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## **Dynamics of institutional cooperation in the European Union: Dimensions and effects. An Introduction**

*Sophie Vanhoonacker*

Maastricht University, Faculty of Arts and Social Sciences, Department of Political Science

*Christine Neuhold*

Maastricht University, Faculty of Arts and Social Sciences, Department of Political Science

**Abstract:** The role and impact of institutions on policy-making have been receiving a lot of attention in the academic literature on the European Union (EU). The current special issue aims to contribute to this broader institutionalist debate in the EU literature by paying attention to institutional dynamics within and across EU institutions and different levels of governance. In this quest, it feeds into the broader political and academic debate on (changing) institutional balance and policy coherence.

The contributions to this special issue reflect that a wide range of institutional mechanisms for intra- and inter-institutional cooperation have been developed. Most importantly, the contributions allow us to get a better insight into the factors that explain the success or failure of the cooperation. This introduction to the special issue provides the backdrop for the contributions and an overview of the individual articles.

**Keywords:** Lisbon Treaty; institutions; institutionalism; joint decision making; multilevel governance; policy coordination; political science.

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### 1. Institutional cooperation in the EU system of multi-level governance

Since the emergence of the new institutionalist approaches in the 1980s, the role and impact of institutions on policy-making has been receiving a lot of attention in the academic literature on the European Union (EU). Although most scholars agree that institutions matter, they widely differ on how to interpret and explain their role. Key explanatory variables include interests and preferences of member states (Pollack 2003; Beach 2005), path dependencies (Pierson 1996; Thelen 1999), and processes of ideational framing and social learning (Risse-Kappen 1996, 2004; Checkel 1999). These contending approaches emphasising respectively rational, historical and sociological explanations are helpful as they contribute to our understanding of different dimensions of the institutional puzzle. At the same time, they also reveal their complexity. It is therefore not surprising that scholars such as Guy Peters have been pleading for a “softening” of the boundaries between different theoretical lenses when examining and trying to explain institutional behaviour (Peters 2005: 2).

As a relatively young polity, the EU is often seen as an ideal laboratory for testing hypotheses about the role of institutions in policy-making. Over the years, the research scope has considerably broadened with inter alia increased attention for processes of change (Héritier 2007), informal arrangements (Christiansen and Neuhold 2012), the broader temporal landscape in which institutions develop (Bulmer 2009) and interactive processes of policy argumentation (Schmidt 2010). In addition, the question of how and why institutions matter is not only addressed with regard to internal EU policies (Pollak 2003) but also in relation to the EU’s role as an external actor (Smith 2003; Joergensen 2006; Vanhoonacker 2011).

The current special issue aims to contribute to the broader institutionalist debate in the EU literature by paying attention to institutional cooperation *within* and *across* EU institutions and different levels of governance. By examining cooperation amongst a variety of actors and in different policy fields, it tries to get a better understanding of the day-to-day practices of cooperation and the factors contributing to its success and failure. In this quest, it feeds into the broader political and academic debate on (changing) institutional balance and policy coherence (Commission of the European Communities 2003; Naurin and Rasmussen 2011).

Based on earlier work by Christiansen (2001),<sup>1</sup> we distinguish between three levels of institutional cooperation:

*Intra*-institutional cooperation refers to the collaboration *within* the European institutions such as the interplay between different Directorate Generals (DGs) or between a DG and the more “political” level of the Commission such as the Commission President and the College of Commissioners.

*Inter*-institutional cooperation refers to the collaboration *amongst* EU-level institutions and can involve two or more institutions. In a system where the European Commission has the exclusive right of initiative and the EP and Council act as co-legislators in a majority of EU policy fields<sup>2</sup>, the cooperation amongst this institutional triangle is very intensive.

The third dimension of *inter*-level cooperation refers to the collaboration between the European level players and EU member states, *i.e.* across levels of governance.

