

Cooperation and Competition in the European Parliament: A Game Theoretical Interpretation

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Abstract: *In this paper the author analyzes the nature of the legislative process which takes place within the European Parliament by studying the bilateral interactions among its relevant decisional groups, i.e. the parliamentary groups. In this sense, the author uses a methodological approach inspired from game theory, describing these interactions in the form of non-cooperative games similar in structure and function to the “negotiator’s dilemma” model proposed by Lax and Sebenius. Through comparing at a theoretical level the optimal strategies employed by parties in national parliaments with a majority-supported government with the optimal strategies employed by groups in the European Parliament the author concludes that the level of bilateral cooperation in the EP surpasses the one existent in national legislatures as cooperation is induced through the systemic relation developed among the groups as well as through institutional and ideological factors.*

Keywords: *bilateral interaction, cooperation, competition, European Parliament, negotiator’s dilemma, utility function*

JEL Classification: C72, C73, C78, D72

Section one

The European Union’s decision-making process was, ever since the establishment of the European Coal and Steel Community¹ and of the European Economic Community², defined and modelled by a significant number of political actors, both institutional and partisan (Tsebelis, 2002, p.12). One of the most important actors in this process, the European Parliament, has managed to enjoy an almost constant increase from the perspective of its attributed powers within the institutional system, as European integration was consolidated both in the intensive dimension and in the extensive one. Although it existed since the founding of the European Communities, the institution - then entitled “Parliamentary Assembly”- was initially unable to play a significant role in the intrinsic institutional mechanisms of the system. This situation persisted until the end of the 8th

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¹ Constituted by the Treaty of Paris which entered into force in 1952.

² Constituted by the Treaty of Rome which entered into force in 1958.

decade, specifically in 1979, when members of the “European Parliament”³ were elected for the first time, and not appointed as it was the case in the previous terms. Through this method the MEPs⁴ were conferred popular legitimacy, and the demand for an expansion of powers delegated to the institution to which they were affiliated was an obvious consequence of their representative status. The tendency to assign more powers to the EP became a prevalent pattern, recurring constantly in future treaties. Firstly, according to the Single European Act (1986), the European Parliament was granted for the first time a significant role with respect to the approval of EU legislation, through the introduction of the cooperation procedure. Only six years later, the EP attained a status similar to the one held by the Council through the introduction of the co-decision procedure (although only in a limited range of domains) in the Treaty of Maastricht. This tendency was also followed in the next two treaties, as both in the Treaty of Amsterdam (1997) and in the subsequent Treaty of Nice (2000) the competence area of the EP was significantly expanded (Bărbulescu, 2008, pp.213-223).

Section two

The Treaty of Lisbon, which entered into force on 1 December 2009, maintained the direction of the previous treaties, and once again granted additional powers to the European Parliament. The most important provision affecting the EP was, by far, an expansion in the number of areas where co-decision is used. Unlike previous treaties however, the Lisbon Treaty did not only further expand the number of co-decision employing domains, but it attributed to co-decision the title of “ordinary legislative procedure”⁵, thereby making it the primary decision-making procedure utilized in the EU legislative process.

All areas in which co-decision is not employed are decided upon through the “special legislative procedures”⁶. The main areas in which decisions are taken through special ordinary procedures are the former 2nd pillar⁷ - the Common Foreign and Security Policy -, certain regulations of the internal market (Art. 113, 115 of TFEU), social security (Art.21(3) of TFEU) and in a few other situations. However, through the Passerelle Clause (Nowak-Far, 2010, p.1-4), even in areas where special legislative procedures are normally used, the European Council, acting unanimously, can adopt a decision allowing specific legislative acts to be passed through the ordinary legislative procedure⁸. Even if the Passerelle Clause is not used however, the vast majority of legislative acts are adopted through the ordinary legislative procedure and therefore we can safely state that an analysis of the legislative process which characterizes the European Union must be focused on this particular procedure.

From this perspective, the Lisbon Treaty is extremely helpful to political scientists interested in studying the legislative process of the European Union, as for the first time

³ Renamed in this form in 1962.

⁴ Member of the European Parliament.

⁵ Art. 294 of *The Treaty on the Functioning of the European Union*.

⁶ Consultation and Assent procedures.

⁷ The former 3rd pillar - Justice and Home Affairs - was renamed “Police and Judicial Co-operation in Criminal Matters” and is now included in the spectrum of areas in which co-decision is applicable.

⁸ Art. 48 (7) of *The Treaty on the European Union*.

after the ratification of the Single European Act, there is a single legislative procedure used for the adoption of almost all legislative acts.

Section three

Keeping in mind the major changes brought forward by the Lisbon Treaty, which will have a significant influence in the development of the European legislative process, an analysis surveying the internal nature of the decision-making process in the European Parliament is of great importance. The aim of this paper is therefore to offer the readers a view, inspired particularly from rational choice institutionalism (Hall and Taylor, 1996, pp.10-13), over the decision-making process existing in the EP, by analyzing the interactions and relations developed by its relevant political players. To achieve this, I will describe the decision-making process of the EP as being formed through an aggregation of interactions which take place between parliamentary groups, interactions which ultimately determine legislative results⁹. Further, I argue that these interactions can be modelled in the form of non-cooperative games, and I utilize a specific variation of such a game, the “negotiator’s dilemma”¹⁰ (Lax and Sebenius, 1992, pp. 49-62), in order to study them. The reason why I use the theoretical model proposed by Lax and Sebenius is that it is able to adequately characterize the situation existent within legislative chambers, especially in political systems in which majority single-party governments are atypical, and parliamentary factions must negotiate with each other in order to pass legislative acts. As it represents a non-cooperative game, the model proposed by Lax and Sebenius can be reduced to four fundamental elements, which characterize games of this nature (in normal form): the players list, strategies, the profile set and the results (Miroiu, 2007, pp.12-15). In the following parts I will individually analyze each of the constituent components, so that we may infer conclusions about the results of the game, starting with the first three elements.

