with the liberal market paradigm and have rather resulted in more market intervention. We may conclude that neither is the dependent agriculture paradigm dead in US agriculture, nor is the policy genuinely as market-oriented as is often claimed.

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