CHAPTER 1

Introduction: The Council Presidency in EU Studies: What Have We Learned and What Has Changed in the Decade of Crises?

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1.1 The Council Presidency in EU Studies

The central role of Member States in the process of European integration is widely recognized and is a fundamental component of its political nature. Without states, there is no European Union (EU), its Member States being the high contracting parties that have willingly agreed to establish "an ever closer union" among themselves. The dominant place of the Member States in the political regime of the EU is also reflected in its institutional architecture (Costa & Brack, 2018). Traditionally, the

The views and opinions expressed in this chapter are those of Vivien Sierens and do not necessarily reflect the views or positions of any entities he represents.

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Council of the EU has held the position of "most powerful institution involved in the day-to-day decision-making of the EU" (Naurin & Wallace, 2008: 1). Prior to the gradual empowerment of the European Parliament (Costa, 2019), the Council was responsible for translating the objectives of the EU into tangible policies. Over time, its main responsibilities have evolved in line with the progress of European integration. These responsibilities have encompassed various aspects, ranging from the adoption of the acts proposed by the European Commission to the adoption of the EU budget with the EP, the coordination of policies, and the conclusion of international agreements.

The central role of the Council was not initially anticipated; it emerged as a result of the tumultuous history of European integration. In the original treaties, its purpose was primarily as a gatekeeper, ensuring that the Commission operated within its designated competences and aligned with the negotiators' objectives. However, the crisis of the "empty chair" initiated by Charles de Gaulle in 1965 (Palayret et al., 2006) marked a turning point, leading to the progressive elevation of the Council's significance. This empowerment gave rise to the intergovernmental theoretical approach to European integration, which has consistently resurfaced since then (Saurugger, 2013). Each subsequent crisis has fuelled nationalist and protectionist inclinations among Member States, solidifying the Council's role as a venue for continuous negotiations (Lewis, 2010). Consequently, its centrality has never been questioned by the deepening of European integration. This presents a paradox: despite encountering numerous challenges, the Council has continually deepened integration and laid the groundwork for robust supranational institutions such as the Commission, European Parliament, and Court of Justice. However, it has not paved the way for a federal political system nor diminished the crucial role played by Member States in its functioning. Therefore, both the Council

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and, since its institutionalization in 2009, the European Council, hold equal importance to supranational institutions, creating a distinctive and original institutional balance within the EU polity.

The Council is not only a central institution at the core of EU decision-making; it is also rather unique. Contrary to its outward appearance of unity, it resembles an archipelago linking various large and small islands. Acting as the pivotal connection point, the Council serves as the intermediary between 27 national governments, their administrations, and the decision-making core in Brussels. Its broad range of legislative and non-legislative activities is carried out by national government ministers from the 27 EU Member States, or representatives empowered to commit their respective governments. They meet in 10 different formations,[1] grouped by policy areas. The existence of 10 formations within the Council implies that, in theory, almost all members of national governments are involved, to some extent, in the day-to-day decision-making process of the EU. Around 70 to 80 meetings of the Council are organized each year (in Brussels and in Luxembourg in April, June, and October[2]). Most of the time, in these meetings, representatives of Member States seek to accommodate their views on a growing number of policy matters. There are also a very high number of preparatory meetings at various levels. Due to the complexity of the tasks involved, the inner structure of the Council is radial. It brings together a wide range of actors, not only ministers habilitated to engage the responsibility of their governments but also the permanent representatives (ambassadors, head of the Permanent Representation of their Member States gathering as COREPER II, i.e. Committee of Permanent Representatives) and their deputy permanent representatives (also ambassadors gathering as COREPER I) and ambassadors to the Political and Security Committee (i.e. the body in charge of EU's Common Foreign and Security Policy [CFSP] and the Common Security and Defence Policy [CSDP]), who play a fundamental

[1] The mandate of two configurations—the General Affairs Council (which ensures the consistency in the work of different Council formations and prepares and the follow-up to meetings of the European Council, in liaison with the President of the European Council and the Commission) and the Foreign Affairs Council (responsible for the EU's external action)—is stipulated by the treaties. The mandate of the other configurations follows from practice.

[2] According to the Council's rules of procedure established in Article 1(3), the Council or the COREPER, acting unanimously, may decide that a Council meeting will be held elsewhere.

role in the workings of the Council. This has been the case since the creation of the Communities, as attested by the first treaties. The meetings of COREPER are held weekly, often even twice a week. Additionally, there are over 150 specialized working groups and committees associated with the 10 formations of the Council, bringing together national experts who serve as preparatory bodies for the Council's work (Puetter, 2014a, 2014b). These working groups, along with COREPER and special committees, handle the majority of the Council's agenda (Häge, 2008, 2013). Experts, civil servants, and diplomats collaborate to prepare the decisions that ministers are required to adopt (Lewis, 1998), with the former focusing on technical aspects and the latter navigating the intersection of technical and political considerations. Through their interactions and coordination with national capitals, they often reach agreements on issues even before they are presented to the ministers (Hayes-Renshaw et al., 2006; Lewis, 2005). In fact, recent studies have highlighted a decline in ministers' participation in Council meetings, with diplomats increasingly taking on a more prominent role. This has led some authors to argue that "de facto control is in the hands of unelected officials" (Vlcek & Parizek, 2022: 493).

In this complex institutional configuration, many other preparatory bodies gravitate around the Council liaising with national administration and the General Secretariat of the Council. The Presidency has historically played a central role in carrying out the work of the institution. For six months, each Member State fills this responsibility (Fernández Pasarín, 2011). The rotation system—which is common in international organizations—is "a key instrument for ensuring the representation of the diversity of Member States in an enlarged Union" (Batory & Puetter, 2013: 95), and is symbolically important for both big and small countries. A "successful" presidency is a source of prestige and credibility for national political authorities at the EU level. The success of the presidency also matters in domestic politics. Indeed, during the six-month period the EU agenda usually occupies a more prominent place in national media, "sometimes including a political 'truce' between the government and opposition" (Vlcek & Parizek, 2022: 498). For small countries, it is "an opportunity to present the country" (…) (Pomorska & Vanhoonacker, 2012: 76), while for large ones it is a chance to mark the integration process. The presidency offers an important opportunity to increase the awareness of national civil servants about European issues and provide them with training. This becomes even more crucial as the number of

Member States continues to grow, resulting in a significant increase in the number of years between presidencies held by the same country. In fact, the key actors of a presidency are often no longer in their positions by the time the next one takes place, which now occurs on average every 13.5 years.

Since its establishment, the Council has received relatively limited academic attention compared to other European institutions. Prior to the 2000s, only a small number of books and chapters had been dedicated to this longstanding EU institution (Edwards & Wallace, 1977; Elgström, 2003; Westlake, 1995), as illustrated in Fig. 1.1. The increase in the number of articles on the Council only started in the post-Maastricht era, reaching the highest peaks in the post-Lisbon decade of crises.