Section four

First of all, I will study the players involved, however, this analysis will not focus exclusively on their respective roles with regard to the model, but for a better understanding of their status within the general decisional mechanism I will tangentially describe all the significant players which are involved in the ordinary legislative procedure. The typology of players involved in this procedure can be examined from more than one perspective, but by investigating two specific dimensions we can obtain an image which expressively

⁹ More specifically the approval, amendment or rejection of legislative projects by the Parliament

¹⁰ The *negotiator’s dilemma* represents in fact a variation of the prisoner’s dilemma (for a detailed account of this type of game see Miroiu, 2007), the difference being that unlike in the classical prisoner’s dilemma, in the negotiator’s dilemma players are able to communicate and establish agreements. However, the game remains non-cooperative, as agreements are not enforced by third-party actors. Another difference between the negotiator’s dilemma and the prisoner’s dilemma is that, due to the different nature of the players and aims involved, the set of strategies adopted are not cooperation/defection but cooperation/competitiveness. Also, the variation proposed by Lax and Sebenius utilizes a literary form for the payoff matrix, rather than a numerical one, but in this paper I refrain from using the literary form as I consider it insufficiently rigorous. However, I use ranges of values instead of unique values, in order to underline the fact that the same result has different consequences for different players involved.

characterizes the specific powers which the actors involved in the theoretical model described in this paper possess. The first dimension relates to the distinction formulated by Tsebelis with respect to the nature of the players¹¹, his classification dividing them in two categories: institutional players (Tsebelis, 2002, p.12), in this case, the European Commission, the Council of the European Union and the European Parliament, and partisan players (Tsebelis, 2002, p.12), in this case, the political groups in the European Parliament and the ministers in the Council. A second dimension, which relates to a player's power to influence the legislative process, differentiates them into three categories. The first category is represented by agenda-setters, who are assigned the task of conceiving policies and legislative acts, and are implicitly responsible to decide which topics are introduced in the formal political agenda for deliberations. In the European institutional system, by monopolizing the right to legislative initiative, this function is controlled by the European Commission¹². The second category consists of players with "permanent veto rights", a category which encompasses the other two institutional actors, the Council and the Parliament, as both these institutions have the right to unilaterally reject legislative proposals through a series of procedural mechanisms stipulated in Art. 294 of TFEU. Also, another type of veto players exists in the EU legislative system, a type which Stoiber terms "restricted" veto players (Stoiber, 2006, p.2). Under this category fall both "conditional" veto players, which depend on actions undertaken by others, in our case: parliamentary groups, Council Ministers and the European Commission (according to Art.294, Par.9 of TFEU the Commission can influence the voting procedure in the Council at the second reading if it delivers a negative opinion on parliamentary amendments), and "case-by-case" veto players (Stoiber, 2006, p.2), the influence of which depends upon contextual circumstances. Ministers in the Council can be included in this category, as there are circumstances in which they possess a unilateral right to block any legislative proposal (in the conditions previously mentioned, under the provisions of Art.294, Par.9 of TFEU, if at the second reading the Commission delivers a negative opinion, the Council must act unanimously to approve the respective amendments). Also, in this classification must be included the right to propose amendments to legislative projects, in this category being integrated all players specified until now, except the European Commission¹³.

As I have previously mentioned, this categorization is useful to illustrate the impact which parliamentary groups exercise within the institutional system of the European Union. Thus, we can observe from Table 1 the position which parliamentary groups hold in the legislative process: they are partisan players which have restricted veto rights (of a conditional nature) and which can amend legislative proposals. These characteristics are extremely important if we address the problem of negotiation potential, particularly keeping in mind the players' possibility to exercise conditional veto powers.

¹¹ Tsebelis uses the classification to distinguish between veto players, but it can be extended to any player participating in the decision-making process.

¹² Art.294, Paragraph (2) of *The Treaty on the Functioning of the European Union*.

¹³ Although through Art.294, Par. 9, the Commission is capable of influencing the legislative project, it cannot however directly amend it.

Table 1. Typology of players involved in the EU ordinary legislative procedure

Typology Actors	Structural nature		Functional nature			
	Institutional	Partisan	Agenda- Setter	Veto players		Right to Amend
				Permanent	Restricted	
Commission	X		X		X (conditional)	
Council	X			X		X
Parliament	X			X		X
Parliamentary Groups		X			X (conditional)	X
Council Ministers		X			X (conditional, case-by-case)	X

Source: Author

Until now we have considered that parliamentary groups are the most important actors involved in the decision-making process intrinsic to the European Parliament. An essential question to which I must respond at this point however, is if this conception is indeed legitimate, or do interest dispersion and loyalty divergence in the EP determine the formation of alternative conventional decisional groups, in the sense that the influence exercised by these alternative groups in the legislative process is superior or even remotely similar to the one exercised by parliamentary groups. If this hypothesis was true, then applying an iterated model of the negotiator's dilemma to the interactions between parliamentary groups would be an inconsequential attempt to characterize the decision-making process of the EP.

One of the main arguments which could be brought in favour of such a hypothesis is that in the European Parliament, MEPs allegiances are far more diverse and dispersed than in a national legislature, where the primary loyalty of politicians lies with their respective parties. In order to conduct an analysis of this problem, and to further manage to identify the individual strategies employed by politicians, we must first examine the set of objectives generally targeted by politicians. Regarding this issue, scholars usually divide politician profiles into "office-seekers" and "policy-seekers" (Shepsle, 2006, p.28). The first type of politician profile is based on the fact that politicians are rational individuals which seek to maximize their utility functions by satisfying their professional and material interests. The method through which these type of politicians attempt to maximize their utility is to accede into high-ranking offices for the benefits brought by the

political position¹⁴. In the European Parliament, this type of politician would be loyal first of all to the national party to which he belongs, because of the necessity to be selected for an eligible position on the election ticket (keeping in mind the fact that all electoral systems used for accession into the European Parliament are proportional representation systems), secondly to his parliamentary group, as its leadership distributes the Committee positions according to the principle of partisan rationale (Yordanova, 2009, p.264) and can also provide access to other important positions within the EP, and thirdly, at a considerably inferior level by comparison with the first two, to the institution, in this case the EP, because an augmentation of the powers held by the institution within the general European framework would produce benefits in terms of influence for its constituent members.

In opposition to the office-seeker, the policy-seeker is not interested in the material or professional component inherent to his position, as his utility function is maximized by the approval and implementation of certain preferred sets of policies. The allegiance of this type of individual would therefore lie, firstly with a political platform, and in the same time (depending on the origin of his policy-seeking behaviour) with pressure groups or with the electorate. Nevertheless, manifesting loyalty toward the parliamentary group to which the politician belongs is unavoidable, and holds a primary place in the allegiance set, not because of the privileged positions or carrier advantages possibly bestowed upon the politician by the leadership of the parliamentary group, but because any political project proposed by him would have no chance of passing in the event that they are not supported by the political groups in the legislature.