**Table 1: Dimensions of institutional cooperation in European governance**

Dimension	Focus
Intra-institutional cooperation	Internal politics of EU institutions
Inter-institutional cooperation	Relations among EU institutions
Inter-level cooperation	Relationships between EU-level institutions and national authorities

Source: Adapted from Christiansen 2001: 748

Being of key importance for the day-to-day functioning of the EU, inter-level and inter-institutional cooperation is explicitly addressed in the Treaty on the European Union (TEU).<sup>3</sup> Its Article 4 refers to the mutual obligation of the member states and the EU institutions to engage in “sincere cooperation” (Art. 4, TEU). The member states are asked to support EU activities and not to hinder their proper functioning. This involves, for example, coming up for any damage caused by infringements of EU law. Another noteworthy example is that member states are called upon not to unnecessarily hinder the *internal* workings of the European institutions (for example, by taxing reimbursements of the transport costs of Members of the European Parliament (MEPs) travelling to Brussels and Strasbourg). Article 13 of the TEU calls on the EU institutions themselves to also comply with the principle of mutual “sincere cooperation”. The principle of inter-institutional cooperation can also be found in Article 249 of the Treaty on the Functioning of the European Union (TFEU)<sup>4</sup>, which lays down that the Council and the Commission must consult each other and settle by “common accord” their methods of cooperation.

The subject area of institutional cooperation is also increasingly attracting scholarly attention. Most of the work focuses on specific cases such as inter-institutional agreements (Maurer,

<sup>1</sup> Christiansen (2001) uses the term coherence which he defines as “a well-coordinated process of deliberation and decision-making”. As argued, this contribution looks at cooperation more broadly (with coordination being an important instrument for cooperation).

<sup>2</sup> The European Parliament is co-legislator under Article 85, Treaty of Lisbon.

<sup>3</sup> Consolidated version of the Treaty on European Union, OJ C 326/13-47, 26. October 2012.

<sup>4</sup> Consolidated version of the Treaty on the Functioning of the European Union, OJ C 326/47-201, 26. October 2012.

Kietz and Völkel 2005; Kietz and Maurer 2007), the changing dynamics of inter-institutional cooperation under the ordinary legislative procedure (OLP) (Rasmussen, Burns and Reh 2013), and the inter-institutional register for EU lobbyists and an inter-institutional advisory group on ethics (Cini 2012).

Building on the above research and the institutional literature more broadly, this special issue aims to further improve our understanding of the extensive set of formal and informal institutional mechanisms for inter-level and inter- and intra-institutional cooperation that have been developed to support the EU policy-making process. We hereby pay attention to both political as well as administrative players and to both formal and informal rules. Based on a number of case studies on different institutions and policy fields, we (1) map different forms of cooperation, (2) examine their impact and (3) identify the factors that promote or hamper cooperation. Since one of the key instruments giving concrete shape to cooperation are mechanisms of coordination, platforms linking relevant actors and integrating their activities will occupy an important place in several of the contributions (see e.g. Selianko and Lenschow 2015, *this special issue*; Marangoni and Vanhoonacker 2015, *this special issue*; Baltag and Smith 2015, *this special issue*).

In light of the complexity of the institutional environment referred to at the beginning of this article, the special issue did not impose a common theoretical frame. It left it to the contributors to choose and test the analytical lenses considered to be most promising for their research. As we will see below, the joint focus on devices for institutional cooperation provides a sufficiently strong binding factor to allow for a comparison of the findings and to come to some first preliminary results on the factors that impact the success of institutional cooperation.

Against the background of the recent developments in the EU, this volume of contributions gives special (but not exclusive) attention to the post-Lisbon period.<sup>5</sup> The upgrading of the existing institutions and the creation of new positions such as a long-term chair of the European Council, a High Representative for Foreign and Security Policy, and a European External Action Service, the new Treaty has brought the EU into uncharted institutional territory, leading to new types of interaction (Morgenstern 2013). These changes not only pose adaptational challenges for the institutions themselves, and as such affect *intra*-institutional coordination, but also impact the relations *between* institutions and on cooperation *across* levels of governance.