Only a smaller share of articles (231) has focused implicitly or explicitly on the Council Presidency (Fig. 1.2), most of them (Fig. 1.3) published in four main academic journals (i.e. *Journal of Common Market Studies, Journal of European Public Policy, Journal of European Integration, European Union Politics*).

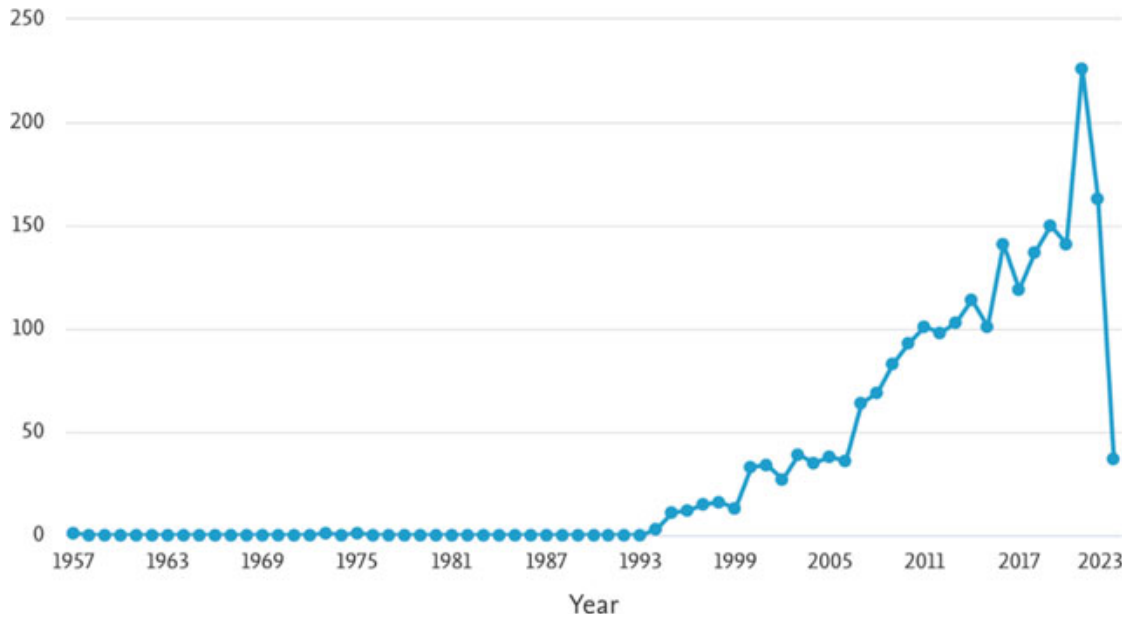

Fig. 1.1 Number of academic articles devoted to the Council. Total number of articles since 1957–2255 (data retrieved from Scopus)

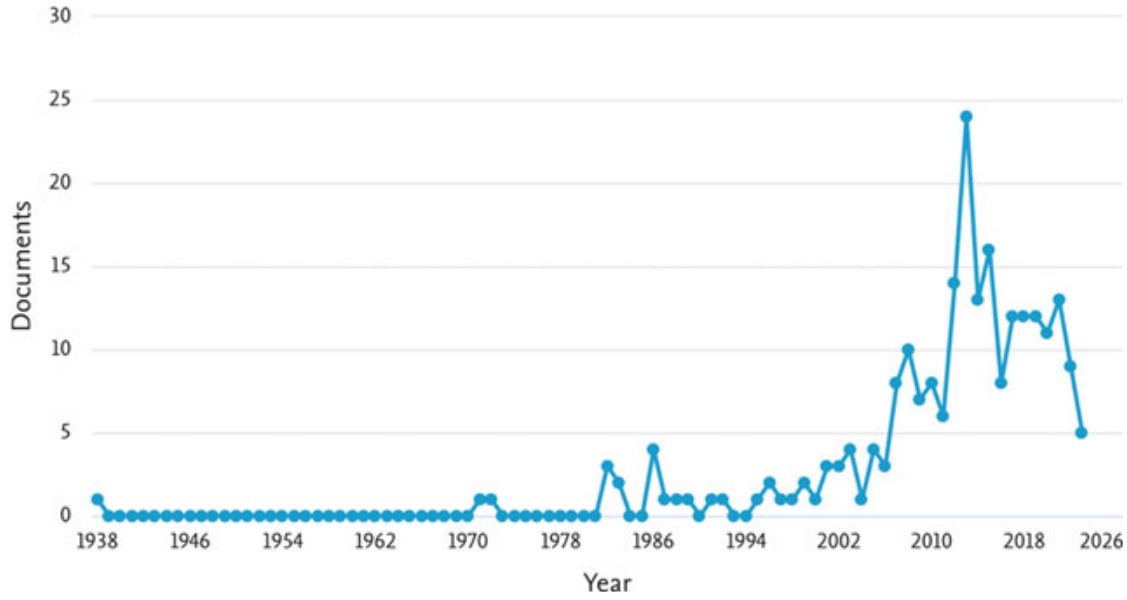

Fig. 1.2 Number of academic articles devoted to the Council Presidency (data retrieved from Scopus)

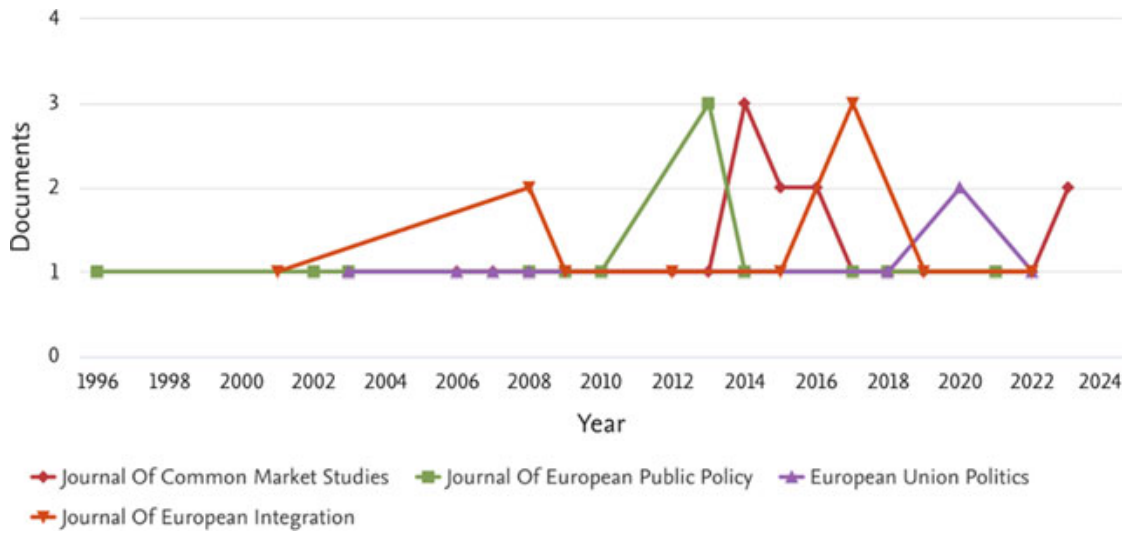

Fig. 1.3 Number of articles devoted to the Council Presidency in four main EU studies journals (data retrieved from Scopus)

Zooming in one of these journals, the *Journal of Common Market Studies* published a total of 1851 academic articles between 1998 and 2022. 51 focused solely on the Council of the EU (varying from 2 to 4

articles per year),[3] the Council remaining less studied than the Commission and the EP.[4] 33 articles (72% of the sample) focused on the rotating presidencies of the Council (mainly case studies), while about 26% studied the Council as a whole, its internal functioning, role in the decision-making process, the patterns of voting and coalitions, as well as more theoretical aspects (Fig. 1.4).