From the simultaneous analysis of the two politician profiles we can conclude therefore that the type of allegiance common to both types, and which is of great importance in each of them, is the loyalty manifested toward the parliamentary group to which politicians belong.

Another argument against the hypothesis that parliamentary groups are the predominant decisional actors in the European Parliament comes from the direction of rational choice theory and refers to the unilateral defection of an individual from the general voting line established by the party. In the European Parliament there are currently five voting procedures: by show of hands (the normal procedure), using the electronic voting system, by sitting and standing, by roll-call or by secret ballot¹⁵.

Let us consider a situation in which, because of multiple loyalties or alternative personal options of a politician, he would prefer a different voting result than the one supported by his parliamentary group. In this case, if voting was exercised under the provisions of Procedure No.169, through secret ballot (used in the case of appointments or if it is requested by at least one fifth of the entire number of MEPs), the unilateral defection of an individual who disagrees with the position decided by the leadership of the parliamentary group would be rational as it would produce an improvement in his

¹⁴ In order to ensure that the office-seeker – policy-seeker distinction has a significant visibility, I will consider that both profiles are ideal-types (Weber, 1949, p.211). Specifically I will assume that the office-seeker has no interest in promoting policies, and the policy-seeker is disinterested in the professional benefits of the position which he occupies. Obviously, in practice the distinction is not so clear-cut and politicians generally possess, in different quantities, psychological traits specific to both ideal-types.

¹⁵ *Rules of Procedure for the European Parliament*, pp.91-93.

utility function as a consequence of the fact that he participates in producing the desired outcome (and because of the secret nature of the vote he can hope that other disgruntled colleagues within his parliamentary group will adopt the same strategy), while at the same registering no supplementary cost. This situation can be illustrated in the form of a non-cooperative game, as shown below, in Figure 1.

Figure 1. Non-cooperative game with a parliamentary group (n-1) and a dissident member from its ranks (i) while using the secret ballot procedure

i \ n-1	A	B
A	0, 3	0, 0
B	1, 3	3, 0

Source: Author

In this game, *i* represents the individual which hopes that the concluded outcome will be different from the one desired by his parliamentary group, and *n-1* represents the parliamentary group to which *i* belongs (with the exception *i* himself)¹⁶. A and B are the two strategies available, with A representing the outcome sought out by the parliamentary group, and B representing the outcome sought out by the dissident member. The payoff matrix can be explained in the following manner:

- in profile (A, A) the utility function of the parliamentary group is maximized because all its members vote on the line imposed, and therefore the chances that a favourable result will be achieved are maximal. The player *i* however will not register any gains in terms of utility because the chances that his preferred outcome will occur are minimal.
- in profile (A, B) neither players would vote for the result which they prefer, and therefore both utility functions are minimal.
- in profile (B, A) *i* increases his overall utility because through his vote the chances that his desired outcome will occur are increased, and the parliamentary group also maximizes its utility by voting according to party lines.
- in profile (B, B), the utility of *n-1* is minimal because the outcome will be

¹⁶ Following a methodological individualist stance we can observe that because *n-1* is not a unitary player, the collective choice made by *n-1* is in fact an aggregation of individual choices made by its respective members. Taking this fact into consideration we can further conjecture that *n-1* cannot make a choice which reflects in turn the choices made by each of its members - see Arrow's impossibility theorem (Arrow, 1951) -, except in the unlikely case in which all individual preferences coincide and the Pareto set contains a single outcome. Therefore, what should be understood through the phrase "choice made by player *n-1*" is not that a collective choice which has been mutually-agreed upon by all individuals of *n-1* has been made, but rather that it reflects the official position of the parliamentary group, being in effect the voting line demanded by the party leadership.

unfavourable to its position, while the utility function of the dissident member is maximized, as the outcome preferred by him has a maximum chance of occurrence.

The key element which must be taken into consideration when analyzing this game is that because of the secret nature of the vote the relevant information is unavailable to other players even after voting is concluded. In more technical terms, the model is a Bayesian game (Neumann and Morgenstern, 1944, p.30) with imperfect information¹⁷ (Harsanyi, 1995, p.297). The utility increase of player *i* is based exactly on this aspect, first of all because if information about prior actions of an individual is unavailable to the parliamentary group's leadership, he cannot be sanctioned for going against the party line, and secondly as he can rely on the fact that *n-1* will not vote as a unitary player (because if this was the case his defection will ultimately be futile as the influential capacity of only one voter is almost unnoticeable), but because of its collective structure other members will also defect and choose to disregard the party's decision. To conclude this part, profile (B, A) is therefore the solution of the game, and it represents both a Nash Equilibrium¹⁸ and a Pareto-efficient solution¹⁹.

However, excepting appointments, the secret ballot is almost never used in the EP, the main reason being that during this voting procedure, parliamentary group leaders would be unable to exercise the control mechanisms through which they can generally ensure that party members will vote according to the decisions reached by the leadership bureau. How would the situation described above look like if voting was not expressed secretly, and information regarding individual votes is available to party colleagues and leaders, which is in fact the standard situation in the EP? This type of situation is modelled in Figure2.

Figure 2. Non-cooperative game with a parliamentary group (n-1) and a dissident member from its ranks (i) while using non-secretive voting procedures

i \ n-1	A	B
A	0, 3	0, 0
B	-1, 2.9	2, 0

Source: Author

¹⁷ In games with imperfect information, at some stages of the game (in this particular case in all stages), players will have only partial information, or none at all about some moves made at earlier stages (Harsanyi, 1995, p.297).

¹⁸ It is a Nash Equilibrium because no player has any reason to unilaterally change his strategy.

¹⁹ It is a Pareto-efficient solution because no move can be a Pareto improvement.