The five contributions of this special issue are primarily based on doctoral research that was conducted in the framework of an Initial Training Framework financed in the framework of the 7th Research Framework programme on institutional dynamics in the European Union (INCOOP).<sup>6</sup>

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<sup>5</sup> By this we mean the period after coming into force of the Lisbon Treaty on 1. December 2009.

<sup>6</sup> The participating universities in the network are: Cambridge, Loughborough, Luxembourg, Maastricht (coordinator), Mannheim, Osnabrück and Sciences Po Paris. Predominately focused on training PhD students (13 in total), the ITN has been financed under the EU's 7th Research Framework Programme (see: [www.in-coop.eu](http://www.in-coop.eu)).

In the remainder of this article, we briefly present the patterns of cooperation (and conflict) identified *within* and *across* institutions and amongst different levels of governance and their main factors for success or failure.

## 2. Intra-institutional cooperation: How to achieve coherence?

The two contributions related to intra-institutional cooperation both examine the cooperation dynamics within the European Commission, the largest EU administrative body characterised by a high level of specialisation (Kassim et.al. 2013). With its exclusive right of initiative in a majority of EU policies, the Commission has developed an extensive coordination system allowing to bring in and channel the views of different DGs with a stake in the proposal. The central question that has guided the studies in this section is to which extent the existing mechanisms for cooperation have led to a coherent/consistent output and which factors account for such an outcome.

The first case study, conducted by Iulii Selianko and Andrea Lenschow (2015, *this special issue*) deals with the area of energy and opts for a discursive institutionalist (DI) approach with its focus on interactive processes of policy argumentation. The authors show how EU energy policy stumbles over the challenge of balancing economic affordability, environmental sustainability, and security of supply. An interesting paradox is that although many favourable mechanisms for reconciling energy policy objectives are already provided, this has not resulted in better policy coherence.

The contribution tries to tackle this puzzle by tracing the process of intra-institutional coordination in the case of the 2012 Energy Effectiveness Directive (EED).<sup>7</sup> This piece of legislation at the crossroads of energy and climate policy was first drafted by DG Energy and considerably amended in response to suggestions by DG Climate and finally completed at cabinet level. Having established that the EED scores negatively against all three coherence criteria put forward by the paper (comprehensiveness, aggregation, consistency), the authors successively try to explain this poor outcome by analysing how these different appearances interact and impact upon coordinative discourse of the involved policy actors. They find the explanation in a combination of factors, including sharp ideational differences in terms of problem definition and policy solutions, a hostile and politicised institutional context, as well as the prevalence of hard bargaining as the dominant discursive mode.

Within the domain of external relations, we come across a similar phenomenon of having to juggle with different, possibly conflicting objectives. As Anne Claire Marangoni and Sophie Vanhoonacker (2015, *this special issue*) demonstrate, the balance between foreign policy, development and trade objectives poses a challenge for EU-ACP relations. Framed by the Cotonou Agreement<sup>8</sup>, this relationship builds on a strong development dimension and an

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<sup>7</sup> Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC, OJ L 315/1-56, 14.11.2012.

<sup>8</sup> Agreement amending for the second time the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its

important trade component. In addition, it also consists of a foreign policy element, whose special status is protected by the existence of a safeguard mechanism, Article 96 of the Cotonou Agreement. Under this article, the EU may adopt "appropriate measures" against an African Caribbean and Pacific (ACP) partner considered in breach of essential elements - democratic principles, human rights and rule of law. Such appropriate measures were implemented against Zimbabwe between 2002 and 2012. Adopting a single-case-study approach on the 2012 Commission proposal (European Commission 2012) to renew Article 96 measures against Zimbabwe, this article examines the consistency of Commission proposals and looks into the factors that impact upon this dimension.<sup>9</sup>