Beyond a limited number of case studies, the Council Presidency has received relatively little academic attention, which starkly contrasts with its significance and the changes it has undergone over time. Since its inception in the 1950s (Elgström, 2003: 4), the Presidency has continuously evolved. The understanding of "how the Council *really* works"

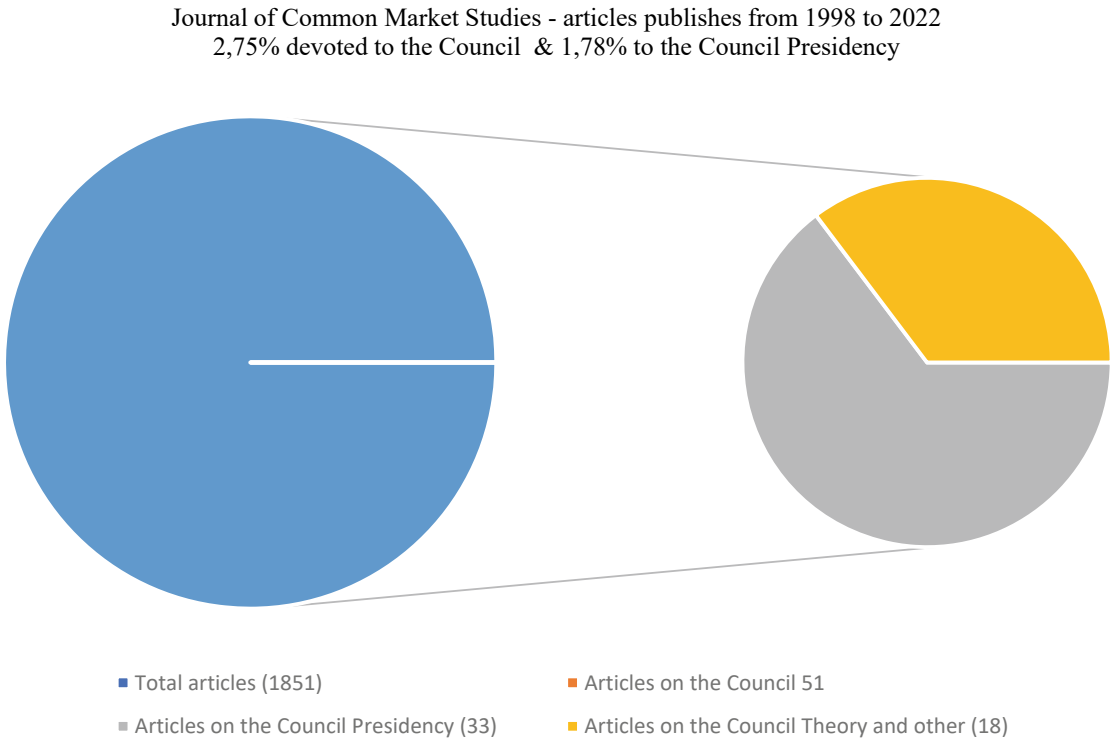

Fig. 1.4 Articles devoted to the Council and to the Council Presidency in the *Journal of Common Market Studies* (including the words Council and Council Presidency in the title. Manual coding, data retrieved via Scopus)

[3] Including the name of the institution in the title.

[4] In contrast, in 2022 alone half of this number represents articles examining the European Commission and for the same year one third of articles examined either the role of the European Parliament in relation to political parties or national parliaments.

has developed both in terms of *de jure* changes through institutional reforms following the Lisbon Treaty and *de facto* transformations in practice, particularly during the challenging decade of crises. On the one hand, the Treaty of Lisbon established a stable presidency for the European Council, which in the past had been chaired by the Member State holding the rotating presidency of the Council. The Treaty also institutionalized the differentiation between the European Council and the Council (Fabbrini & Puetter, 2016: 482), with the latter being described as a legislative institution, an attribution not granted to the former, which has evolved into an executive institution. Beyond institutional developments, however, the decade of crises (Brack & Gürkan, 2021) or polycrises has radically changed the EU's modes of governance (Bickerton et al., 2015; Fabbrini, 2015; Schmidt, 2020) and the balance of power in EU decision-making (Fabbrini & Puetter, 2016; Puetter, 2014b). Key decisions were taken at the highest political level (Fabbrini, 2015). The European Council has not only played a central role in dousing the flames of the eurozone crisis, preventing migrants from coming to Europe or overcoming the consequences of the Covid-19 pandemic, but in doing so has also changed the roles of both supranational (the Commission) and intergovernmental (the Council) institutions. The European Council, which was traditionally *primus inter pares* for *history-making* decisions, has become more often involved in *day-to-day decisions*, instructing both the Commission and the Council (Bickerton et al., 2015), while the EP, despite its increased formal powers (Costa, 2019), seems to remain a "talking shop" (Schmidt, 2020). Thus, instead of solely providing guidance to the EU, the European Council has emerged as a key actor, day-to-day decision-making issues being based on its input (Fabbrini & Puetter, 2016: 483). In other words, in times of crises, the locus of political leadership has shifted from the Council and its ministers to the European Council and the heads of states or governments (Vlcek & Parizek, 2022: 499). The impact of the succession of crises since the 2010s on the EU's modes of governance has been depicted in contrasting ways. While some argue that there has been a significant increase in executive powers (Puetter, 2014a) as a reflection of the rise of intergovernmentalism within the Council and the European Council (Bickerton et al., 2015), others emphasize the strengthening of the European Commission (Bauer & Becker, 2014) and the European

Central Bank (Högenauer et al., 2023), or a combination of intergovernmentalism and supranationalism, with the role of parliamentarism varying (Schmidt, 2020).

Figure 1.5 presents a network analysis of co-citations among academic publications retrieved from the Web of Science that examine Council presidencies in times of crisis. The analysis reveals that within the academic literature on Council presidencies and crises, there is a notable focus on a few key areas. These include the examination of voting settings regarding contested decisions (Mattila, 2004), the impact of crises on the agenda-setting power of Council presidencies (Tallberg, 2003), and the exploration of informal practices (Reh et al., 2013). The network analysis provides a visual representation of the interconnections and associations among these publications, highlighting the key themes and scholarly discussions within this research domain.