The payoff matrix can be explained in the following manner:

- in profiles (A, A) and (A, B) the explanation is similar to the first game.
- in profile (B, A) the utility function of *i* decreases, as the dissident vote cast by player *i* is noticed and sanctioned through the specific means available to each parliamentary group, and the chances that the outcome desired by the defecting member will occur are minimal, because even if other members were favourable to the position adopted by *i*, they will avoid the adoption of a similar strategy because such an action would lead to an irrational result, specifically a decrease in terms of utility. There is also a minor drop in the parliamentary group's utility function because without the vote of *i* there is a slight decrease in their chances to attain the wanted result.
- in profile (B, B), the outcome will be the one favoured by *i*, but he will have to withstand sanctions imposed by party leaders for his defection, and because of these sanctions he will not enjoy the same utility as he would experience if the vote was conducted through secret ballot.

The solution to this game is therefore, if we consider that all players are rational and use a minimax criterion to decide (Miroiu, 2007, p.22), profile (A, A), the solution being both a Nash Equilibrium and Pareto-optimal.

The key element in this case is that the information about a player strategy is available to others after the conclusion of the voting procedure. In these conditions, parliamentary groups become intermediate groups (Olson, 1965, p.50), in which all players have incentives to contribute to the generation of collective action necessary in order to produce a collective good (here, result A). The theoretical reconfiguration of a parliamentary group according to the voting procedure divides them into latent groups²⁰ (Olson, 1965, p.51)-when the secret ballot procedure is used-, and intermediate groups, where individuals are stimulated to cooperate and vote mindful of the party line -when voting is done through show of hands, through electronic means, through sitting and standing or through roll-call-. This statement effectively contradicts Carruba and Gabel's hypothesis, according to which politicians in the EP only respect party lines during roll-call vote (Carruba and Gabel in Whitaker, 2005, p.12), in which case an analysis of MEPs behaviour through the empirical support of roll-call votes (a method also employed in this paper) would be insufficiently relevant in describing the general voting patterns of parliamentary groups.

Also, aside from these substantial arguments which prove that in the large majority of cases, MEPs do not vote against their parliamentary groups, as firstly their loyalties converge toward these organizations, and secondly dissident actions would be irrational if the nature of the vote is not secret, the cohesion inside parliamentary groups is also institutionally supported through mechanisms like the whipping system (Hix, 2005, p.91), imported from party organizational techniques employed in British politics, or the delegation of agenda-setting powers within the EP to the Conference of Presidents (Hix, 2005, p.90) and other similar mechanisms.

According to the arguments presented in the previous pages, we can therefore consider that parliamentary groups, with the specific traits described in Table 1, do indeed represent the pre-eminent decisional groups within the EP, and their interactions define

²⁰ Characterized by a lack of information regarding the actions undertaken by each individual in the group.

the decisional process intrinsic to the institution, determining the approval, amendment or rejection of legislative acts.

Section five

In the next part I will analyze the strategies employed by the relevant players defined in the previous section, so that I can formulate conclusions about the outcomes of their interactions. As mentioned before, in a single round game of negotiator's dilemma, each player has the option to choose from a set of two possible strategies: cooperation and competition. However, political groups within a legislative Chamber interact in a repetitive way, thereby transforming the game model into an iterated one, repeated n times, where n is an indefinite natural number, and in these conditions players generally do not use pure strategies, but mixed variations. (Miroiu, 2007, p.77)

I will structure the strategy analysis in two distinct parts, firstly presenting the theoretical arguments which influence parliamentary groups to act in a cooperative manner, and then I will integrate these preferences in the formal model proposed by Lax and Sebenius.

First of all, we must identify the elements involved in the decision-making process of an individual. Broadly, we can discern three main components which influence strategic choices: 1. preferences, 2. relations with other relevant actors (in the sense that a player can anticipate the choice made by other players in the game and can adjust his own strategy accordingly) and 3. institutional constraints.

The first question approached from this perspective is, therefore, if the preferences which characterize parliamentary groups represent a factor which determines and consolidates cooperation, or by contrast, are found to be in an inflexible contradiction and cannot form the basis of a decisional process built on cooperation. In trying to answer this problem, but also to underline some other important aspects of cooperation, I will use the empirical support developed by Simon Hix and Abdul Noury (2006) regarding the behaviour of parliamentary groups in the Fifth European Parliament (1999-2004)²¹ ²². There are at least two substantial arguments which defend the position according to which parliamentary group preferences contribute in a positive way to the level of cooperation existent in the EP, and both of them are centered on the data extracted from Hix and Noury's research.

One of the arguments derives from the ideological fragmentation existent in the EP. By analyzing the political composition of the Fifth EP, we can easily observe that every significant ideological position in the democratic spectrum is occupied by a parliamentary group. Excepting the EDD²³ which cannot be analyzed through a left-right cleavage perspective because the main ideological element holding its factions together was euro-scepticism and a radical opposition towards any further delegation of power from national authorities to the EU, we can notice that the other six parliamentary groups reflected all ideological positions conventionally present in western democracies: EUL/NGL (European United Left/ Nordic Green Left) assumed socialist positions and represented the most left-

²¹ I use this empirical background in order to encompass an entire EP mandate, and this set of data constitutes an accurate depiction of the decisional patterns followed by parliamentary groups.

²² The empirical support is displayed in Fig.3 and Table 2.

²³ Europe of Democracies and Diversities.

wing group when analyzed through the left-right cleavage dimension, G/ EFA (Greens/ European Free Alliance) assumed ecologist positions and also represented the views of autonomist movements, while at the same time keeping true to a left-wing ideological guideline, PES (Party of European Socialists) assumed social-democratic positions and occupied the centre-left of the ideological spectrum, ELDR (European Liberal Democrat and Reform Party) represented liberalism, EPP-ED (European People's Party – European Democrats) assumed Christian-democratic and liberal conservative positions, occupying the centre-right of the political stage, and UEN (Union for Europe of Nations) assumed conservative and national conservative positions, representing the political right. Because such a wide range of political positions, on both sides of the ideological centre, were represented, it would have been far more likely that parliamentary groups would find negotiation partners which are ideologically viable. This hypothesis is supported according to Table 2, where it is clearly shown that the tendency for bilateral cooperation among ideologically related parties, as for example between EUL/ NGL and G/ EFA, which registered a percentage of cooperation of 79.3%, or the EPP-ED and UEN which registered a percentage of cooperation of 71.2%, is predominant.