In line with Selianko and Lenschow (2015, *this special issue*), the authors also adopt a two-step approach. Firstly, they examine the relevant legal (Treaty), substantial (policy framework) and procedural (decision making process) guidelines framing the consistency objective in the EU's relations with the ACP countries and show how they constrain the scope of action of the players involved. They also display how in the light of more efficiency, the European Commission has set up an elaborate system of inter-service coordination under the leadership of the so-called *chef de file* or leading Directorate General. An interesting finding is that the new role of the European External Action Service (EEAS) as *chef de file* did not lead to problems since it has simply been integrated into the existing coordination system, being handled as "just another DG".

Also from this second contribution it is clear that institutionalised coordination mechanisms do not provide a guarantee for a consistent outcome. As a second step, the paper therefore identifies the other factors that can clarify the proposal's (lack of) consistency. These include the international context, the positions of the member states as well as the political interests of individual DGs. While the first case study on energy puts more emphasis on ideational and norm-driven reasons behind the lack of coherence, the study on Zimbabwe particularly highlights the *strategic interests* of different players, not only within the Commission but also *externally*. This not only includes pressure by national capitals but also by third countries. It is for instance shown how a more relaxed position of the Nordic countries, previously operating as "hardliners" allowed a renewal of appropriate measures for a shorter period of time and under more relaxed restrictions. Also mediation efforts by a third player (such as South Africa) had an impact on the less stringent outcome.

Despite their different perspectives some of the key findings of both contributions on intra-institutional coordination point in the same direction. They show that the road towards coherent and consistent policy outputs is a complex one. Over the years the European Commission has developed a very well established supporting structure, which in the course of the drafting process allows to bring in different policy perspectives. However, it is also clear that coordination remains mainly a supporting instrument. Whether a proposal will

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Member States, of the other part, signed in Cotonou on 23 June 2000, as first amended in Luxembourg on 25 June 2005, OJ L 287/3-49, 4.11.2010.

<sup>9</sup> The article by Marangoni and Vanhoonacker (2015, *this special issue*) systematically uses the term "consistency" rather than coherence. While consistency only refers to an absence of contradictions, coherence goes one step further and also implies positive synergies between different policy fields. Since the authors only look at the decision making process within the Commission and don't study the implementation of the policy, they stick to the term consistency.

ultimately be coherent or consistent depends on other factors which lay in the sphere of similar interests and ideas.

### **3. Inter-institutional cooperation: Who gains, who loses?**

The contribution by Monika Mühlböck and Berthold Rittberger (2015, *this special issue*) dealing with *inter-institutional* dynamics examines the cooperation between the Council of Ministers and the European Parliament (EP). Their starting point is a paradox between the high potential for inter-institutional conflict due to competition for power, different interests and representational roles on the one hand and the high level of consensus and efficiency in the day-to-day decision-making on the other hand. Rather than looking at their puzzle through the lenses of one particular analytical frame, they try to conceptualize the dynamics underlying Council – EP relations by distilling factors from both historical, sociological and rational choice institutionalism.

They for example argue that the creation of a conciliation committee and informal dialogues are not merely a rational response to the danger of gridlock between institutions with opposing preferences. They can also be explained as bodies that can strengthen mutual trust and foster the emergence of shared norms about what is appropriate behaviour. A long-term historical perspective shows how the EP in both the budgetary and legislative field has systematically challenged the power asymmetries with the Council. By going for a maximalist interpretation of existing provisions and threatening with obstructive strategies such as the use of its veto power, the EP has over time managed to trigger institutional changes that are more in line with its own preferences and which in turn have facilitated cooperation with the Council.

Responding to the question of who is winning or losing is therefore less straightforward than one would at first sight assume. In the light of their mutual desire to book results, the more balanced relationship between the two institutions has also brought benefits for the Council even if it is mainly the EP who has profited from increased powers.