In this evolving institutional landscape, where both the roles of the Council and the European Council have undergone changes, the implications for the Council Presidency are significant. How have recent developments and crises reshaped its roles, missions, and its relationship with other EU institutional actors? We argue that the transformations of the Council Presidency in recent times are a result of a combination of formal and informal changes. These changes have been influenced by institutional evolutions in the post-Lisbon context (discussed in Sect. 1.2), national traditions and factors (discussed in Sect. 1.3), and the succession of crises that the EU has faced over the past decade (discussed in Sect. 1.4). Despite these developments, the Council Presidency remains an under-researched institution in EU studies, with many aspects still lacking in-depth understanding. The chapters in this book aim to capture both the recent formal and informal changes, as well as the diverse roles of the Council Presidency in various crises (presented in Sect. 1.5).

1.2 Formal and Informal Institutionalization of the Council Presidency in the Pre- and Post-Lisbon Era: Administrative Responsibility With or Without Political Power?

The role of the Council Presidency has evolved organically over time. While the Treaties have always included provisions regarding the Council presidencies and their exercise, their specific tasks are not explicitly

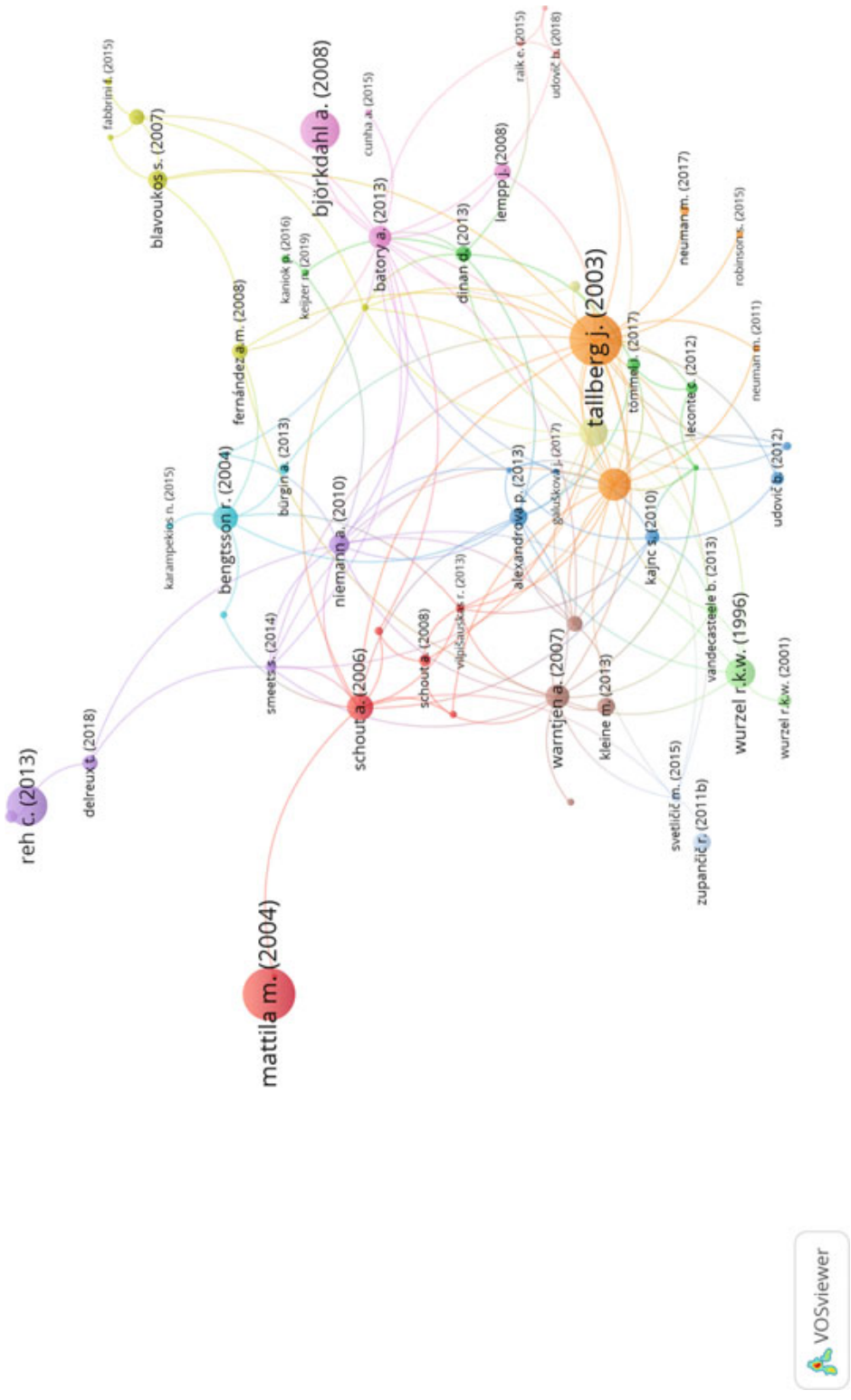

Fig. 1.5 Bibliometric Network Analysis of the Council Presidency in times of crises

defined. This allows Member States some degree of interpretation and flexibility in shaping the functions of the Council Presidency. During the 1950s, the Council Presidency had a relatively low profile, with its powers primarily focused on administrative functions related to the European Coal and Steel Community (ECSC), established in 1951. However, the Council's empowerment within the European Economic Community (EEC) not only transformed the integration process but also the role of the Presidency. The Council and its first Presidency became more active after 1958, serving as a representative of governmental interests in relation to the European Commission within the EEC. The initial treaties enshrined the main tasks of the Council as being "to coordinate national policies" and "make decisions" (article 145 EEC Treaty). As far as the Council Presidency was concerned, Article 27 of the Treaty of Paris (ECSC) specified that it is held by each Member State, in alphabetical order, for a duration of three months. The Treaty of Rome (EEC) which entered into force in 1958 did not give the presidency any specific functions (Elgström, 2003: 4) but extended the duration of its mandate from three to six months. Yet, from the very beginning, the power of the President to convene the Council has been shared with the Commission or one of the Member States.