Table 2. Bilateral cooperation percentages in the Fifth European Parliament²⁴

Political Group	EUL/NGL	G/EFA	PES	ELDR	EPP-ED	UEN	EDD	NA
EUL/NGL	-	79.3	69.1	55.4	42.4	45.9	59.2	52.4
G/ EFA	79.3	-	72.0	62.3	47.1	45.2	55.5	51.0
PES	69.1	72.0	-	72.9	64.5	52.6	52.6	56.8
ELDR	55.4	62.3	72.9	-	67.9	55.0	52.3	60.0
EPP – ED	42.4	47.1	64.5	67.9	-	71.2	52.0	68.2
UEN	45.9	45.2	52.6	55.0	71.2	-	62.6	73.8
EDD	59.2	55.5	52.6	52.3	52.0	62.6	-	63.8
NA ²⁵	52.4	51.0	56.8	60.0	68.2	73.8	63.8	-

Source: Hix and Noury, 2006, p.19

We can also observe that the level of cooperation is not elevated only in the case of bilateral interactions between parliamentary groups placed on one side of the ideological

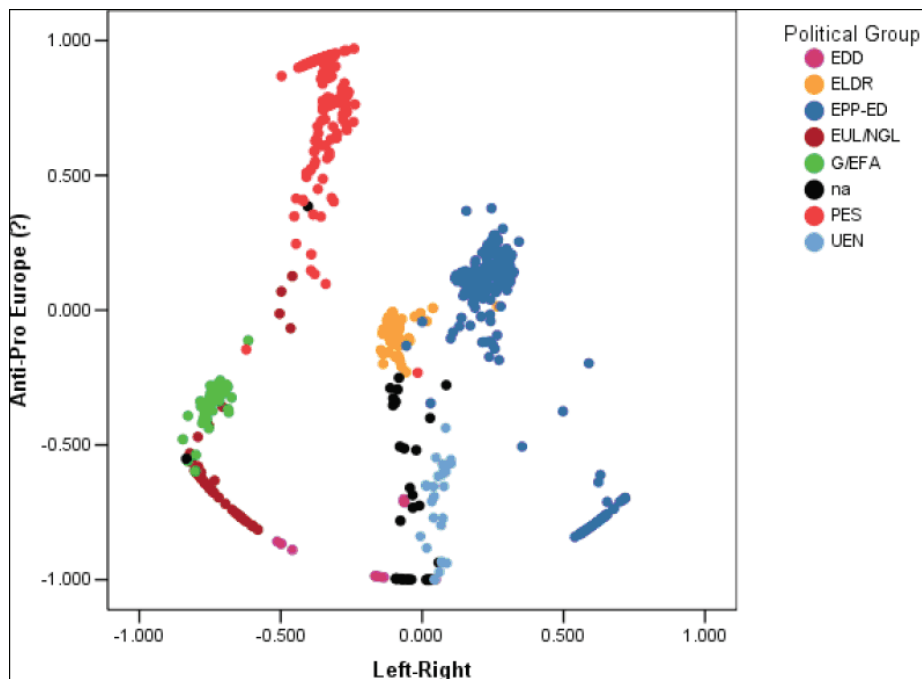
²⁴ Each cell shows the percentage of times the majority of MEPs in the two political groups voted the same way in all the roll-call votes in the given period (Hix and Noury, 2006, p.19).

²⁵ Non-attached members.

centre, but also between the parties which surround the ideological centre (64.5% between EPP-ED and PES, 67.9% between EPP-ED and ELDR and 72.9% between PES and ELDR). Although other factors are also important in the decision-making process of parliamentary groups, the ideological proximity constitutes an important element in the equation, and the fact that all significant positions are represented in the EP promotes the existence of an elevated level of cooperation manifested by each group (including the EDD, which in spite of its euro-sceptic position has registered a level of bilateral cooperation of over 50% with every other group in the EP).

A second element which is essential in the analysis of parliamentary group preferences, is that in regard to the most significant political dimension, the expansion of EU integration, both extensively and intensively, the preferences of the three dominant parliamentary groups (EPP-ED, PES and ELDR), which together held at that time 463 out of 626 seats, coincide, all of them manifesting an openly pro-European attitude.

Figure 3. Spatial Map of the Fifth European Parliament reflecting the left-right and anti-Europe – pro-Europe dimensions



Source: Hix and Noury, 2006, p.20

When examining Fig.3 we can observe on the ordinate axis that pro-European sentiment predominates among the three major groups in the EP (excepting a certain segment of

EPP-ED, which can be identified with the Conservative Party²⁶ of the United Kingdom, known for its unassailable opposition to any expansion of the intensive dimension of EU integration). The ideological directions of the three groups were therefore convergent through this perspective, which is of paramount importance because it establishes a general line of thought common to the parties involved.

Regarding the second element influencing the decision-making process of parliamentary groups in the EP, that is, the relations developed with other actors in the system, we can also identify a substantial argument which defends the hypothesis that a high level of cooperation between groups exists, despite the fact that in certain conditions (the bilateral cooperation of another actor), it could apparently be more productive for an actor to use a competitive strategy. However, because of the repetitive nature of interactions between parliamentary groups, the actual situation is somewhat reversed. The reason why actors prefer to cooperate rather than defect when their interactions recur an indefinite number of times is synthesized by Robert Axelrod, who demonstrates in his series of tournaments that, in the long-run, the utility gained by players who employ cooperative strategies is greater than the one gained by players who use "unfriendly"²⁷ strategies (Axelrod, 1984, pp.16-17).

The third factor which influences the strategic choices made by parliamentary groups is the existence of institutional constraints, which is probably the most visible element of the set.

A conclusive example of the decisive influence which the nature of the institutional system has on the level of cooperation registered within the EP is the requirement of an absolute majority for the amendment or rejection of a law project during the second reading in the ordinary legislative procedure²⁸. Although at a theoretical level, an absolute majority can be reached through the agreement of the two dominant parliamentary groups, the social-democrats and EPP²⁹, in practice the high absentee ratios in the EP renders the bilateral cooperation of the two groups insufficient. An analysis conducted by Scully in this area demonstrates that before 1997, on average, legislative acts were voted upon by approximately 65% of the entire parliamentary body, thereby increasing the percentage necessary for amendments or rejections of law projects to 77% of all present members (Scully, 1997, p.243). Although in 1998 contract clauses were introduced according to which politicians expenses would not be reimbursed except if they were present during voting procedures, the solution enjoyed only a partial success, leading to a small drop in absentee ratios of about 10%. Thus, on average, a 67% majority among present members is required for amending a "common position" adopted by the Council (Hix, 2005, p.97). A large degree of cooperation among decisional groups in the EP is therefore imposed through this institutional constraint, in order to approve amendments during the second reading of law projects, and this usually implies agreements between the two large groups supported by a third party, or agreements between coalitions of minor groups supported by one of the dominant parties.

