

**To Package, or Not to Package? Explaining Issue-Linkage in the European Union
Lawmaking**

by

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Abstract:

The purpose of this paper is to empirically identify factors that affect the EU legislators' propensity to adopt EU legislation through issue-linkage within single co-decision proposals. Issue-linkage deals (also referred to as package deals) are informal agreements between the European Parliament and the Council of the EU concerning one or more legislative proposals, in which both institutions link issues and exchange their preferences. It is estimated that 19% of EU legislative acts adopted under the co-decision is decided through logrolls within one legislative file. The paper delineates and tests eight hypotheses predicting the impact of specific variables on the occurrence of single package deals. They are derived from two pivotal theories: rational choice institutionalism and sociological institutionalism. A logistic regression model is used to verify the hypotheses on a dataset consisting of all EU legislative acts adopted under the co-decision during the fifth and sixth term of the European Parliament (1999-2009). The analysis reveals that the issue-linkage within single co-decision proposals is systematically related to the size of negotiation space (measured by the number of conflicting issues and the proposal complexity), legislative workload, country coherence between the EP rapporteur and the Council Presidency, socialization and the EP committee's experience in dealing with co-decision files. In addition, the likelihood of concluding within-legislation logrolls increases when the proposal is regulatory technical and regulatory redistributive, whereas it decreases with the duration of negotiations.

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INTRODUCTION¹

From the formal point of view, the European Union's legislative acts are adopted under two formulas: ordinary legislative procedure (OLP) and special legislative procedures (SLP). The former, established by the Maastricht Treaty of 1992 and commonly referred to as co-decision, is the most important. It is estimated that since the Treaty of Lisbon entered into force on December 1, 2009, approximately 89% of all EU legislative acts is adopted under this procedure (European Parliament, 2014). According to Article 289 par. 1 TFEU, OLP envisages "the joint adoption by the European Parliament and the Council of a regulation, directive and decision on a proposal from the European Commission". The course of the OLP is specified in Article 294 TFEU and it is made up of three readings. In a nutshell, at each of these stages first the Parliament and then the Council adopt their positions concerning the proposal with or without amendments, and communicate them to each other, including the Commission. The act is adopted when both positions are perfectly compatible.

In practice, the course of co-decision procedure is more informal. Usually, at the first reading stage, just before the Parliament adopts its position on the proposal, the so-called trilogues take place (Brandsma, 2015; Roederer-Rynning and Greenwood, 2015). These are informal, secluded, secret, closed to the public and held in a small group meetings between the representatives of the Parliament (typically rapporteurs and shadow rapporteurs), the Council (the Presidency) and the Commission (usually Directors-General). The purpose of trilogues is to reach a compromise on the legislative dossier. If it happens, the agreed text is subsequently approved by the European Parliament and the Council without any modification. Trilogues have had an overwhelming influence on the course and the outcomes of legislative negotiations under the OLP. They have caused a sharp increase in the number of legislative acts adopted at first reading (Rasmussen, 2011, Reh et al, 2013, Hansen, 2014). In the sixth term of the EP (2004-2009), approximately 72% of all legislative files decided in OLP were adopted at this stage, while in the seventh EP term (2009-2014) - 85% (European Parliament, 2009; 2014).

Beyond trilogues, the second informal mechanism that has recently emerged in the OLP is issue-linkage (logrolling, package deals). Issue-linkage can be defined as informal legislative bargaining between the Parliament and the Council in relation to one or more proposals in which these institutions combine and exchange (trade) their preferences. It is estimated that around 25% of legislative acts adopted from May 1999 to April 2007 was decided through package deals, including 36% in co-decision and 25% in consultation (Kardasheva, 2013). However, despite issue-linkage has become in recent years a visible feature of EU lawmaking, there is still a shortage of studies in the literature on this phenomenon. This contribution seeks to fill this gap. Its main objective is to empirically identify the factors and conditions affecting the probability of adopting a single legislative act through issue-linkage instead of classical negotiations. Classical negotiations are defined as a custom bargaining model in which the lowest common denominator is searched and issues are resolved on a case-by-case basis. Importantly, this paper seeks to explain only one, albeit still unexplored and negligible type of issue-linkage - a single package deal. In this case, both the Council and the EP exchange their preferences within one legislative proposal where multiple issues are bundled together. Hence, multi-proposal package deals are beyond the frames of this analysis. The paper develops and tests eight hypotheses derived from the rational choice institutionalism and

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sociological institutionalism predicting the impact of certain factors on the propensity to conclude a single package deal under the co-decision.

The remainder of the paper is structured in the following way. The first part discusses the state of the art on the reasons for concluding package deals and their impact on the outcomes of legislative negotiations. The second section presents the theoretical framework. Drawing from the rational choice institutionalism and sociological institutionalism, the hypotheses are developed predicting the conditions under which within-legislation logrolls are more likely to occur under the co-decision. The third part depicts methodological issues, including the characteristics of the dataset, operationalization of the variables, as well as a logistic regression model used to test the theory. In the fourth section, I present a descriptive statistical overview of single package deals across time, policy area, EP committees, policy content of legislation and type of the act. The next part discusses the results of statistical hypothesis-testing. The article concludes by summarizing the obtained results.

ISSUE-LINKAGE IN EU LAWMAKING - A STATE OF THE ART

Issue-linkage can be defined as informal legislative bargaining between the European Parliament and the Council in relation to one or more proposals in which these institutions combine and exchange (trade) their preferences. For example, the Council accepts the Parliament's amendments on issue A (e.g., strengthening the protection of personal data), which is the most important for the Members of the European Parliament (MEPs), in return for which the Parliament agrees with the Council's demand on issue B (e.g. reduction of the budget), which is crucial for the member states. In other words, both EU institutions trade loss in one field, usually less important for one of them, for benefits in other, usually more important. Exchange is therefore a cooperative form of negotiation that leads to compromises that are mutually beneficial for two parties (Tajima and Fraser 2001; Tollison, Willett 1979).

Such an issue-linkage can take two forms: multi-proposal package deal or single package deal (also named omnibus). The former is concluded on several multi-issue proposals which can fall under the same or different legislative procedures. The exchange of preferences takes place on a number of issues which are bundled in a couple of interrelated and simultaneously negotiated acts. The example is the Telecoms package adopted in 2009 which was comprised of three pieces of legislation: 1) Framework, Authorization and Access Directive, 2) Universal Services and E-privacy Directive, and 3) BEREC Regulation. In contrast, single package deal is decided on a single legislative proposal where multiple issues are bundled together. In this case, the Parliament and the Council trade their preferences within one act. The example is the Company Law Directive on the annual and consolidated accounts of certain types of companies, in which Parliament resigned from the deletion of the transparency provisions and a large part of the corporate governance statement in exchange for relaxation of the SMEs reporting obligations and an 20 percent increase of the two thresholds - the balance sheet total and the net turnover - used to define small and medium-sized companies (Council of the European Union, 2005).

Package deals are usually agreed through trilogues. The representatives of the Parliament, the Council and the Commission meet in secluded, in-camera settings and seek to get an agreement by exchanging their support across many issues to which they attach different preference intensities. Issues are not decided on a case-by-case basis, but are linked to one another and are discussed as a whole. The manner in which single package deals are concluded is best illustrated by the rapporteur's report on the negotiations over the regulation

establishing the Marco Polo programme: "The informal trialogue took place on 27 November 2002. The basis for discussion was a draft Common position text together with the amendments adopted by Parliament. The presidency explained the Council's difficulties to reach internal agreement on the programme's budget. The Council's main request was therefore for the Parliament to support to reduce of the budget from € 115 million for a period of 5 years to € 75 million for a period of 4 years. The presidency explained that several Member states wanted to reduce the budget even further and that these states would only be able to support the € 75 million budget within the framework of an overall compromise between the institutions. Parliament's delegation, composed of the rapporteur, shadow rapporteurs and the Committee chair, favoured a more substantial budget, but understood Council's difficulties and agreed on the proposed reduction. In return for its agreement Parliament asked the Council to incorporate the following main EP amendments in its Common position: (...)" (European Parliament, 2003). Once the representatives reach a package agreement, it is sent to the Parliament and the Council for formal adoption as a legislative act. Each of the institution has to accept the deal without any further amendments, because package compromises serve as binding commitments and cannot be subjected to any later modification.