The contribution also brings some interesting insights with regard to the parallel use of different theoretical perspectives. It shows that the explanations provided by different strands are not necessarily contradictory but rather complementary. While rational choice institutionalism (RCI) proved to be valuable to explain why an institution such as the dialogue was created, sociological institutionalism (SI) was particularly useful to explain its role as a broker and consensus builder. The long term perspective of historical institutionalism (HI) on the other hand allowed to highlight the moments where both parties involved considered institutional change indispensable.

### **4. Inter-level cooperation: How to reach agreement across “vertical” boundaries?**

The Lisbon Treaty vouches for a stronger, more efficient and more coherent EU on the international arena. One of the measures taken in that respect is the transformation of the

Commission delegations into Union delegations. Composed of a mixture of staff from the Commission, the Council Secretariat and the member states, these delegations now coordinate EU external action in third countries, a role which prior to Lisbon was fulfilled by the rotating Presidency.

The contribution by Dorina Baltag and Michael Smith (2015, *this special issue*) assesses the level of cooperation between member states' embassies and the EU delegations in EU's immediate neighbourhood - Moldova and Ukraine. Making use of insights of the performance literature, they successively examine the efficiency and effectiveness of the cooperation between the European and national level when providing support to local civil society organisations. When it comes to efficiency, the authors identify a well-developed framework for exchange of information and coordination of positions. Much of these institutionalised practices predate the Lisbon Treaty. What is new however is that the EU delegation now plays a much more central role in this process and that the frequency and intensity of the meetings are higher. When it comes to effectiveness, which is measured by examining joint actions vis-à-vis local civil society, the results are more mixed.

The relatively high level of administrative efficiency however does not lead to an increased number of joint actions. When member states join forces, they seem to have a preference for clustering in smaller groups with common interests and do so without involving the EU delegation. Cases in point are the Visegrad group (Czech Republic; Hungary; Poland; Slovak Republic) and the Nordic countries which all closely cooperate outside the EU institutional framework. In other words, the EU delegation at this moment mainly serves as a point of information exchange, not as a centre for joint action. In line with the contribution by Marangoni and Vanhoonacker (2015, *this special issue*), we see how national interests are a clear constraining factor to take the European cooperation beyond a certain level.

The final contribution of the special issue deals with the interaction between the Court of Justice of the European Union (CJEU) and the EU member states. Marie De Somer and Maarten P. Vink (2015, *this special issue*) look at the long-term development of the CJEU's judicial authority (1974 - today) in the sensitive policy area of family reunification immigration, an area where the member states are reluctant to cede sovereignty as they consider it important to keep control over the entry and residence of non-nationals into their territories. The focus is on the incidence and role of fundamental rights considerations in this politically contentious field. Since the EU polity is based on a system of separation of powers and an independent Court, the focus here is less on cooperation but on how the Court through its particular place impacts on policies that are in the first place developed at the level of the Council or the Council and the European Parliament.

Firstly, based on a dataset of the entire CJEU case law in the field of family reunification, the authors examine how past court decisions have had an impact on newer ones. Secondly, the authors examine whether, and to what extent, fundamental rights considerations have interacted with these so-called precedent-based developments.

The analysis shows that precedent-based developments, and their interaction with fundamental rights, had a strong impact on the argumentative course of the case law over time. They show how by carefully, and repeatedly, constructing its arguments on legal discourses that were advanced in the context of prior similar disputes, the CJEU progressively reinforces

the centrality of certain arguments and has over time gradually managed to gain judicial authority in this field at the expense of the member states.

## Concluding remarks

Decision making in the European Union is a multi-faceted process. Looking at the wide variety of players and the divergence of interests and views, the risk for conflict and incoherent outcomes is high. This special issue has been looking into how institutional actors deal with this challenge by paying particular attention to mechanisms for institutional cooperation. Following the above description of the main findings at each of the three different levels under scrutiny, this concluding section tries to identify some overall findings as to how the mechanisms for cooperation are working out in practice and what determines their chances for success.