²⁶ Which at present time is no longer a member of EPP-ED.

²⁷ Meaning they defect unprovoked.

²⁸ *Rules of Procedure for the European Parliament*, p.46.

²⁹ As from the first direct elections in 1979 until the present day they have constantly held a combined seat percentage of over 50%.

Another factor which is beneficial to the level of cooperation and which also derives from the nature of the institutional system is that, unlike in national legislatures, in the European Union there are no politically affiliated executive cabinets, which could require the support of a party coalition from the legislative branch. Although the Parliament can use a motion of non-confidence to dissolve the Commission³⁰ and the Commission is appointed after a positive vote from the EP³¹, the relation between the two institutions is radically dissimilar to the one generally existing in Western democratic systems, where the government is supported by a segment of Parliament which usually consists of over 50% of the entire body. Moreover, the EC's composition does not take into account the EP composition, as the Commissioners are designated by states in accordance with the President of the Commission³² (Bărbulescu, 2008, p.24). Also, the Commissioners are not politically affiliated and are required to be independent from other professional activities and from state allegiances during their mandate, unlike cabinet members in national governments, which are representatives of parties, or specialists directly supported by parties. One of the main reasons why in national legislatures parliamentary parties do not have cooperation incentives is that the governmental parties (presuming that we are in a typical situation, where the government holds a majority of seats in Parliament) can pass legislation without the support of opposition parties, and a cooperative behaviour in these conditions would be irrational³³. Taking into account the fact that the relation between the EP and the Commission is not reflected in the Commission's structure, parliamentary groups are stimulated to frequently cooperate in a multilateral manner, because none of these actors enjoy the privileged relation existing between a national cabinet and the parties supporting it. Another key element from this perspective is that the legislative powers of the European Commission are not similar to those of a national government, in the sense that it is generally unlikely for a national cabinet which is supported by a consistent majority in the legislative to encounter problems in passing proposed legislation through the Chambers of Parliament. The outcome of legislative proposals formulated by the Commission is however quite unforeseeable, requiring the approval of both Council and Parliament, Chambers which are not related to the Commission through their common political allegiance as is the case in national political patterns. Cooperation can therefore be used by Parliament to consolidate its status within the institutional system and in order to represent an effective counterweight against other institutions involved in the legislative process.

Another institutional element which determines an increased level of bilateral cooperation among ideologically proximal factions (but also leads to a decrease in cooperation among ideologically remote factions) derives from the applicability domain of the co-decision procedure, which is the only legislative procedure in which the EP is placed in a genuine position of power (through the properties displayed in Table 1, specifically the possibility to amend the legislation and permanently use its veto right). Initially, according to the Treaty of Maastricht the usage of co-decision was limited,

³⁰ Art.234 of *The Treaty on the Functioning of the European Union*.

³¹ Art.17 (5) of *The Treaty on the European Union*.

³² Although, as mentioned before, the entire composition of the Commission, as a collegial body, requires the approval of the EP.

³³ I will further elaborate on this aspect in a later section.

and restricted to economic issues inherent to the emergence of a common market, as for example the freedom to provide services, free movement of persons, regulations regarding the internal market and other general areas like education, health, culture, etc. (Bărbulescu, 2008, p.214). In these conditions, the importance of legislative acts debated in the EP was somewhat modest if we consider its final impact on the *acquis communautaire*. Following the ratification of the Amsterdam Treaty and the Treaty of Nice, the number of domains in which co-decision was employed increased significantly, the procedure being introduced for areas such as equality of chances, custom union regulations, anti-corruption practices, social policy, transportation, etc. (Bărbulescu, 2008, p.222). Finally, according to the provisions stipulated in the Lisbon Treaty, the co-decision applicability spectrum is extended to almost all domains regulated by the EU. The evolution of the EU institutional system in the past two decades has dramatically altered the power configuration of involved actors, and the EP has become a player which is of similar importance to the Commission and Council. However, a derived phenomenon is the diminution of consensual tendencies existing both at an inter-institutional level, and at an intra-institutional one. The reason for this abatement in intensity is that a substantial increase in the importance of legislative acts, and a simultaneous increase in the number of topics in which political actors have radically divergent positions, leads to a redefinition of strategic patterns, in the sense that cooperation with some political actors becomes highly improbable. However, this does not predict that a generally lower level of cooperation will characterize the EP, as a lower level of multidimensional cooperation can be compensated through an intensified bilateral cooperation, which should be favoured by an accentuation of the ideological divide.

Section six

The previous section highlights the fact that a significant number of elements are involved in the strategic decisions made by players within the system³⁴. In the following part I will apply the *negotiator's dilemma* model to the interactions between political groups in the EP. In the original model proposed by Lax and Sebenius (1992), this game has the configuration displayed in Figure 4.

Figure 4. Negotiator's dilemma

		B	
		Cooperation	Competition
A	Cooperation	GOOD	TERRIBLE
	Competition	GREAT	MEDIOCRE

Source: Lax and Sebenius, 1992, pp.49-62

³⁴ Of course the analysis does not have an exhaustive character, and there are other elements which can also influence the individual decision-making process.

Between this type of game and the classical type of prisoner’s dilemma there are, as I have already specified in a previous section both important similarities and differences. The most significant resemblance is that the strategic rationale employed by players is similar in both cases, and in these conditions, if the game consists of a single round and there are no auxiliary incentives, the solution and Nash Equilibrium will be a double competition that would produce an outcome Pareto-inferior to double cooperation. The main difference on the other hand is related to the payoff system which is more vaguely-expressed than in the case of the prisoner’s dilemma, so as to reflect the differentiated consequences which outcomes have between players. Another difference is related to the set of strategies available to players, constructed so as to reflect the different nature of the game.