Although many theoretical contributions on issue-linkage in the EU lawmaking exist in the literature (Weber, Wiesmeth, 1991; Bueno de Mesquita, Stokman, 1994; Crombez, 2000; Selck, 2005; Thomson, Stokman, Achen, König, 2006; König, Proksch, 2006), only few studies empirically analyze under what conditions EU legislation is more likely to be adopted through package deals and what is their influence on the legislative outcomes. One of the most prominent studies in this area was conducted by Kardasheva (2013). She found that issue-linkage in the EU lawmaking is most likely when the legislative files are distributive. The reason is that budget-allocation proposals have direct consequences for member states and are very salient for them. As a result, the Council has greater incentive to conclude a package deal by securing its preference on budgetary matters in exchange for concessions in issues that are more important to the Parliament. According to her study, timing is another crucial predictor of issue-linkage. Package deal is more likely when the proposal requires urgent adoption and when the Council is impatient about the adoption the legislation. In these cases, actors are more likely to give concessions in order to avoid unnecessary delays that may have negative financial or social consequences for them. The probability of concluding a package deal also increases when the Council and the EP have different intensities of preferences and when the legislation is complex, i.e. it includes multiple issues. It was also found that package deals are more likely when the EP political groups' leaders take part in informal negotiations. Their participation guarantees that the package compromises would obtain the required support during the EP plenary vote.

Issue-linkage was also noticed in the studies on the Council's decision-making (Moravcsik 1993; König, Junge, 2009). König and Junge (2009) asserted that the high level of legislative acts adopted in this institution by consensus may be the result of issue-linkage across proposals negotiated within similar time periods or the same policy areas. They argue that both the Council members' preferences and the importance they assign to particular issues differ greatly across policy areas and time. As a corollary, the opportunities to conclude package deals arise very often. The Council members trade their support in issues to which they attach different preference intensities. The result of such negotiations is a compromise package that satisfies everyone or almost everyone. Hence, a large majority of Council members support it in the voting.

In turn, Aksoy (2012) examined the impact of multidimensional proposals on position changing and the success of member states during the negotiations in the Council. By utilizing the DEU dataset (Thomson et al., 2012), he discovered that Council's members are more likely to switch their policy positions, when the proposal is multidimensional and the voting rule is unanimity. The rationale for this effect is that multidimensional legislation creates an opportunity for concluding within-legislation logrolls, whereas under the unanimity actors have veto power. As a corollary, they are able to exploit these opportunities in order to get better negotiation outcomes by strongly pressing for concessions in multidimensional legislation and threatening to veto legislation simultaneously. In fact, Aksoy (2012) convincingly demonstrated that such logrolls have a positive effect on member states' bargaining success when the voting rule is unanimity. He showed that actors are more likely to be successful by changing their positions on issues that are not crucial for them in return for a better bargaining outcome on issues they greatly care about. Importantly, no evidence was found that member states are able to extract concessions from others in return for a position changing when multidimensional legislation is adopted under qualified majority voting.

In the literature, one can also find several studies on the impact of issue-linkage on the Parliament's success in the EU legislative process. Kardasheva (2009; 2013) discovered that package deals significantly increase the probability of the EP success. However, this effect applies only for multi-proposal package deal, and not for single packages. Importantly, a strong, positive and statistically significant impact of issue-linkage on the EP bargaining position was observed not only in co-decision, but also in consultation. Despite having a limited formal position in the latter procedure, the EP is able to be very influential by linking its opinion on a consultation proposal to a co-decision file and negotiating them simultaneously (Kardasheva, 2009). In addition, issue-linkage brings the EP the largest legislative gains in distributive matters. Since member states' preferences are much more intense about these issues, the EP enjoys little influence in distributive files, but through logrolling it is able to be successful in this area as well. Package deals are also particularly beneficial to the EP in matters relating to institutional powers. However, the positive effect of issue-linkage on the EP bargaining position seems to be dependent on the timing and the stage of legislative negotiations. Franchino and Mariotto (2013) found that multi-issue packages do not significantly increase the EP success in the conciliation procedure and even have a detrimental effect as evidenced by the negative coefficient of the variable in question. Likewise, by using a different methodology based on DEU II, König et al. (2007) showed that in conciliation the Council is more successful when the proposal is multi-dimensional.

THEORETICAL FRAMEWORK

If issue-linkage is a central feature of EU legislative decision-making, the following question arises: what factors and conditions make the Parliament and the Council more likely to adopt legislation through logrolling? To resolve this issue, I delineate in this section eight hypotheses predicting the effect of specific factors on the probability of concluding a package deal in relation to a single legislative proposal. These suppositions are derived from two pivotal theories: the rational choice institutionalism (Pollack, 2007) and sociological institutionalism (Checkel, 2007). The former assumes that the propensity to adopt legislation through issue-linkage is a function of the negotiation space, transaction costs, politicization in the Council and negotiators' characteristics. Thus, this theory predicts the single package deals to be more likely when the proposal contains multiple and complex issues, it requires urgent adoption, the legislative workload is heavy, ministers are involved in negotiations and the rapporteur is from the country holding the Council Presidency at the time of negotiations.

By contrast, sociological institutionalism assumes that issue-linkage stems from intra- and interinstitutional socialization. Therefore, the likelihood of single package deals increases with the time the informal negotiations have been used in co-decision and with the experience of the EP committee in negotiating legislation under this procedure.

Negotiation space

Rational choice institutionalism assumes that legislative actors must have an adequate negotiation space to conclude a single package deal (Tollison, Willett, 1979; Stratmann, 1997; Tajima, Fraser, 2001; Crombez, 2000; McKibben, 2010). This space can be determined by, inter alia, the number of conflicting issues. When the Council and the Parliament have confrontational positions on only one issue and agree on the rest, exchange is practically impossible. By contrast, when a proposal contains two or more points of contention, there is a sufficient negotiating space within which they can trade their preferences. In addition, the possibility for a mutually beneficial exchange of concessions is existent only when the EP and the Council value issues differently. In sum, it is expected that issue-linkage should take place when the number of conflicting issues, to which actors attach different salencies, increases.

H1: Issue-linkage is more likely when the proposal includes multiple issues.

The second feature that determines the negotiation space is the complexity of legislation (McKibben, 2010: 698). Proposals can be defined as complex when they contain issues belonging to two or more EU policy areas. Negotiations on such pieces of legislation are often difficult and time-consuming, because the Parliament and the Council table many multi-facet amendments which are resolved simultaneously. At the same time, complex proposals generate high transaction costs, since they require expertise and coordination on several dimensions. Under such conditions, issue-linkage is a rational and practical solution. By exchanging preferences on multiple issues related to several policy areas, actors can save transaction costs and speed up decision-making. Hence:

H2: Issue-linkage is more likely when the proposal is complex.