During its early years, the Council and its presidencies operated largely unnoticed by the media and the public, as their focus was primarily on technical matters such as the establishment of the common market and the common agricultural policy. Initially, to uphold the principle of equality among the Member States, the rotation system for the Council Presidency was based on alphabetical order until 1995, determined through a qualified majority Council Decision (see L 208/42 of 26 July 2016). Consequently, Belgium became the first Member State to assume the chairmanship of the Council of the EEC under this system. One of the main achievements of this first Council Presidency was to develop the first rules of procedures and to institutionalize the COREPER, whose role in the functioning of the Council has been key. It was composed of the chief negotiators of national delegations who had conducted the negotiations in Val Duchesse in preparation of the Intergovernmental Conference establishing the Common Market (Van Kemseke, 2010). In light of the increasing workload during these first years, the COREPER was quickly split into two in 1962 allowing Deputy Permanent Representatives to assist their ambassadors with the more technical negotiations. In the 1970s, after the 1965 Merger Treaty (establishing a Single Council and a

Single Commission of the European Communities), the first enlargement in 1973, and the evolving geopolitical environment (oil crises, stagflation), the Council presidencies increasingly took on a role as a mediator and honest broker to build consensus between Member States. Heads of State or Government also became increasingly interested in Europe and decided to convene the first formal meeting of the European Council in 1975, outside of the treaty's structure.

Media attention towards Europe and the Council Presidency also slowly started to grow in the 1980s and 1990s with the successive enlargements and the increasing powers of the EU in more sovereign fields introduced by the Maastricht and Amsterdam treaties. Against this institutional backdrop, observers and academics alike underlined the limited role of the Council Presidency in the EU's political system, with the institution being described as "une responsabilité sans pouvoir" (Tallberg, 2003: 19, quoting Jean Louis Dewost). In other words, the dominant view was to see the Presidency as "a chairman, not a president", without power but with "lots of decisions to take" (Tallberg, 2003: 19, quoting interviews with members of the Commission). In the 2000s, with the enlargement from 15 to 28 countries and the ensuing institutional reforms, the role and functions of a Council Presidency have evolved both formally and informally. In the academic literature, the Council Presidency became increasingly considered as an "engineer" (Tallberg, 2004), a "policy entrepreneur", or a leadership function. (Bunse, 2009).

With each major treaty revision, the scope of the EU has been expanded, increasing the role of its main institutions and, in particular of the Council. If the Single European Act (1987) expanded the Council's role in the establishment of the internal market, the Maastricht Treaty (1993) marked a key step towards an "ever closer union", thus expanding the role of the Council in a more diverse set of policy areas, including core state powers (Jachentfuchs & Genschel, 2014; see also Bickerton et al., 2015). However, none of these treaties have delegated new formal power to the Presidency (Tallberg, 2003: 22). Rather, its areas of responsibility have developed gradually through informal practices that have become institutionalized over time in the Council's Rules of Procedure which details all the provisions concerning its agenda, meetings, procedures, transparency, votes, and voting arrangements (see Council's Rules of Procedure adopted by Council Decision in 2009, amended in 2023). As a result of subsequent enlargements, there have been changes in the order of holding the presidencies. Initially, the order was alphabetical. Since

Lisbon, a trio method has been implemented, which groups together one large country and two smaller ones, taking into account the variation in population among the Member States.

While the role of the Council in adopting legislation has been strengthened through the expansion of the EU's scope of action, the actual influence of the Presidency has been a subject of debate. On the one hand, scholars like Tallberg (2008) argue that this position allows the Member State holding the presidency "to take advantage of privileged informational and procedural resources that make it possible to steer negotiations towards the agreements it prefers" (Naurin & Wallace, 2008: 11; see also Thomson, 2008). The Presidency is thus "still relevant in a political union" (Schout, 2017). On the other hand, scholars like Warntjen (2008) contend that the procedural powers delegated to the Council Presidency remain rather limited. Despite these contrasting views, scholars have observed the succession of rotating presidencies and have conceptualized its main roles and attributions in terms of agenda-setting, organization, mediation, and representation (Elgström, 2003; Tallberg, 2003). The Presidency serves several purposes: (1) establishing the priorities for six months; (2) organizing meetings, proposing the agenda, and chairing the meetings of the Council formations (with over 200 meetings per presidency); (3) ensuring representation in the interinstitutional dialogue with the Commission and the Parliament; and (4) facilitating mediation (Quaglia & Moxon-Browne, 2006) to seek compromises that are acceptable to all Member States. In essence, the Council Presidency aims to "provide an organizational environment that is conducive to agreements" (Elgström, 2003). It is important to note that the organizational aspects of the presidency, such as agenda preparation and meeting coordination, are equally important as the political aspects. In this process, the role of the COREPER is of paramount significance (Lewis, 1998) as it endeavours to reach agreements between delegations, adopt procedural decisions, prepare each file for the Council, and examine its agenda ahead of time, as well as set up working groups or committees.

The Lisbon Treaty (2009) has brought about significant changes both at the institutional and policy levels. The Council as a whole has undergone substantial transformations (Puetter, 2014b: 148; Fabbrini, 2016). On the one hand, the Treaty strengthened the European Council and assigned it a more prominent role by establishing a stable presidency. Prior to the Lisbon Treaty, despite their distinct composition and roles, the two institutions were interconnected and led by a shared presidency

that prepared the work of both the Council and the European Council. Since 2009, although the two institutions remain interconnected, the nature of their relationship has evolved. On the other hand, the Treaty of Lisbon introduced a permanent High Representative for Foreign Affairs and Security Policy, who serves as a vice president of the Commission, chairs the "Foreign affairs" formation of the Council, and heads the European External Action Service (EEAS). This change diminished the visibility of the rotating presidency on the international stage, as it no longer chairs the "Foreign affairs" formation of the Council, nor the European Council. However, it is worth mentioning that the presidency still plays a role in collaboration with the President of the Commission and the President of the European Council in preparing European Council meetings (as stated in Article 2(3) of the Council's Rules of Procedure). While regular European Council meetings now primarily take place in Brussels (or online during the Covid-19 pandemic), the Member State holding the Council Presidency can still host extraordinary summits. Furthermore, it is important to note that certain Council formations hold more central positions, and that the Eurogroup (a derivative of ECOFIN) has its own chair, similar to the "Foreign affairs" Council and European Council (Fabbrini & Puetter, 2016: 483). Even after the Lisbon Treaty's implementation, the order of presidencies was determined until 2030 by a Council decision, which was updated in 2016 to account for Brexit.

Against this backdrop, some scholars have argued that the changes introduced by the Lisbon Treaty have resulted in a general decrease in the significance and visibility of individual Council presidencies (Batory & Puetter, 2013: 96). The once bright brilliance of the presidencies has begun to diminish (Foret, 2014: 151; Foret & Rittelmeyer, 2014), as decentralized summits become less frequent. The introduction and institutionalization of two permanent positions/institutions—the President of the European Council and the High Representative for Foreign Affairs and Security Policy/Vice President of the Commission—combined with the increase of the European Parliament's powers—through the extension of the ordinary legislative procedure—have circumscribed the functions of the rotating presidency, which used to be seen as a real power platform in the Council (Tallberg, 2008). The new institutional provisions have also constrained the presidency's room of manoeuvre in determining the Council's priorities (Fernández Pasarín, 2011). The Presidency is expected to engage not only with the Commission, as initially envisioned, but also with the other Member States (particularly the members of the

"trio") to ensure continuity. Additionally, it is meant to interact with the European Council, adhering to the formal rules outlined in the Council's Rules of Procedure. The General Secretariat of the Council also ensures continuity by assisting not only the Council and its residencies but also the European Council and its President. It is the institutional memory of the Council, and it liaises between the Council Presidency and the European Council. Finally, the Council Presidency must be attentive to the dynamics within the European Parliament, an informal practice that was enshrined in the interinstitutional agreement on better law making in 2016 (L123/1).