In order to highlight the cooperation level existent in the EP through the instrumentality of such a game, it is necessary that we have an appropriate element of comparison. Therefore, I will begin this section of the paper by modelling the interaction between two parties which belong to a national legislature through a variation³⁵ of the negotiator’s dilemma, where A represents one of the parties in power and B represents one of the parties in opposition³⁶ (because we assume that in general, the parties in power will cooperate between them, and the cooperation of opposition parties is largely irrelevant because it will not determine the adoption of legislative acts). This game is depicted in Figure 5.

Figure 5. Interactions between governmental parties and opposition parties in a typical national legislature³⁷

A \ B	Cooperation (C)	Competition (c)
Cooperation (C)	[2,4]	0
Competition (c)	[6,8]	[4,6]

³⁵ This is not a normal-form negotiator’s dilemma because the payoff matrix is significantly dissimilar.

³⁶ This example is valid for a typical minimal-size government (either consisting of one party or of a coalition of parties) or an oversized coalition, excluding the atypical case of minority government (Lijphart, 1999, pp.98-99), where a high level of cooperation is forced through the partisan arrangement.

³⁷ For a better understanding of the payoff matrix I have used a numerical form and not a literary one as Lax and Sebenius use in their original model. However, it is important to notice that the numerical form consists of a range of values, not a single figure, due to the fact that, as previously mentioned, unlike in the prisoner’s dilemma where outcome effects and utility fluctuations are similar to both players, in this model outcomes produced by legislative negotiations impact players in differentiated ways.

The payoff matrix can be explained in the following manner:

- in profile (C, C) bilateral cooperation is translated into the adoption of legislative acts proposed both by parties composing the government and by opposition parties. Thus, the utility range [2,4) of the party in power does not reflect the fact that favourable legislative acts were adopted, but is rather an indicative of the benefits gained by the lack of parliamentary opposition³⁸, benefits which are principally materialized in terms of electoral gains (as the opposition does not attack governmental positions). On the other hand, the utility range of the opposition party is significantly increased, as the benefits obtained through the approval of favourable legislative acts are greater than a potential gain derived from contesting governmental policies.
- in profile (c, C) the utility range of party A is maximized, as it does not introduce policies proposed by the opposition, thereby consolidating its own position, and does not lose electoral power because party B cooperates and therefore refuses to use the contesting mechanisms specific to the opposition, losing in this manner in the short term because of the fact that no favourable policy is implemented and in the long term because no electoral gains are achieved.
- in profile (C, c) the utility range of party A is 0, because it is disadvantaged by the implementation of opposition policies and does not gain anything in terms of electoral power. In contrast, party B wins from both standpoints.
- in profile (c, c) the utility range of party A is superior to the one characterizing the first profile, because the potential electoral loss is compensated by the fact that the opposition parties have no means through which they can implement favourable policies, and A's political position is consolidated. Party B on the other hand, has an inferior utility range by comparison with the one characteristic to profile (C, C), but still existent because of the fact that in the long term electoral gains can be made through combating governmental policies.

In these conditions the solution of the game and the Nash Equilibrium is (c, c). Although the outcome is more favourable to party A than to party B, the latter will prefer it because using a cooperative strategy when it is obvious that its game counterpart has no reason to adopt a cooperative attitude will produce an even higher increase in the utility function of its opponent, while at the same time its own utility function will be lower than if the alternative strategy would be used. Therefore, even if the game has a repetitive nature and an infinite number of rounds, Axelrod's cooperation incentives (Axelrod, 1984, pp.16-17), already specified in a previous segment, have no impact on party A, as the profile (c, c) is from a utility-interested point of view, superior to profile (C, C)³⁹, and using a cooperative strategy would have the least desirable impact on A's utility function, regardless of the choice made by B. Concluding, the general level of cooperation within a typical national Parliament is relatively low, as in spite of the fact that between the parties in power an almost permanent cooperation exists, there are no incentives for cooperation between governmental parties and opposition parties. Also, in interactions between

³⁸ Because if party A's cooperation signifies that party B's legislative proposals will be supported, party B's cooperation signifies that the specific instruments available to the opposition for contesting governmental parties and policies will not be deployed

³⁹ Unlike in a normal-form game of prisoner's dilemma or negotiator's dilemma.

opposition parties no cooperation is required because such cooperation would not be translated into policy implementation, and therefore it would be more fruitful for both parties to maintain an unaltered ideological position, with the purpose of consolidating and expanding their electoral partisan segment.

As opposed to the situation existing in national Parliaments, interactions between EP political groups can be modelled as in Figure 6.

Figure 6. Interactions between political groups within the European Parliament

A \ B		B	
		Cooperation (C)	Competition (c)
A	Cooperation (C)	[2,4)	[4,6)
	Competition (c)	0	0

The particularity of these interactions is the fact that because no party can be sure its favoured legislative acts will pass⁴⁰, it is impossible for any parliamentary group to negotiate from a position similar to the one adopted by party A in Fig. 5. Therefore, cooperative and competitive strategies will not have the same characteristics as in a national Parliament. Bilateral cooperation will generally be insufficient⁴¹ to ensure approval of legislative acts, but it will be decisive in the process of aggregating political factions behind a certain position. Bilateral cooperation between political groups in the EP can therefore be understood as a process in which both parties submit proposals favourable to their respective positions, and reach a consensus which encompasses policies propounded by both parties. Also, in opposition to the situation existent in national legislatures, competitive strategies do not have an electoral target in the EP, as the studies conducted by Irwin (1995) and Smith (1999) point out, by demonstrating that the role of national parties is prevalent in the elections for the European Parliament while transnational party politics are not significant (Whitaker, 2005, p.9). A competitive strategy employed by parliamentary groups can thus be translated as representing the refusal to give concessions to its negotiation partners.

Keeping these elements in mind, the payoff matrix can be explained in the following manner:

- in profile (C, C) the utility functions of both players will increase as the chances that their legislative proposals will be adopted are maximized. However, due to the fact that following the negotiation process, the outcome will reflect both their

⁴⁰ As would be the case of a governmental party in a cabinet which holds a majority of seats in a national parliamentary system legislature.

⁴¹ Excepting when a simple majority is needed, as is the case of the first reading during the ordinary legislative procedure, in which case the popular group and the social-democrat group can pass amendments without cooperating with other parties.

own positions and the positions of their negotiating counterpart, neither utility function will be maximized as the consensus reached does not contain the entire set of proposals favourable to a party, and during negotiations each of them are forced to abandon some of their initial proposals and/or to support proposals which are not entirely favourable, in order to appease the other party.