Transaction costs

Rational choice institutionalism also emphasizes the role of transaction costs in legislative negotiations, i.e. the costs of information gathering, bargaining and monitoring (North, 1992; Knight, 1992). They significantly arise under time pressure, in particular when the proposal requires urgent adoption in a timely manner. The failure to adopt legislation within a specific time frame may impose serious economic and social consequences for the member states and the EU. For instance, it can impede the planning and implementation of important EU programs or even prevent their launch. In addition, the inability of EU institutions to adopt the legislation in the required time can be perceived by the public opinion as a proof of institutional inefficiency and may cause a decline of confidence in the EU. It is therefore expected that when the time pressure is existent and the proposal is urgent, the legislators become more impatient, and therefore they are more willing to grant concessions in order to avoid delays and mitigate the negative consequences of not adopting legislation on time (Rittberger, 2000). In such a situation, issue-linkage serves as the best, proven, practical and informal solution to time pressure which speeds up negotiations, reduces the transaction costs and facilitates reaching legislative compromises. Thus:

H3: Issue-linkage is more likely when the proposal is urgent.

Transaction costs can rise not only with time pressure, but also with the number of simultaneously negotiated files. This effect particularly applies to the Council Presidency which is responsible for working out legislative compromises in this institution (Warntjen, 2007; Tallberg, 2004). The Presidency is expected not only to finalize legislative deliberations, but also to strive for consensual agreements that are acceptable for as many member states as possible (Niemann, Jeannette, 2010). Thus, when during the six-month period the Presidency is in charge of negotiations on multiple proposals, a strong pressure on its organizational and temporal resources emerges and the transaction costs of information gathering, negotiation and coordination increase. According to rational choice intuitionism, under these conditions, the Presidency should seek to save the transaction costs by utilizing proven, well-tested informal mechanisms (Reh et al., 2013). One of them is issue-linkage. It takes place in informal settings of trilogues and it helps to conclude legislative agreements more quickly and easily. Therefore:

H4: Issue-linkage is more likely when the Council Presidency's workload is high.

Politicization

The fifth hypothesis is related to the politicization in the Council, defined as the level of ministers' involvement in the decision-making. The Council is made of three levels: ministerial, Coreper and working groups. It is estimated that around 70-80% of the Council's positions is elaborated at the second and third levels and formally rubberstamped by the ministers (Häge, 2011). In practice, however, ministers often get involved in negotiation at the COREPER and working groups stages (so-called B-points on the Council's agenda) in order to keep a closer look on the progress of intra- and inter-institutional negotiations, and making the decision-making more politicized. As Häge (2007a) showed, ministers are more likely to participate in the legislative process when the proposal salience and the number of EP amendments are high.

This paper expects that issue-linkage is more likely when ministers are more involved in the decision-making. The rationale for this supposition is twofold. First, package deals are fragile compromises which often need to receive a political acceptance from ministers to be adopted during the Council vote. Granting a concession in one case in return for support in another is often a difficult decision which may produce political, normative or social costs. Since bureaucrats working at the lower levels of the Council's structure are directly accountable to their ministers, they are not always able to make such difficult decisions. As a result, they transfer the burden of responsibility to a higher ministerial level. By this token, the package deals developed by them can get a political signature and be adopted formally.

Second, Brandsma (2015) found that the more the ministers are involved in the negotiations - that is the more often a file is a B-point on the Council's agenda - the more trilogues are organized. As already stated above, holding tripartite informal meetings is a *sine qua non* condition for the conclusion of within-legislation logrolls, since they give opportunity for mutual contacts between legislators' representatives in informal arena. Therefore, it is expected that the more often ministers get involved in the co-decision, the more trilogues take place, and thus the greater is the chance that issue-linkage would occur during the negotiations. Hence:

H5: Issue-linkage is more likely when the Council ministers are involved in the EU legislative decision-making.

Characteristics of negotiators

The characteristics of negotiators may also have an effect on the probability of concluding single package deals under the co-decision. Several studies found that when the rapporteur comes from the country holding the Council Presidency at the time of negotiations, the early first-reading agreement is more likely (Rasmussen, 2011; Reh et al., 2013). It is expected that the same effect will take place in case of issue-linkage. Negotiators from the same country share a common cultural background that reduces cognitive and linguistic communication barriers as well as uncertainty. As a corollary, negotiations are easier and trustful, and the actors are more eager to cooperate, make their own positions flexible, exchange their preferences and work out compromises satisfying both sides. Under such conditions, issue-linkage is also facilitated by the fact that legislative deliberations are held in informal trilogues, which means that nobody can control from outside the effects of country coherence between the negotiators. This leads to the following hypothesis:

H6: Issue-linkage is more likely when the EP rapporteur comes from the country holding the Council Presidency at the time of negotiations.

Socialization

Issue-linkage can also be explained from the sociological institutionalism stance. It can be expected that the propensity of the EP and the Council to decide legislation through single package deals stems from interinstitutional socialization. Socialization is defined as 'a process of inducting actors into the norms and rules of a given community' (Checkel, 2005: 804). It is assumed that when the interactions between the actors are regular, intense, lengthy and taking place in secret, secluded, informal and apolitical settings, a cooperative norm of decision-making emerges (Lewis, 2005: 945-948; Checkel, 2005: 808-816). By using it frequently over time, actors internalize this norm as 'the right thing to do' and start to follow it in more and more cases. Since almost all package deals are decided in trilogues, it can be assumed that the same effect should be existent with regard to issue-linkage. As trilogues became more intense and regular over time, the actors internalize the cooperative norm of resolving conflicting negotiations through issue-linkage. Decision-makers begin to internalize this norm and get more familiar with its implementation. With some time, issue-linkage becomes 'the right thing to do' and is applied to a larger number of proposals. Thus:

H7: Issue-linkage is more likely with the time informal negotiations have been used under the co-decision.

The committee effect

Sociological institutionalism also assumes that the organizational structure and intrainstitutional social learning affect the course and outcomes of decision-making (Levitt, March, 1988; North, 1990; Powell, DiMaggio, 1991). This stems from the fact that specific procedural meta-norms are established in organizations that inform their members what actions, policy positions or negotiation techniques are legitimate and acceptable (Thomas, 2009). Ripoll Servent (2013) discovered that these patterns of behaviour are present in the EP committees - 'legislative backbone' responsible for negotiating dossiers in trilogues and preparing the Parliament's position on legislative files - and stipulate how and what the EP negotiates. Such procedural meta-norms may also determine the propensity of the EP committees' members or negotiators to decide legislation through issue-linkage by indicating whether and when the exchange of preferences with the Council is the 'right thing to do'. Since the content of these meta-norms is a function of, inter alia, the regularity, intensity,

duration, informality and seclusion of interactions (Checkel, 2005), it is expected that EP negotiators are more likely to utilize logrolling when their committee is more experienced in dealing with the co-decision files. The reason is that co-decision proposals are often complex, salient and time-consuming, which create more repetitive interactions between the EP and the Council, in particular in secret informal trilogues. As a result, the conditions for creating a meta-norm legitimizing the use of issue-linkage are met. Reh et al. (2013) found that experience with co-decision is strongly associated with the adoption of early first-reading agreements through trilogues. The same effect should also be present in case of concluding single package deals. Hence:

H8: Issue-linkage is more likely when the EP committee responsible for the proposal is experienced in negotiating the co-decision files.

DATA AND METHODOLOGY

This section depicts the methodology used to test the above-mentioned hypotheses. It is organized as follows. First, I present the dataset. Second, I discuss the operationalization of the dependent, independent and control variables used in the analysis. Third, I elaborate the quantitative technique of hypothesis-testing - a logistic regression model.

Dataset

To test the hypotheses, I created a dataset of all EU legislative acts that fulfill four conditions. First, they were adopted under the co-decision. Second, they were regulations, directives and decisions (and framework decisions) since only such types of acts can be adopted under this procedure, as envisaged in Article 289 par 1 TFEU. Third, the dataset includes only EU legislative acts that were adopted in the fifth and sixth term of the European Parliament, that is between May 1, 1999 and July 13, 2009. Fourth, the dataset was limited to only those legislative acts to which the Parliament tabled at least one amendment. The main reason for such a step was to analyze only the confrontational and contentious pieces of legislation in which both institutions had diverse and conflicting policy positions. In total, 605 legislative acts meeting the above-mentioned conditions were selected.