A first observation emerging from the different contributions is the wide range of institutional mechanisms for intra- and inter-institutional cooperation that have been developed. This is the case for both internal and external EU policies. In the European Commission, for instance, the cooperation has been given concrete shape through an extensive and well-oiled machinery for inter-service coordination. It streamlines the adoption process of all Commission proposals and ensures that the positions and objectives of relevant DGs are taken into account. At the inter-institutional level, the Council and the European Parliament, despite their different representational roles, are interacting intensely through a variety of fora such as trialogues, the conciliation committee and many other forms of informal cooperation. In third countries, the post-Lisbon cooperation between national delegations and the European level has been centralised at the level of the new Union delegations. They have taken over from the rotating Presidency as chair of the coordination meetings at all levels. In the case of the interaction between the Court and the Council, the situation is different. Seeing the EU system of checks and balances, the CJEU is supposed to act independently. As we have seen in the article by De Somer and Vink (2015, *this special issue*), this allows the Court to gradually reinforce certain arguments over others and as a result exert authority over particular policy developments.

Secondly, it has become apparent from all contributions that these cooperation mechanisms are key in attaining common outcomes. By imposing particular behavioural rules for consultation and conflict management, they contribute to a certain level of order and predictability in the day-to-day decision making process. They furthermore impose certain obligations and constraints as well as chances for the actions of different institutional actors. The contributions on energy policy and Zimbabwe illustrate well how the *chef de file* is formally required to hear and take on board the views of other relevant DGs. At the inter-institutional level, the case study on the European Parliament and the Council shows how, through the mechanism of trialogues, both players manage potential conflicts and achieve consensus despite (possibly) highly divergent positions at the outset. Finally, also the inter-level case study on the cooperation between the EU and the member states in Ukraine and Moldova shows how the fully institutionalized framework for regular exchange of information plays a central role in the day-to-day policy-making process. As has become

apparent, the case studies presented within this special issue share a high level of complexity, both as regards to the issues at stake and the institutional environment. It might thus come as a surprise that common outcomes are attained nevertheless and we thus attribute an important role to the mechanisms that have been developed. It can even be concluded that EU scholars should give them an important place in their research since their examination contributes to a better understanding of EU policy outputs.

It is, however, certainly not the case that the mechanisms in place automatically lead to an efficient decision making process and more coherent and effective outcomes. They are in the first place helpful devices and the different contributions in this special issue have given us some further insights into the factors that are conducive to their success. In line with the broader institutionalist literature and its rational, sociological and historical explanations, we find that their success depends on a wide variety of factors related to interests, ideas and historical path dependencies (Pollack 2003; Checkel 1999; Thelen 1999; Peters 2005).

The contribution by Baltag and Smith (2015, *this special issue*) on member states' cooperation in Ukraine and Moldova points primarily at the importance of common strategic *interests* of the players involved. Cooperation in this case is explained by a "consequence-based" logic: the degree of collaboration depends in the first place on the expected benefits and losses. It is for instance interesting to see how the cooperation mechanisms for exchanging information which are of clear added value for the national delegations, work well. When it however comes to joint action, member states prefer to work together in small groups sharing the same interests. Engaging in a common policy developed with all 28 member states is seen as more costly since it obviously requires a higher degree of concessions. Also in the study on the adoption of appropriate measure against Zimbabwe (Marangoni and Vanhoonacker 2015, *this special issue*), we see that strategic interests weigh more heavily than the internalised rules of the inter-service cooperation.