Consequently, the new provisions have curtailed the autonomy of the presidency in setting the agenda. The programme is now jointly prepared for an 18-month period by three Member States (the trio), in close cooperation with the Commission and the President of the European Council (as specified in Article 2(6) of the Council's Rules of Procedure). The groups of three Member States must consider their diversity and maintain geographical balance. While the number of meetings to be chaired by the presidency has decreased, it remains significant. For example, the Romanian presidency in the first half of 2019 witnessed over 3,000 meetings (Coman, 2020). The President still convenes the Council meetings based on their own initiative or at the request of another Member State or the Commission. Ultimately, the Council votes on initiatives put forth by its President.

1.3 The Presidency in Action: A Combination of European Political Ambitions and Domestic Capacity?

Beyond the conceptualization of the Presidency's roles, scholars have also aimed to comprehend the variation in how Member States fulfil them. It has been argued that the ability of the presidency to influence the Council's agenda depends on a wide range of national factors. They encompass experience, political motivations, pro-EU ambitions, as well as domestic situations and context-related factors such as "political credibility and reputation", which are deemed crucial for effective and legitimate performance as the president-in-office (Ojanen & Vuohula, 2007; Pollak & Riekmann, 2007; Quaglia & Maxon-Browne, 2006).

The preparation of the Council Presidency, particularly when a Member State assumes this responsibility for the first time, marks a significant moment for Europe. It represents one of the rare instances where political actors within a Member State engage in debates concerning membership, the country's priorities, and the vision for the future of the EU. The preparation for presidencies, not only for small EU members (Auers & Rostoks, 2016; Bilčík, 2017; Hearl, 2006; Panke & Gurol, 2018) or medium-sized Member States, begins two years in advance (Coman, 2012, 2020), but also for big Member States with several decades of experience, such as France (Lequesne, 2001) and Germany. Considered a "privileged position", the Presidency supposedly enables each member to maximize its own interests and/or act in the common interest of the EU. However, in practice, within the post-Lisbon context, the Presidency entails a delicate balancing act between the individual interests of national governments and the general interest of the Union (Fernández Pasarín, 2011).

When formulating the programme of the Presidency, Member States consider pressing issues within the context, along with a combination of national, regional, and broader European interests relevant to the EU 27. The diversity of approaches in defining the programme is evident from the case studies compiled in this volume. However, certain common trends have emerged over time. As highlighted by Tallberg (2003), some Member States aim to raise awareness about neglected problems, while others focus on developing concrete proposals based on national traditions and expertise. Some seek to introduce new institutional practices inspired by their domestic approaches, while others prioritize regional issues and concerns (Neuman, 2017). There are those who work to promote issues of interest to all Member States (Bilčík, 2017), and some even address constitutional matters. In doing so, they all assume an active role as "agenda setters" (Tallberg, 2003). This role in terms of organizing meetings is also influenced by the fact that each presidency inherits the files from its predecessor. Furthermore, Member States holding the presidency can shape the Council's agenda through exclusion, highlighting an intriguing aspect of the presidency's role. As Tallberg put it, the presidency "can remain silent on a subject that is considered a problem by others" (2003: 29), "by not recognising an issue as a problem worthy of collective deliberation" (as discussed by Coman and Thinus in this book). Excluding certain items from the Council's agenda is another way of "stalling progress in this area" or postponing decisions. As highlighted by

Häge (2017), the Presidency holds significant influence over the timing, duration, and topics of discussion within the Council. In addition to legislative work, a presidency can shape the agenda by initiating discussions and seeking to draw conclusions, strategies, or recommendations from the Council. This indirect approach to influencing the legislative process can also serve communication purposes.

Throughout the history of the Council, no presidency has performed poorly enough to jeopardize the functioning of the EU. The body of research indicates that the rotating presidency consists of both successful and less successful presidencies (Elgström, 2003). Regardless of a government's pro-European or Eurosceptic stance (such as the Eurosceptic Czech rotating presidency in the first half of 2009), its stability or instability (like the Belgian presidency in 2010, as discussed by Drieskens, 2011), and despite domestic tensions between opposition and government or conflicts between governments and supranational institutions (evident during Hungary's presidency in the first half of 2011, as noted by Ágh, 2012, in relation to media freedom and judicial independence), the European machinery continues to function smoothly (Coman, 2020). This internal stability at the European level, which sometimes contrasts with domestic instability, can be attributed to the routinization of the presidency exercise, the increased support provided by the General Secretariat of the Council, and the system of the trio, some of whom have more experience of the presidency than others (Coman, 2020). Considering that beyond political ambitions, the presidency also involves administrative capacities, the General Secretariat of the Council supports the Member States whose administration is limited in size. Indeed, for smaller Member States, mobilizing more than 2000 civil servants over a period of six months can be a challenge.

The discussion surrounding the Council presidency has gained significance in 2023 due to ongoing Article 7 TEU proceedings against Hungary and Poland. Hungary is scheduled for the second half of 2024 (following the 2024 European lections), and Poland is slated for the first half of 2025. The European Parliament holds the view that governments distancing themselves from EU values should not be entrusted with the Council Presidency. The issue at hand goes beyond the illiberal drift of those regimes; it also pertains to the Presidency's role as a neutral mediator, supporting Council work and facilitating interactions with the European Parliament and the Commission. The relationships between

these countries' governments and various institutional players at the European level have deteriorated. This raises both political and legal concerns. On June 1, 2023, the European Parliament adopted a resolution with a significant majority of 442 votes in favour, 144 against, and 33 abstentions (2023/2691(RSP)), questioning Hungary's ability to credibly fulfil the Presidency in 2024, considering its non-compliance with EU law, the values enshrined in Article 2 TEU, and the principle of sincere cooperation. The European Parliament urges the Council to find a solution, a matter that was addressed by ministers at the end of May 2023. From a legal standpoint, according to the Council's Rules of Procedure, discussions on adaptations can be held with the trio of presidencies, namely Hungary with Spain and Belgium, and Poland with Denmark and Cyprus. Alternatively, a Council Decision could be adopted by a qualified majority to change the order of presidencies. This open debate once again highlights how the roles and functioning of the presidency have evolved over time through practice and crisis.

As emphasized by numerous scholars, the style and approach adopted by each Presidency can have an impact on the outcome, i.e. the legislative process of the EU. It is not solely influenced by ideational and institutional factors. Perarnaud and Arregui (2022: 98) highlight that the capabilities and attributes of actors also play a crucial role, including network capital, access, coordination, administrative skills, and expertise, all dependent on domestic factors and resources and experience at the EU level. The work of the Presidency relies on both internal and external coordination, that is networking skills and access (Perarnaud & Arregui, 2022).