Operationalization of the variables

In the next step, I coded the dependent, independent and control variables. Their statistical description is provided in Table 1. The dependent variable in the study is *Issue-linkage*. It is a dichotomous variable which takes the value 1 - if a given act was adopted through the issue-linkage within a single legislative proposal, and the value 0 - if a single package deal was not concluded. Information on the presence of issue-linkage was gathered by analyzing internal documents in the Council's Public Register. The legislative act was considered to have been adopted through package deal when literal evidence was found in the documents that both the Council and the Parliament exchanged their preferences with regard to one legislative proposal.

Turning now to predictors, *H1* is tested with the variable *Issues*. It is continuous and measures the number of key controversial issues that arose between the Council and the Parliament during the negotiation over a co-decision file. In this case, I used an issue-based approach (Thomson et al., 2012; Kardasheva 2013), according to which each legislative proposal was examined in order to identify the issues contested by both the Council and the Parliament. The issue was included in the analysis if it had complied with two conditions. First, it was

essential, substantive and related to the important change of the legislative proposal. As a result, issues concerned with minor and formal modifications of legislation were not included in the analysis. Second, a given issue was an important point of contention in the negotiations between both the Parliament and the Council. Therefore, no attention was paid to the postulates or modifications which were not contested by at least one institution, although they modify the substantive part of the proposal.

Table 1. Variables used in the analysis

	<i>N</i>	<i>Mean</i>	<i>St. Dev.</i>	<i>Min</i>	<i>Max</i>
Omnibus	605	.19	.39	0	1
Issues	605	3.42	2.00	1	13
Complexity	605	.96	1.67	0	19
Urgency	605	.36	.48	0	1
Presidency workload	605	50.01	12.54	28	68
Ministers involvement	605	.40	.49	0	1
Rapporteur Presidency	605	.11	.32	0	1
Socialization	605	7.03	2.60	2	11
Codecision committee	605	.65	.48	0	1
Redistributive	605	.15	.35	0	1
Regulatory redistributive	605	.41	.49	0	1
Regulatory technical	605	.29	.45	0	1
Constituent	605	.15	.36	0	1
Saliency	605	21.03	14.81	1	131
Directive	605	.42	.49	0	1
Duration	605	21.72	15.68	2	184

Source: own calculations.

H2 is verified with the *Complexity* variable. It corresponds to the number of the EP committees that delivered the report or opinion on the legislative proposal. It was assumed that the more committees produced their reports and opinions, the more complex the piece of legislation was, as it simultaneously touched several different policy areas. The information on this variable was retrieved from the Legislative Observatory.

In order to test *H3*, I created the dichotomous variable *Urgency*. It is equal to 1 - if there was a specific deadline in the legislative proposal before which it had to be adopted or entered into force, or 0 - when such a deadline was not present. The information on this variable was obtained from the Eur-Lex through a textual analysis of the content of the legislative acts.

H4 is tested with the continuous variable *Presidency workload*. It reflects the number of co-decision files under discussion during each six-month term of the Council Presidency that concludes the negotiations on the analyzed legislative proposal. The information on the presidency's workload was taken from the dataset on early agreements created by Bressanelli et al. (2014). It was assumed that the more dossiers the Council Presidency negotiated at the same time - increasing the transaction costs - the more busy it was and, according to the hypothesis, it should be more willing to utilize the issue-linkage to reduce these costs.

In order to verify *H5*, a dichotomous variable *Ministers involvement* was constructed. It captures the politicization level in the Council by measuring whether the members of this

institution took part in negotiations on the legislative file. The variable takes value 1 - if the proposal was subjected to at least one debate at the Council's ministerial level, or 0 - if ministers did not deal with the proposal during the whole procedure. The information on this variable was taken from the Eur-Lex where for each legislative procedure ministerial discussions are indicated as B points in the Council's agenda.

H6 is tested with the dichotomous *Rapporteur Presidency* variable. It is equal to 1 - if the EP rapporteur came from the country holding the Council Presidency during the final negotiations on the legislative file, or 0 - if such a situation did not take place. The national identity of both negotiators was examined at the time of key trilogues during which the final compromise on legislation was achieved. In case trilogues were not organized, the presence of national relationship was investigated at the adoption date of the Council's or EP's legislative position ending the procedure. The data on this variable was obtained from two sources - Legislative Observatory (the rapporteur's nationality) and the Council's Public Register (the Presidency's nationality as well as the date of trilogue).

Turning to the hypotheses derived from the social institutionalism, *H7* is tested with the continuous *Socialization* variable. It measures how much time passed since the introduction of informal negotiations under the co-decision in 1999. As a corollary, this variable ranges from 1 to 10 and indicates the number of years between the adoption of a given legislative act and the year 1999, when the practice of negotiating legislation in trilogues at first and second reading was introduced with the signing of *Joint Declaration* (European Parliament, Council, Commission, 1999). It must be noted that the date of the adoption was specified not as the time of signature of the legislative act by both EU institutions, but as the date of adoption of either the Council's or the Parliament's position ending the procedure. In the first reading, this is the Council's position accepting all EP amendments, while in the second reading - either the Parliament's position accepting the Council's first reading amendments (so-called early second-reading agreement) or the Council's position adopting without change the Parliament's amendments passed at second reading (the so-called late second-reading agreement). In the third reading, the date of the adoption was defined as the moment when the last institution, usually the Council, approves an agreement reached in the Conciliation Committee. The main reason for above coding is twofold. First, actual negotiations under the co-decision end in practice when the institution's position terminating the procedure is adopted, and the subsequent signature of the legislative act is only a formality irrelevant for the duration. Second, there is a time interval between the last position of the institution and the signature which is not constant across all procedures. As a result, this period could distort the empirical results by artificially and disproportionately lengthening the duration of decision-making in some cases.

H8 is tested with the *Codecision Committees* variable. It is dichotomous and takes the value 1 - if the EP committee responsible for the proposal had long and extensive experience in working under the co-decision, or 0 - if the lead committee was significantly less experienced or has not dealt with the proposals enacted under this procedure. I used the typology developed by Maurer (2003) to identify the experience of the EP committees. He distinguished the so-called 'co-decision club' in the internal structure of the EP, consisting of the following committees: ENVI, JURI, TRAN and ITRE as well as IMCO separated later from the first two committees. According to his calculations, shortly after the Treaty of Amsterdam entered into force in 1999, these committees shared nearly 66% of all co-decision files. As a corollary, the variable *Codecision Committees* is equal to 1 when one of the following committees - ENVI (Environment, Public Health and Food Safety), JURI (Legal

Affairs), TRAN (Transport and Tourism), ITRE (Industry, Research and Energy) or IMCO (Internal Market and Consumer Protection) - was responsible for the proposal, or 0 when other committee dealt with the file.