The special issue however also presents cases where the cooperation is in the first place shaped by *ideational factors* and can be explained by rule-based behaviour rather than by interests. The case study on the Energy Effectiveness Directive (EED) by Selianko and Lenschow (2015, *this special issue*) for instance, reflects how ideational differences in terms of joint problem definition and policy solutions can impose severe constraints on reaching a coherent policy outcome. Mühlböck and Rittberger (2015, *this special issue*) emphasise the importance of trust and shared norms about the way to solve problems. They show how, despite different interests, the Council and the European Parliament have over the years developed a form of consensus on what is "appropriate behaviour" in their interactions, resulting increasingly in the adoption of legislation under first reading.

The special issue also contains one contribution emphasising the importance of past decisions and the temporal dimension in policy-making. By creating a data set of CJEU jurisprudence in the area of family reunification (1974-2014), De Somer and Vink (2015, *this special issue*) show the relevance of taking a long-term approach to this question of discursive influence. They show how by sticking to a discourse of highlighting and repeating fundamental rights arguments in case law on family reunification immigration, the CJEU managed to gain judicial authority at the expense of the member states.

The question arises what the above findings bring us in terms of the broader theoretical discussion on the motivations that drive cooperation between institutional actors. The competing perspectives and findings that have been presented prevent us from concluding that one particular avenue is always more dominant than another. While in some of the contributions the (lack of) cooperation can primarily be explained by consequence-based action, others highlight the substantial role of identities and a rule-based logic.

As is nicely illustrated by Mühlböck and Rittberger (2015, *this special issue*), the various approaches shed light on different aspects of the cooperation and can be complementary. In addition, their work on the interaction between the European Parliament and the Council also shows that over time the predominant logic characterising the cooperation can change. When in the early years of co-decision, the rules of the game were still in development, the interaction between the European Parliament and the Council was more characterised by a logic of consequentialism. As informal trilogues became increasingly institutionalised, a logic of appropriateness became more important, leading to a majority of agreements under first reading. It may therefore not be surprising that in the case of the recently created Union delegations as studied by Baltag and Smith (2015, *this special issue*), the cooperation amongst member states is still primarily driven by the consequences that are expected to result from this cooperation. The development of rules and identities is still at an early stage and unlikely to serve as the dominant logic of action.

Summarising, the findings of the special issue speak in several respects to earlier work by March and Olsen (1998) on the interaction between basic logics of action. Firstly, as they argue, the different contributions show that “political action generally cannot be explained exclusively in terms of a logic of either consequences or appropriateness. Any particular action probably involves elements of each” (March and Olsen 1998). This does however not mean that anything goes. The contributions of this special issue show that very often, one particular logic dominates.

Secondly, we also find some evidence of their suggestion that the most “clear” logic will prevail. The well-developed rules on co-decision and trilogues (Mühlböck and Rittberger 2015, *this special issue*) ensure that actors are more willing to proceed according to the internalised practices of the group, while the still emerging rules on the interaction between national and the Union delegations in third countries invites for interaction based on consequential calculations (Baltag and Smith 2015, *this special issue*).

Thirdly, our findings on institutional cooperation also support their dynamic view on the different logics. As is well illustrated by the cooperation between the European Parliament and the Council, the relationship between the consequential and rule-based frame of action is not static but can evolve over time. As time goes by, the dominant logic may change.

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**Contact**

**Sophie Vanhoonacker:** Jean Monnet Chair in Administrative Governance, Head of Politics Department and Professor at Maastricht University, Faculty of Arts and Social Sciences, Department of Political Science.

Prof. Dr. Sophie Vanhoonacker  
Faculty of Arts and Social Sciences  
Department of Political Science  
P.O.Box 616  
6200 MD Maastricht  
The Netherlands  
E-mail: s.vanhoonacker@maastrichtuniversity.nl

**Christine Neuhold:** Special Chair of EU Democratic Governance and Professor at Maastricht University, Faculty of Arts and Social Sciences, Department of Political Science.

Prof. Dr. Christine Neuhold  
Faculty of Arts and Social Sciences  
Department of Political Science  
P.O.Box 616  
6200 MD Maastricht  
The Netherlands  
E-mail: c.neuhold@maastrichtuniversity.nl