- in profile (c, C) party A will maximize its utility range as a consequence of maximizing the chances to pass favourable legislation, which because of the cooperative position adopted by party B will completely reflect its own positions. On the other hand, party B will not register any utility increase as the competitive strategy employed by party A will lead to the rejection of proposals made by it.
- in profile (C, c) the situation will be similar to the precedent, but with reversed utility gains. Therefore, in this outcome, party B will maximize its utility range and party A will not gain any marginal utility.
- in profile (c, c) neither parties gain any utility, as neither of them have an increased chance of passing their proposals through Parliament. Bilateral competition represents in this case a disagreement between parliamentary groups, following which none of the groups has anything to gain, either from the perspective of passing favourable legislation, or from the perspective of electoral gain through the preservation of ideological consistency, because as I have previously mentioned, elections for the EP are not determined by transnational party politics.

In this type of interaction evaluating the game result is not as straightforward as in the precedent case, especially because the minimax strategy is inapplicable as the minimum utility obtained through cooperation is equivalent to the one obtained through competition. However, in a single-round game, the Nash Equilibrium is (c, c) due to the fact that when the minimum utility gained is the same regardless of the strategy employed, players will rationally choose the highest maximum, which is for both players, a profile where they opt to use a competitive strategy and the opponent uses a cooperative one. Therefore, in a single-round game, both players will act competitively while hoping that the other player will cooperate.

In the hypothesis that the game has an unlimited number of turns however (which is the case in a legislature), player strategies become mixed as both will use cooperation and competition in different combinations, with the purpose of maximizing their general utility. In trying to determine what strategies would be optimal in the long-run, we can observe that the payoff matrix is similar⁴² to a classical game of prisoner's dilemma, analyzed by Axelrod (1984) in his series of tournaments. Following his study, Axelrod determined that the best strategy, which won both tournaments, is "TIT FOR TAT", a strategy in which the player cooperates in the first round of the game and then imitates the choice made by the opponent in the previous round. Further, based on the final standings registered, Axelrod formulated four general principles which a strategy must meet in order to produce a high level of utility: never defect unprovoked (in this particular case meaning that a party should never act competitively if the other party does not provoke such a

⁴² The only difference being that unlike in the classical version of the prisoner's dilemma, the payoff received for a mutual defection is just as low as the one received for a cooperation in the context of an opponent's defection. This is not of particular importance however, because as I have shown earlier in a single-round game the solution is common to both games.

behaviour), be forgiving (in this case meaning that a player should not permanently act competitively in response to a one-time competitive move by the other player), retaliate (meaning in this case to respond to a competitive move with a competitive move) and be clear (meaning that it should be based on an easily identifiable algorithm) (Axelrod, 1984, pp.25-54). *Ceteris paribus*, this generally cooperative strategy of action is in itself an optimal one for the non-cooperative game displayed in Fig.6. There are however, at least two reasons why parliamentary groups in the EP do not use this strategy in a constant manner. The first one is related to the concept of “bounded rationality” introduced by Simon (1957), according to which individuals are cognitively limited and their behaviour is to a large measure indeterminable and not completely rational. The second one refers to the multiple factors involved in the decision-making process of politicians and the specific nature of the players involved in the game. For example, generally speaking, the compromises which a parliamentary group like EUL/NGL will have to negotiate with EPP-ED in order to obtain a (C, C) profile will be significantly more difficult to achieve than the compromises between EUL/NGL and G/EFA, considering the ideological proximity and relatively similar preferences for European integration (see Fig.3) of the two groups. Taking these circumstances into account, we can deduce that the utility gained by EUL/NGL⁴³ following an interaction with EPP-ED will lie somewhere in the vicinity of the lower margin of the specified utility range if the resulting profile would be (C, C) and the utility gained following an interaction with the resulting profile (c, C) would approach the superior limit of the utility range. Therefore, even analyzed through a rational choice perspective, the strategies used by parliamentary groups also depend on the ideological position of their negotiation counterpart, as each group tries to obtain a utility value which is as close as possible to the upper bound of the utility range.

We can extract at this point a general model from the theoretical propositions advanced in this section. EP political groups, representing rational (but cognitively limited) actors, aim to maximize their utility functions, and therefore, during a non-cooperative game with an unlimited number of rounds, use a strategy which respects the four principles formulated by Axelrod, but slightly differentiated according to the ideological substratum of the other player involved in the bilateral interaction.

Section seven. Conclusions

The conclusions of this paper can be synthesized in the following manner: the decisional process intrinsic to the European Parliament is largely defined by interactions between parliamentary groups, as the rational behaviour of their respective members determines them to follow the voting line decided by the leadership. In turn, the interactions described heavily affect the legislative process of the European Union, as each parliamentary group represents a conditional veto player with the possibility to formulate amendments and furthermore, a Parliamentary majority can unilaterally block legislative acts. The strategies which parliamentary groups employ in their interactions have the purpose to maximize their utility functions, so the groups will generally use a strategy which respects the four rules proposed by Axelrod and specified in the section VI, but they are also influenced by

⁴³ Considered for this example player A.

contextual particularities, either institutionally-based, ideologically-based, or determined by bilateral relations. However, as I have demonstrated in section V, the contextual particularities which characterize the EP are, at least for the time being, favourable to the development of cooperative behaviour, especially on a bilateral dimension. We can therefore conclude that in the European Parliament the general level of cooperation is at present significantly high (by comparison to the level existent in national legislatures).

From an unrelated perspective however, we can observe another interesting aspect. Because strategies used by parliamentary groups are not entirely rational and greatly depend on contextual circumstances, the institutional evolution of the EP is particularly conclusive in defining the choices made by the decisional groups. We can, through this perspective, remark that the institutional constraints which promote cooperation, like the necessity of attaining an absolute majority for amending legislative proposals at the second reading during co-decision, the non-existence of a parliamentary coalition to support the government, the restrictions regarding areas of co-decision usage, etc., are also the institutional constraints which diminish Parliamentary power within the institutional system. In these conditions, we can extract the following conclusion, paradoxically through its implications: as the sphere of powers acquired by the European Parliament is expanding within the EU, and at a qualitative level, its citizens are better represented, the intensity of bilateral cooperation among parliamentary groups declines, thus determining a significant decrease in the number of EU citizens genuinely represented in the institutional system.

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