In addition, four control variables were created to take account of other factors that may have influence on the issue-linkage in the EU lawmaking. The first is related to the policy content of legislation. As already mentioned above, Kardasheva (2013) found that distributive proposals which either allocate EU funds or involve costs to be covered by member states are more likely to be negotiated through package deals. To capture this effect, I code the policy type of legislation by transforming the typology developed by Reh et al. (2013) and Bressanelli et al. (2014) in their study on early agreements. They classify EU legislative files according to six categories: distributive, redistributive, regulatory distributive, regulatory redistributive, regulatory technical and constituent. Legislative acts are distributive when they provide specific funds which are either available to everyone, transferred to third countries or allocated to the EU administration. Redistributive files include specific funds that are given to a particular group. Legislation is classified as regulatory distributive when it does not mention any funds, but contains specific legal obligations which burden all member states or reduce the administrative burden for the whole private sector. If no funds are mentioned, but obligations affect a particular group or member state, the legislation is coded as regulatory redistributive. Regulatory-technical are files which coordinate or harmonize procedures (i.e. providing certain information, introducing codes of conduct or giving recommendations for specific sectors). Finally, the act is classified as constituent when it envisages procedural or institutional provisions, such as the establishment of a new agency or reform in the comitology. By the same token, I constructed the variable *Policy type of legislation*. It is categorical and, exceptionally, has four values: 1 for distributive and redistributive proposals (*Redistributive*), 2 for regulatory distributive and regulatory redistributive files (*Regulatory redistributive*), 3 for regulatory technical proposals (*Regulatory technical*) and 4 for constituent pieces of legislation (*Constituent*). The last category was taken as a reference.

The second control variable - *Saliency* - captures the importance of the legislative file. It is continuous and indicates the number of recitals placed in the final legislative act. It was assumed that the more recitals the file had, the more important it was. Recitals are the paragraphs included at the beginning of EU legislative acts which provide, inter alia, the previous legal order, reasons for adopting the act in question as well as main provisions contained in the act. Despite some critical voices, the recitals approach is widely used in the literature to measure the saliency of legislation (Warntjen, 2012). As Häge (2007a: 315) points out, the number of recitals "should give a good approximation of the importance of a proposal in the overall European legal order (...)". Hence, it was implemented in this study. The purpose of this predictor is to check the expectation that salient proposals are more likely to be adopted through issue-linkage. The information on this variable was taken from the Eur-Lex database.

Issue-linkage may also be dependent on the type of negotiated act. According to several studies, directives are perceived as more conflicting legal instruments than regulations and decisions, they often include redistributive issues and generate adaptation costs for the member states (Sloot, Verschuren, 1990; Schulz, König, 2000). As Golub points out (2007: 166), directives are "most likely to deal with important, complex and controversial issues rather than merely operational decisions and administrative matters". By contrast, regulations and decisions dealt with rather technical or administrative matters which are less controversial and do not inhabit a higher potential for conflict (Häge, 2007b: 507). Hence, since directives

are more complex, salient and redistributive, it is expected that they should be more likely to be concluded through package deals than other policy instruments. In order to check this, the dichotomous *Directive* variable was designed. It is equal to 1 - if the final act was a directive, or 0 - if it was a regulation, decision or framework decision. The information about this variable was retrieved from the Eur-Lex.

The last, fourth control variable captures the effect of duration of legislative decision-making. The propensity to linking issues may depend on the length of negotiations or the stage at which the legislative agreement is reached. For instance, Hansen (2014) discovered that proposals belonging to more than one policy area - hence more prone to exchange according to the theory presented in this paper - are more likely to be concluded early at the first reading stage. The same result was obtained by Rasmussen (2011) and Reh et al. (2013). Against this background, the continuous variable *Duration* was designed. It measures the negotiation time of a given legal act as the difference in months between the date of the Commission's legislative proposal and the date of its adoption. The duration was calculated based on data from the Legislative Observatory.

A logistic regression model

Since the dependent variable is dichotomous, a logistic regression model (Hosmer, Lemeshow 2000) is used to test the hypotheses. It is a regression technique based on the concept of chance (probability of success) which measures and models the relationship between a binary (dichotomous) dependent variable (0 or 1) and one or more independent variables expressed in an interval, continuous, nominal or ordinal scale. It also determines the statistical significance of these relationships. Logistic regression is used to estimate the probability of occurrence of an event Y given a set of independent variables X . In other words, it informs how an increase or decrease of X (independent variables, predictors) affects the probability that Y is equal to 1 (occurrence of an event). A logistic regression model can be described by the following equation:

$$P(Y = 1) = \frac{1}{1 + \exp^{-(\beta_0 + \beta_1 X_1 + \dots + \beta_k X_k)}}$$

where: $P(Y=1)$ - probability that the dependent variable (Y) is equal to 1; \exp - exponential function, the base of natural logarithm which is equal to 2,7182 (Euler's number); β_0 - intercept, constant; β_k - regression coefficient estimated using maximum likelihood; X - observed value of independent variable; k - successive number of independent variables.

To test the hypotheses, I estimated three logistic regression models. Model 1 contains all predictors corresponding to hypotheses *H1-H8*. Its mathematical form is as follows:

$$\begin{aligned} \text{logit}(p) = & \beta_0 + \beta_1 \text{Issues}_i + \beta_2 \text{Complexity}_i + \beta_3 \text{Urgency}_i + \beta_4 \text{Presidency workload}_i \\ & + \beta_5 \text{Ministers involvement}_i + \beta_6 \text{Rapporteur Presidency}_i \\ & + \beta_7 \text{Socialization}_i + \beta_8 \text{Codecision committees}_i + \varepsilon_i \end{aligned}$$

Model 2 adds four control variables to Model 1 capturing the effect of the policy type (categorical variable *Policy content of legislation*), political importance (variable *Salience*), the type of the act (variable *Directive*) and negotiation time (variable *Duration*). Its purpose is to check whether the effects observed in Model 1 also hold after controlling for other factors. Model 2 is defined by the following equation:

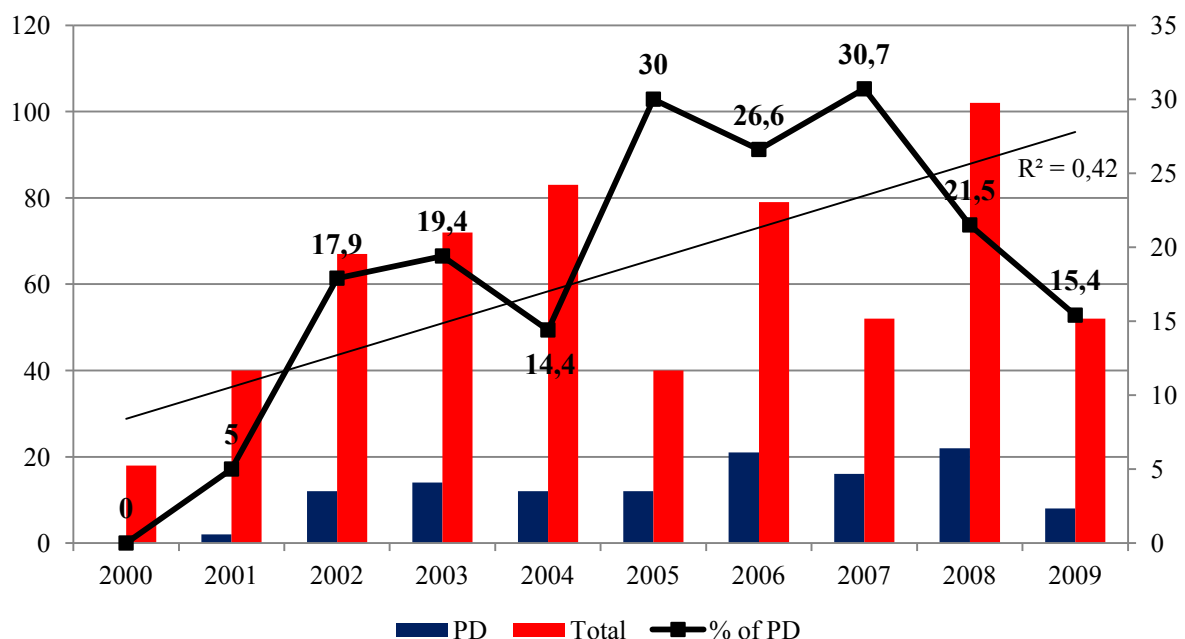
$$\begin{aligned} \text{logit}(p) = & \beta_0 + \beta_1 \text{Issues}_i + \beta_2 \text{Complexity}_i + \beta_3 \text{Urgency}_i + \beta_4 \text{Presidency workload}_i \\ & + \beta_5 \text{Ministers involvement}_i + \beta_6 \text{Rapporteur Presidency}_i \\ & + \beta_7 \text{Socialization}_i + \beta_8 \text{Codecision committees}_i \\ & + \beta_9 \text{Policy content of legislation}_i + \beta_{10} \text{Salience}_i + \beta_{11} \text{Directive}_i \\ & + \beta_{12} \text{Duration}_i + \varepsilon_i \end{aligned}$$

Model 3 serves as a robustness check. It contains only those variables that were statistically significant at the 10% level ($p < 0.1$) in Model 1 and 2. Its purpose is to confirm the credibility, strength and significance of previously observed effects.