The diversity of case studies devoted to the Council Presidency has allowed to grasp not only how the Member States perform this role (in terms of styles, leadership, priorities, or even effectiveness) but also to see how this responsibility is prepared at the domestic level (in terms of preferences and views about the future of EU integration). Through the accumulation of case studies, scholars have been able to theorize the activities of the Presidency and its primary roles in terms of agenda-setting (as demonstrated by Tallberg, 2003 and Häge, 2017) and propose models for evaluating their success (Schout & Vanhoonacker, 2006; Wurzel, 1996).

1.4 Crises as Drivers of Change for the EU's Modes of Governance: A Threat or a Glue for the Culture of Consensus?

While the Eurozone crisis exposed the vulnerabilities of the Economic and Monetary Union and highlighted the interdependence among Member States, similarly, the global health crisis demonstrated the external dependence of Member States in various policy areas. This dependence was further exemplified during the Russian war of aggression in Ukraine, revealing the reliance of Europeans on Russian energy sources among others. Over the past decade, EU institutional actors have had to act to douse the flames of both fast- and slow-burning crises (Seabrooke & Tsingou, 2019). The succession of crises has also brought to light the divergent positions adopted by Member States on major issues, including the social and economic disparities between the North and the South. The migration crisis and the rule of law crisis have often been depicted as a geographical divide between the East and the West, while the global health crisis has intensified the divide between the "frugals" and other Member States. These divisions have made the task of mediation for the Council Presidency more challenging.

From an institutional perspective, the series of crises has reshaped the balance of power and demonstrated the resilience of the Lisbon Treaty structure. It has also showcased the Council's ability to respond swiftly and decisively to urgent situations. The establishment of the Council's IPCR (Integrated Political Crisis Response) mechanisms and the EEAS (European External Action Service) crisis response mechanism highlight the flexibility of the Council's coordination instruments and the redefinition of the Presidency's roles during times of crisis. In the past decade, the IPCR coordination mechanism has increasingly been utilized by rotating presidencies as a tool to address emerging crises. It enables the Presidency to swiftly organize round table discussions with Member States at various levels and share real-time information on the situation. These meetings can involve national experts at the technical level, as well as high-level round tables at the ambassadorial or ministerial level. Initially introduced in 2015 by the Luxembourg Presidency to tackle the migration crisis, the IPCR has also been activated by the Croatian Presidency to respond to the Covid-19 outbreak. This resulted in weekly meetings to coordinate Member States' responses, the establishment of a web platform to inform citizens about travel restrictions and organize quarantine measures during

the peak of the epidemic. The IPCR has also been activated in response to the situation in Ukraine and the influx of Ukrainian citizens seeking protection in the EU. Moreover, the IPCR plays a crucial role in political responses when activating the solidarity clause (Art. 222 TFEU). It is ultimately the Presidency's decision whether to activate this mechanism, determine the level of activation, and set the frequency of meetings. Additionally, the Council has the capacity to establish new working groups. In response to the Covid-19 crisis, the Council initiated the creation of the "Ad hoc Working Party on preparedness, response capability, and resilience to future crises" to establish a more sustainable working group dedicated to crisis preparedness and resilience. These structures within the Council are direct responses to the lessons learned from the Covid-19 crisis.

Crises have also had an impact on governments' preferences regarding EU integration. The Council comprises 27 Member States, each characterized by their unique historical, political, social, and economic features. Despite this diversity, the Council operates on the basis of a "culture of consensus" (Costa & Magnette, 2003; Warntjen, 2010: 665), and the presidency plays a crucial role in facilitating this consensus-building process. How consensus is reached has received significant theoretical attention (Elgström, 2003), explained through the perspectives of rational choice (the power of interests and strategic calculations), constructivism (the power of the best argument), and sociology (the power of socialization). Decision-making in the Council occurs through various means, including deliberation (Naurin, 2010; Puetter, 2012; Risse & Kleine, 2010), cooperative exchanges, norm-guided behaviour, or distributive bargaining (Lewis, 1998, 2008; Warntjen, 2007, 2010). "Actors engaging in deliberation argue about the facts of the case and about which norms are applicable and what they prescribe" (Risse, 2000: 9; Warntjen, 2010: 670).

Member States have always been divided along various lines. The prevailing view is that there are no fixed alignments of Member States when it comes to reaching a common position in the Council (Naurin & Wallace, 2008: 5). There are no stable cleavages based on factors such as Left/Right, pro-European/anti-European, geography (South/North or East/West), rich/poor, or larger/smaller Member States that consistently determine alliances and voting dynamics in the Council. The alliances formed by Member States are fluid and contingent on the specific issues under discussion (Mattila, 2008). "A classic realist view of the Council

would assume that the big member states are in control, while smaller states and supranational institutions have little room for manoeuvre on issues of high political importance" (Naurin & Wallace, 2008: 14); yet bigger Member States alone cannot shape policies without the support of the smallest ones. Similarly, geography alone is not a sufficient explanatory factor. Scholars argue that the tendency of Nordic countries to vote similarly is more influenced by political traditions and shared interests than geographical considerations. Studies conducted prior to 2010 also examined the impact of Eastern Enlargement on Council voting and found that new Member States tended to align with pre-existing alliances, resulting in coalition patterns resembling those of the original EU-15 (Hosli et al., 2011; Mattila, 2008). The voting records of the Council depict a relatively peaceful picture for several reasons. Firstly, Member States often seek consensus and avoid formal voting (Novak, 2013). Secondly, only a minority of Member States express discontent when decisions are made (Naurin & Wallace, 2008: 9). On the other hand, as stated by König and Junge (2008: 93), the voting behaviour of ministers in the Council does not always overlap with their interests (Warntjen, 2010: 674). Actors may vote against their immediate preferences when engaging in vote trading (Warntjen, 2010: 674). Yet, the culture of consensus does not imply the absence of conflicts within the Council.

During the decade of crises, the Council deliberations have witnessed increased levels of contestation (Hobolt & Wratil, 2020), as EU policies have become subject to greater scrutiny and disagreement. Populist parties, once considered marginal in Europe, have gained electoral victories in various EU Member States, including Austria, Poland, Hungary, Czechia, and Italy. Populist governments challenge the functioning of the Council in different ways and employ diverse strategies. As explored by Zaun and Ripoll-Servent (2023), these governments reject both the formal and informal rules of Council decision-making when they are not aligned with their preferred outcomes, they "reject traditional means of ensuring compromises", "they reject the final solution and exploit the ensuing deadlock to prove that the EU is weak and dysfunctional", and ultimately they contest the legality (not only the legitimacy) of the EU's procedure (Coman, 2022). Since populist governments are more likely to break the formal and informal rules of EU policymaking, they undermine the ability of the Council Presidency to reach a consensus, considering that they defend contrasting views and often irreconcilable positions.