DESCRIPTIVE STATISTICS

In the years 1999-2009 the exchange of preferences between the Parliament and the Council within a single legislative proposal was identified in 119 out of 605 files. This means that 19% of all analyzed EU legislative acts were adopted through issue-linkage. More specifically, the share of package deals in this period was subject to significant temporal fluctuations, as shown by Figure 1. First, in 1999-2009 there was a gradual and even exponential increase in the share of single package deals in EU legislation. The average number of proposals within which the EP and the Council exchanged their preferences was evidently increasing over time - while only 5% of legislative acts were adopted through issue-linkage in 2001, more than 30% were subject to exchange in 2007. The growing tendency to conclude package deals was also maintained in the seventh EP term (2009-2014), in which many new packages were proposed and adopted (European Parliament, 2014). Such a strong increase, which is almost perfectly correlated with the growing tendency to organize trilogues in the 1999-2009 period (Reh et al., 2013), may confirm the validity of social constructivist expectations that as informal tripartite meetings became more intense and regular over time, the actors internalize the cooperative norm of resolving conflicting negotiations through issue-linkage.

Figure 1. Absolute and relative distribution of single package deals in 1999-2009



Source: own calculations. The left Y-axis indicates the absolute number of proposals adopted through issue-linkage, whereas the right Y-axis shows the percentage of single package deals for a given year.

Second, the propensity to exchange preferences within one proposal was noticeably decreasing at the end of fifth and sixth EP term. In the Figure 1, two collapses can be noticed - in 2004 and in 2008-2009, that is in the last years before the elections to the European Parliament. These observations may indicate that the anticipation effect, observed in the adoption of EU legislative acts (Leuffen, Hertz, 2010) and in the conclusion of early first-reading agreements (Reh et al., 2013), is not present in the case of issue-linkage. More specifically, actors do not exploit this negotiation technique to speed up negotiations and adopt as many acts as possible before the EP elections or future EU enlargements in order to mediate the unpredictable consequences of these events.

Third, a sharp increase in the volume of single package deals is noticeable shortly after the 2004 eastern enlargement when 10 new member states acceded to the EU. In the first three years after this event (2005-2007), the share of logrolls oscillated between 27% and 31%, so it was almost twice higher than before accession. This result may suggest that, as some researchers predicted, the expansion of the EU, associated with a significant increase in the number of actors (member states and MEPs) without a proper reform of the Council voting system (Hosli, Van Deemen, 2002; König, 2007), rise the transaction costs seriously, escalated the heterogeneity of preferences and impeded building legislative compromises. As a result, actors began to use informal tools more often in order to reduce the number of interlocutors, save the costs of negotiation, take the decision speedily and limit the public scrutiny. One of such tools is the issue-linkage.

Table 2. Issue-linkage in co-decision by policy area

Policy Area (Directorate-General)	Total	PD	% of PD
Agriculture and Rural Development	6	1	16.7
Budget	5	0	0.0
Development and Humanitarian Aid	11	1	9.1
Education and Culture	27	1	3.7
Employment and Social Affairs	28	2	7.1
Energy and Transport	114	25	21.9
Enlargement	1	0	0.0
Enterprise and Industry	64	12	18.7
Environment	63	22	34.9
OLAF	3	0	0.0
Eurostat	51	3	5.9
External Relations	11	2	18.2
General Secretariat	30	2	6.7
Health and Consumer Protection	60	19	31.7
Information Society	26	5	19.2
Internal Market and Service	48	14	29.2
Judicial and Home Affairs	35	8	22.8
Legal Service	6	0	0.0
Regional Policy	1	0	0.0
Research	7	1	14.3
Taxation and Customs Union	8	1	12.5

Source: own calculations.

Table 2 presents the distribution of single package deals concluded under the co-decision between 1999 and 2009 across policy areas to which the proposals belonged. The policy area was defined according to the European Commission's Directorate General (as of 2004) which prepared the file. When taking into account only the DGs that produced a minimum of 25 files, it can be seen that the largest percentage of legislative acts adopted through issue-linkage was observed in the Environment (34.9%), Health and Consumer Protection (31.7%), Internal Market and Services (29.2%), Justice and Home Affairs (22.8%) as well as Energy and Transport (21.9%). On the other hand, the policy areas with the lowest share of single package deals were Education and Culture (3.7%), Statistics (5.9%), General Secretariat (6.7%) and Employment and Social Affairs (7.1%). The above figures lead to conclusion that within-legislation logrolls most often take place in particularly important and conflicting EU policies. By using the recital approach to measure the saliency of legislation, it can be said that in 1999-2009 legislative files belonging to the policy areas where issue-linkage predominated, had, on average, the most recitals, i.e. 25 in Environment, 22.5 in Health and Consumer Protection, 32 in Internal Market and Services, 27 in Justice and Home Affairs and 22 in Energy and Transport. These numbers are above the average for all acts (21 recitals). This may prove the validity of a rationalist claim that logrolling is a convenient and sometimes the only tool for reaching a compromise under the conditions of extremely conflicting preferences which allow to avoid deadlock and adopt the legislation with a high level of consensus, in particular in the Council (Moravcsik, 1993; König, Junge 2009).

Table 3. Issue-linkage in co-decision by EP Committees

EP Committee	Total	PD	% of PD
Foreign Affairs (AFET)	5	2	40.0
Budgetary Control (CONT)	2	0	0.0
Transport and Tourism (TRAN)	105	19	18.1
Agriculture and Rural Development (AGRI)	8	2	25.0
Legal Affairs (JURI)	43	12	27.9
Economic and Monetary Affairs (ECON)	57	5	8.8
Civil Liberties, Justice and Home Affairs (LIBE)	41	7	17.1
Internal Market and Consumer Protection (IMCO)	26	9	34.6
Development (DEVE)	15	1	6.7
Employment and Social Affairs (EMPL)	29	2	6.9
Budgets (BUDG)	9	0	0.0
Regional Development (REGI)	5	0	0.0
Environment, Public Health and Food Safety (ENVI)	164	44	26.8
International Trade (INTA)	2	1	50.0
Fisheries (PECH)	2	0	0.0
Women's Rights and Gender Equality (FEMM)	7	1	14.3
Culture and Education (CULT)	29	0	0.0
Industry, Research and Energy (ITRE)	54	14	25.9
Constitutional Affairs (AFCO)	2	0	0.0

Source: own calculations.

Issue-linkage may also be determined by structural factors, as underlined by the sociological institutionalism. For this reason, I created Table 3 presenting the distribution of single package deals across the EP committees which were responsible for the proposal. Generally, the numbers indicate a significant discrepancy between committees in their approach to the use of issue-linkage. Again, when reducing the analysis to the committees that dealt with a minimum of 25 proposals, it can be concluded that in 1999-2009 the most willing to exchange preferences with the Council were members of IMCO (34.6%), JURI (27.9%), ENVI (26.8%) and ITRE (25.9%). Interestingly, all these committees belong to the so-called 'co-decision club' having the most experience in negotiating legislation under this procedure (Maurer, 2003). Hence, these results may evidence the existence of intra-institutional socialization in EP committees which normatively obligate their members to strive for logrolls, provided that it is possible. By contrast, the lowest percentage of single package deals in the analyzed period was observed in CULT (0.0%), EMPL (6.9%) and ECON (8.8%).

Table 4. Issue-linkage in co-decision by the characteristics of the act

Variables		PD	No PD	% PD	Cramer's V
<i>Policy content</i>					
Redistributive	1	8	82	8.9	- 0.113
	0	111	404	21.5	
Regulatory redistributive	1	62	186	25.0	0.112
	0	57	300	15.9	
Regulatory technical	1	38	137	21.7	0.033
	0	81	349	18.8	
Constituent	1	11	81	11.9	- 0.082
	0	108	405	21.0	
<i>Type of the act</i>					
Regulation	1	51	200	20.3	0.014
	0	68	286	19.2	
Directive	1	57	200	22.2	0.054
	0	62	286	17.8	
Decision	1	11	86	11.3	- 0.092
	0	108	400	21.2	

Source: own calculations.

Since the characteristics of the legislative file may also be relevant for the propensity to issue-linkage, I constructed Table 4 showing the division of single package deals according to the policy content of legislation and the type of the act. With regard to the first variable, in the analyzed period within-legislation logrolls usually took place in the case of regulatory proposals. About 25% of all regulatory technical acts and 21.7% of regulatory redistributive ones were adopted through issue-linkage. Importantly, only these two variables have positive Cramer's V correlation coefficients, albeit small and statistically insignificant. Surprisingly, only 8.9% (8 out of 90) of redistributive proposals were decided through single package deals. This is not in line with previous findings that within-legislation logrolls are more likely to occur when the legislation involves costs for the member states or private actors (Kardasheva,

2013). Likewise, issue-linkage was seldom used for the constituent proposals - only 11.9% of them were enacted in this way.

Turning to the type of the act, regulations and directives were most often decided through package deals in 1999-2009. In total, issue-linkage occurred in 20.3% of the first and 22.2% of the second. However, it is difficult to notice any visible relationship between the type of act and logrolling, since above variables are not considerably distant from the average of package deals for all proposals (19%) as well as their V coefficients, albeit positive, are not high and statistically significant. By contrast, according to Table 4, decisions were less likely to be concluded through single package deals. In the analyzed period, both the Council and the EP exchanged their preferences solely in 11.3% of decisions. However, again, it is difficult to draw any conclusions from this result, as evidenced by the low and negligible value of the V coefficients.

THE RESULTS OF MULTIVARIATE ANALYSIS

Table 5 presents the results of the hypothesis-testing. It reports the regression coefficients (β) estimated using the maximum likelihood procedure, standard errors of estimates ($S.E.$), odds ratios (e^β) as well as indicators of models' goodness-of-fit, i.e. likelihood ratio χ^2 test, *pseudo R*², *AIC* (*Akaike Information Criterion*) and *BIC* (*Bayesian Information Criterion*). Generally, all models fit the data well. The most efficient is Model 3. Despite containing the least explanatory variables, it has the lowest *AIC* and *BIC* scores. In addition, its *R-squared* coefficient is only slightly lower than the highest observed in Model 2. As a result, Model 3 was selected to interpret the effect of specific predictors on concluding single package deals, based on the odds ratios.

In a nutshell, the analysis confirmed 6 out of 8 hypotheses (*H1*, *H2*, *H4*, *H6*, *H7* and *H8*), indicating that the issue-linkage under the co-decision is systematically related to the size of negotiation space (the number of issues and the complexity of the proposal), presidency workload, country coherence between the EP rapporteur and the Council Presidency, socialization and the experience of the committee responsible for the proposal in negotiating co-decision files. In addition, the regulatory technical and regulatory redistributive nature of the proposal as well as the duration of negotiations are relevant predictors of within-legislation logrolls.

H1 and *H2* assumed that issue-linkage strongly correlated with the size of the negotiation space. *H1* expected single package deals to be more likely when the proposal involves many conflicting issues. This hypothesis was corroborated in the analysis. The β coefficient of the *Issues* variable is positive and statistically significant in all models. The interpretation of the *OR* leads to the conclusion that, *ceteris paribus*, a one unit change in the number of conflicting issues increases the likelihood of issue-linkage by 32.1%. This result confirms the expectation drawn from the rational choice institutionalism that the presence of many diverse and conflicting issues creates a negotiating space in which the Parliament and the Council can exchange their preferences. In addition, numerous points of contention raise the transaction costs and make negotiations more cumbersome. In such conditions, issue-linkage is a simple and effective way to save the transaction costs and conclude an agreement without unnecessary delay.

Table 5. Predictors explaining the probability of issue-linkage under the co-decision

	Model 1		Model 2		Model 3	
	β (S.E.)	e^β	β (S.E.)	e^β	β (S.E.)	e^β
Issues	0.216 (0.056)***	1.241***	0.310 (0.071)***	1.364***	0.279 (0.060)***	1.321***
Complexity	0.138 (0.060)**	1.148**	0.158 (0.066)**	1.171**	0.134 (0.064)**	1.143**
Urgency	-0.264 (0.254)	0.768	-0.074 (0.272)	0.928		
Presidency workload	0.013 (0.009)	1.013	0.020 (0.009)**	1.020**	0.018 (0.009)*	1.018*
Ministers involvement	0.367 (0.234)	1.444	0.377 (0.246)	1.458		
Rapporteur Presidency	0.638 (0.314)**	1.893**	0.647 (0.327)**	1.909**	0.699 (0.321)**	2.011**
Socialization	0.083 (0.046)*	1.087*	0.125 (0.050)**	1.133**	0.128 (0.046)***	1.136***
Co-decision committee	1.027 (0.285)***	2.792***	0.875 (0.299)***	2.398***	1.019 (0.288)***	2.770***
Redistributive			-0.487 (0.583)	0.614		
Regulatory redistributive			0.876 (0.411)**	2.401**	1.123 (0.332)***	3.074***
Regulatory technical			0.918 (0.407)**	2.504**	1.150 (0.334)***	3.157***
Saliency			-0.009 (0.009)	0.991		
Directive			0.187 (0.243)	1.205		
Duration			-0.029 (0.012)**	0.972**	-0.028 (0.012)**	0.973**
Constant	-4.513 (0.658)***		-5.406 (0.809)***		-5.477 (0.719)***	
LR χ^2 (df)	61.2 (8)***		80.6 (14)***		76.4 (9)***	
Pseudo R^2	0.102		0.134		0.127	
AIC	556.6		549.3		543.5	
BIC	596.3		615.4		587.5	
N	605		605		605	

Notes: Standard errors in parentheses. Significance levels: * $p < 0.1$, ** $p < 0.05$, *** $p < 0.01$.

According to *H2*, the likelihood of concluding a single package deal increase when the legislative proposal is complex. This supposition was also confirmed in the analysis, as indicated by the β coefficient of the *Complexity* variable which is positive and statistically significant (at the $p < 0.05$ level) in all models. The effect of this predictor is quite strong. Holding all other factors constant, a one unit change in the complexity - that is, each additional EP committee asked for the opinion on the proposal - increases the likelihood of issue-linkage by 14.3%. In sum, the size of the negotiation space, defined as both the number of conflicting issues and the complexity, is a *sine qua non* condition of within-proposal issue-linkage in the EU lawmaking.