However, this finding is subject to debate in the literature. Novak et al. (2021) have argued that despite the numerous crises faced by the EU and the expectation of increased conflicts within the legislative process, consensus remains a resilient norm. Cooperation-based strategies and the presence of Eurosceptic actors are not sufficient to break this norm (Novak et al., 2021: 479). While it has been frequently violated in recent years, not only by the "usual suspects" like the Visegrad Group but also by Germany and, prior to Brexit, the UK, the level of contestation remains low. In 2018–2019, Hungary contested only 8.5% of adopted acts, and Poland 6%, while higher rates were observed for Germany, Slovakia, and Czechia (Novak et al., 2021: 487). These findings underscore the significant role played by the Council Presidency in maintaining consensus. It consistently aims to secure a broad majority to avoid excessive acrimony and must strike a delicate balance between building compromises and highlighting the risk of isolation that a Member State may face if it does not join the majority (Novak et al., 2021: 481). Prior to discussions, the Presidency is aware of whether it has a majority or not and, as a result, "avoids voting to prevent exposing those who oppose" (Novak et al., 2021: 481). The ability to reach consensus on contentious issues relies on the Presidency's ability and its political and diplomatic strategies. Consequently, the Council's capacity to make decisions amid increased heterogeneity warrants further investigation.

The successive crises did not only impact the logic of negotiations at the level of ministers, but also in other bodies of the Council. This is especially the case for the COREPER, that plays a key role in the decision-making, as it "maintains the performance of the Council through the production of a distinct culture of compromise" (Lewis, 1998). In recent years, changes have been observed in the composition of Member States' Permanent Representations (see also Hyvärinen & Raunio, 2014). For instance, it has been noted that the Polish Law and Justice government tends to view certain diplomats as "enemies" because their role involves negotiating compromises with other Member States (Lequesne, 2021), while the party favours confrontation. The government does not perceive a need for "mediators" to bridge divergent views, as PiS has employed what has been described as "undiplomatic diplomacy" (Cadier, 2021: 1) in both rhetoric and practice (Destradi et al., 2021). The replacement of diplomatic staff in Brussels has impacted Poland's relations with European institutions and its ability to reach compromises, as noted by a civil servant from the General Secretariat of the Council (Coman, 2022).

Similarly, Viktor Orbán in Hungary has made changes to diplomatic appointments, selecting a series of lawyers in an effort to break with traditional Hungarian foreign policy thinking and management. He has emphasized the importance of loyalty, stating that diplomats should not be "world citizens" but rather defenders of the "will of the people" (Visnovitz & Jenne, 2021: 10). Such changes can influence not only the conduct of the Council Presidency but also the relationship between the Presidency and other actors in the Council, as well as its interinstitutional relations. It is worth noting that informal capabilities, in addition to formal and institutional factors, play a role in facilitating the functioning of the Presidency (Perarnaud & Arregui, 2022: 97).

1.5 Structure of the Book

Ten years after the Lisbon Treaty and a decade of crises, it is important to examine how the Council has adapted to both institutional and contextual changes. This book aims to address several key questions: How has the relationship between the Council and the European Council evolved over time? How does the increasing influence of Member States in both institutions impact the institutional balance at the EU level, and what are the implications for democracy in the EU? To what extent have the crises of the past decade reshaped the relationship between the Council and the European Parliament, as well as their interactions with the Commission? Beyond the transformation of the Presidency and its relationship with other institutions, how have recent crises affected its internal functioning? In a context of growing contestation, is the Presidency still a powerful mediator? Does the Council remain a place of deliberation and persuasion or rather a place of expressing growing dissensus? Is it still possible to reach consensus and what kind of consensus in the Council? What are the internal challenges of the Presidency? By addressing these questions, this book aims to provide insights into how the Council has adapted to the changing landscape of the EU, shedding light on its transformations, challenges, and the dynamics between its key actors.

The chapters in this book illustrate from different angles the transformations in the Council Presidency since the 2010s onwards. In Part I, the book examines its role within the EU political regime and its interactions with other institutions. In Part II, the book explores how the Council Presidency has navigated major crises and addressed internal challenges.

While this Introduction (Chapter 1) traces the evolution of the research devoted to the Council Presidency, in Chapter 2 Uwe Puetter seeks to provide a comprehensive and pluralist theoretical framework allowing scholars to disentangle its various facets. To capture the evolving roles of the Presidency in the post-Lisbon context, Emanuele Rebasti examines in Chapter 3 the legal nature of the institution, from a practitioner's perspective. In Chapter 4, Sofia Vandenbosch and Antoine Misonne focus on the Covid-19 pandemic's impact on the democratic functioning of the Council, looking at its procedures and rules. The remaining chapters in Part 1 explore the relations of the Council and its Presidency with other institutions. In Chapter 5 Martin Westlake and Oriane Gilloz use original interview material to examine the 2009 transition from the rotating to the permanent presidency of the European Council, while Lucas Schramm and Wolfgang Wessels in Chapter 6 explore patterns of cooperation and competition between the two institutions looking beyond formal rules, with a focus on the German and French presidencies. In the same vein, in Chapter 7, Vivien Sierens and Thijs Vandenbussche examine the interactions of the Council Presidency with the European Parliament, while in Chapter 8 Céleste Bonnamy discusses the ambiguous relationship between the European Commission and the Council Presidency in the Ordinary Legislative Procedure.

The chapters in Part II examine the Presidency of the Council in action. If the majority of existing studies have considered the role of the rotating presidency in shaping the institution's agenda, François Foret and Yann-Sven Rittelmeyer in Chapter 9 explore how the Member States exercising this function contribute to the legitimation of the EU polity. The remaining chapters explore the roles of the Presidency in the decade of crises, including that of the eurozone in Chapter 10 by Michele Chang and Raquel Ugarte Díez, the rule of law crisis in Chapter 11 by Ramona Coman and Pauline Thinus, and the context of the Russian war of aggression in Ukraine in Chapter 12 by Seda Gürkan. While all chapters make references to specific presidencies, in Chapter 13 Olivier Costa and Aurélien Mornon-Afonso focus on the French Presidency in the first half of 2022, a few weeks after the invasion of Ukraine by Russia. In Chapter 14, Benjamin Bodson and Alberto Alemanno discuss a new topic which is the Corporate Sponsorship of the Council Presidency in the post-Lisbon era.

What these different chapters have in common is not only the analysis of the different presidencies (depending on the angles chosen by the

contributors) but also the desire to situate the Presidency in a broader institutional context and to understand its evolution through formal and informal institutional changes. The debate surrounding the Council Presidency has been reignited by the question of whether a country that no longer meets the democratic criteria for EU membership should hold the Presidency. In light of this, the book aims to provide insights into the evolution of this institution since the entry into force of the Lisbon Treaty.

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