H3 expected the issue-linkage to be more likely under the co-decision when the proposal is urgent. This hypothesis is disconfirmed in the analysis. Not only the β coefficient of the *Urgency* variable is not statistically significant in Model 1 and 2, but also it has a negative value, indicating rather a detrimental relationship between within-legislation logrolling and urgency. In fact, only 16.3% (36 out of 221) of files containing the specific date of their entry into force were decided through single package deals in 1999-2009 period, as compared to 21.6% (83 out of 384) of legislative acts that did not include such a provision. The obtained result is quite surprising, since it challenges the rationalist expectation that EU legislators use within-legislation logrolls to reduce the transaction costs and speed up the negotiations, in particular when the proposal is urgent. At the same time, this result is in contradiction with Kardasheva's (2013) finding that package deals are more likely when legislation requires urgent adoption. However, it should be emphasized that her study differs significantly from my analysis: she investigated the reasons of concluding both multi and single proposal package deals and tested her hypotheses on a dataset made up of all legislative files adopted under the co-decision and consultation. Notwithstanding this, the obtained result leads to the conclusion that there are different conditions determining issue-linkage in relation to a single and several bundled proposals.

As expected by *H4*, issue-linkage under the co-decision is strongly correlated with the workload of the Council Presidency. The more dossiers are negotiated during the six-month term of the Council Presidency that concludes the negotiations on the analyzed legislative proposal, the greater is the probability of concluding a single package deal. The effect of the *Presidency workload* variable is positive in all models, and although it is not statistically significant in Model 1, it obtains this significance in Model 2 and 3 (at the $p < 0.05$ and $p < 0.1$ levels). *Ceteris paribus*, a one unit change in the Presidency workload - that is, each additional file negotiated during the Presidency term - translates into a 2% increase in the likelihood of issue-linkage. This result confirms, in line with the rational choice institutionalism, that when the legislative agenda is heavy, increasing the transaction costs and time pressure, legislators seek to reduce them by referring to informal settings or negotiation techniques. Reh et al. (2013) showed that such a mechanism takes place in the case of concluding early first-reading agreements. This study proves that a similar effect occurs in relation to issue-linkage.

Contrary to expectations, the empirical analysis did not confirm *H5*. The effect of the *Ministers involvement* variable is positive and strong in Model 1 and 2, however, it is not statistical significant. Even though the politicization in the Council is an important predictor of reaching early agreements (Hansen, 2014) and organizing trilogues (Brandsma, 2015), it is not a *sine qua non* condition of within-legislation logrolls. This means that the EP and Council negotiators can independently exchange preferences in secluded trilogues, without obtaining the political acceptance of their principals for these difficult and fragile agreements.

H6 expected the Parliament and the Council to be more willing to conclude single package deals when the EP rapporteur came from the country holding the Council Presidency at the time of key legislative negotiations. The analysis confirmed this expectation. The effect of the *Rapporteur Presidency* variable is positive and statistically significant in all models (at $p < 0.05$ level). Holding all other factors constant, when both negotiators share the same national identity, the likelihood of issue-linkage increases by a factor of 2.01. This result shows that, in line with the rational choice institutionalism, the country coherence between key decision-makers is a relevant predictor of logrolling, since it facilitates mutual contacts, boosts cooperation, reduces the transaction and cognitive costs as well as mitigates cultural and linguistic communication barriers. Not only does it positively affect the conclusion of early agreements in first reading (Rasmussen, 2011; Reh et al., 2013), but also - as this study shows - it enhances the propensity to linking issues.

H7 expected that the likelihood of issue-linkage increases with the time trilogues have been used under the co-decision. The analysis corroborated this hypothesis. This is evidenced by the β coefficient of the *Socialization* variable which is positive and statistically significant in all models. *Ceteris paribus*, each subsequent year of using informal tripartite negotiations increases the likelihood of concluding a single package deal by 13.3%. This finding supports the sociological institutionalist argument that issue-linkage is the effect of socialization. As trilogues are more frequent and intense, and informal package deals are concluded more often, a cooperative norm emerges that obliges actors to seek package compromises in the case of conflictual and tricky proposals. Decision-makers begin to internalize this norm and get more familiar with its implementation. With some time, issue-linkage becomes 'the right thing to do' and is applied to a larger number of proposals.

The analysis also revealed the existence of the 'structural effect'. It confirmed the second hypothesis derived from the sociological institutionalism, namely *H8*, which expected issue-linkage to be more likely when the EP committee responsible for the proposal is more experienced in dealing with co-decision files. The coefficient of the *Codecision committee* variable is strong, positive and statistically significant (at $p < 0.01$) in all models. Importantly, along with the policy content of legislation variable, this factor has the greatest impact on the conclusion of single package deals. According to odds ratios, if a file is assigned to one of the EP committees belonging to the 'co-decision club' - that is ENVI, IMCO, TRAN, ITRE or JURI - the likelihood of issue-linkage increases by a factor of 2.77. This finding suggests, in line with the sociological institutionalist explanation, that a greater experience in coordinating co-decision proposals, stemming from many regular and intensive intra- and interinstitutional meetings, especially in trilogues, might have created procedural meta-norm in these committees (Ripoll Servent, 2013), requiring their members to use the issue-linkage technique more frequently in negotiations with the Council. However, obtained result may also be the result of other, more rational factors, such as the committee size, the characteristics of its members or its workload. Certainly, the final explanation of the observed effect requires more research, in particular qualitative.

Turning now to control variables, the characteristics of the legislation play a key role in concluding logrolls. Contrary to expectations, the analysis showed that regulatory proposals are more likely to be concluded through single package deals than the distributive ones. According to the results, the *Regulatory redistributive* and *Regulatory technical* variables have a strong, positive and statistically significant effect on the issue-linkage, as observed in Model 2 and 3. Compared to the constituent proposals (reference category), the likelihood of issue-linkage increases by a factor of 3.074 and 3.157 when the negotiations are related to

regulatory redistributive or regulatory technical proposals, respectively. Amidst all predictors, the effect of these two variables is the strongest which indicates the importance of the regulatory nature of the file in concluding logrolls. By contrast, the *Redistributive* variable is not statistically significant. The β coefficient of this predictor is even in the unexpected, negative direction, suggesting that dossiers allocating financial resources are less likely to be concluded through a single package deal than constituent files. This finding is surprising in the light of previous studies showing that proposals involving budget-allocation issues are more likely to be negotiated through logrolls (Kardasheva, 2013). However, as already underlined above, Kardasheva (2013) examined both types of packages together (multi- and single proposals) and used a different sample. Once again, this analysis contributes to the study of issue-linkage in the EU lawmaking by displaying that multi-proposal and single proposal package deals have to be studied separately, since their occurrence is a function of different conditions.

By contrast, other characteristics of the legislation, namely the political importance and the type of the act do not have a visible impact on logrolling. Both *Salience* and *Directive* variables are not statistically significant in Model 2. This means that the likelihood of single package deals is similar for both salient and less important proposals. Likewise, despite directives are considered to involve more conflicting, redistributive, salient and complex issues, they have the same probability of being decided through logrolls as regulations and decisions taken together. However, the analysis revealed that the length of legislative negotiations has a detrimental effect on issue-linkage under the co-decision. This is indicated by the β coefficient of the *Duration* variable which is negative and statistically significant in Model 2 and 3. Hence, the longer the legislative negotiations last, the smaller the probability of concluding a within-legislation logrolls in their case. Holding all other predictors at constant level, a unit change in the duration - that is each additional month between the date of the Commission's proposal and the date of its adoption - decreases the chance of reaching a single package deal by 2.7%. This finding indicates that the legislators' propensity to exchange their preferences within a single proposal is the greatest at the early stages of co-decision when negotiations take place in small, secluded and informal settings and on the basis of flexible mandates. With the time, deliberations become more rigid and formalized, because both the Council and the EP adopt their positions on legislation. Therefore, the exchange of preferences becomes more difficult.

CONCLUSIONS (to be written)

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