Tim Veen

The Political Economy of Collective Decision-Making

Conflicts and Coalitions in the Council of the European Union

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Dr. Tim Veen
University of Mannheim
Parkring 47
68159 Mannheim
Germany
tim.veen@uni-mannheim.de

To Damaris,
  the Apple of my Eye

'It's not worth doing something unless you were doing something that someone, somewhere, would much rather you weren't doing'

Terry Pratchett

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Indeed, the help given by all these people and institutions, in their various ways, has been more important than that unwittingly provided by Willy DeVille, Giuseppe Verdi, B.B. King, Walter Trout, Terry Pratchett and Herman Brood,- which is saying something.

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Mannheim   *Tim Veen*
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Chapter 1
Introduction

1.1 On Collective Decision-Making

One encounters situations of collective- or committee decision-making everywhere in daily life. Judges choosing a beauty queen, a board of managers controlling a company (see Stokman et al. 2000), a jury reaching a verdict over an accused or the papal conclave electing a new pope (Burkle-Young 1999; Colomer and McLean 1988).

In politics, one can observe collective decision-making in many institutions such as cabinets (see Manning et al. 1999), central banks (see Blinder et al. 2008) or the European Union's (EU) College of Commissioners (see Franchino 2007).

The study of collective decision-making has a long-standing tradition in Political Science. Capitalising on the seminal work of Downs (1957) and Riker (1962), it has been 'at the core of the development of positive political theories' (Hagemann and Høyland 2008, p. 1211). The students of collective decision-making have revealed the delicate mechanisms of bargaining and deliberations, with examples ranging from log-rolling over side-payments to the manipulation of decision-rules. They have also demonstrated that small committees can drift towards 'extreme decision-making,' resulting in decisions individual actors would never make on their own (see e.g. Janis 1972).

The procedure and outcome of committee decision-making varies depending on institutions and decision-rules. For instance, while in some cases a majority of votes suffices to agree upon a decision, in other cases the unanimity of votes is required. But also institutional culture affects how actors reach an agreement (Aspinwall and Schneider 2000). The Council of the European Union, for example, exhibits an internal environment where decisions formally subject to qualified majority voting are often passed with the consensus of all actors.[1] To achieve their desired policy

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[1] This study refers to the 'Council of the European Union' also as the 'Council of Ministers' or just the 'Council.' The term 'European Union' and its acronym 'EU' are used throughout the

outcomes actors therefore must adapt their strategies to the formal and informal 'rules of the game.'

In many such situations of collective decision-making, decision outcomes are brokered independently from exterior interference. They happen to take place 'behind closed doors.' This is the modus operandi in most cabinets, for example. This veil of secrecy imposes tremendous challenges to scholars studying the dynamics of deliberations. To lift that veil, some rely on interviews with decision-makers or study primary and secondary documentation. Others, arguing that there is a lack of adequate field data, propose theoretical investigations based on laboratory experiments.[2] Testing quantifiable hypotheses under the condition of well-defined institutional rules in isolated environments, these studies have primarily been analysing committee bargaining under the majority rule (e.g. Diermeier and Morton 2005; Eavey and Miller 1984; Fiorina and Plott 1978).

However, one has to acknowledge that despite all these efforts, the insights into the dynamics of collective decision-making in Political Science have yet remained far from complete. The complexity of the social world, it seems, still outwits scholars' efforts and imagination.

To broaden existing insights, this study offers a case-study of collective decision-making, focussing on the Council of the European Union. In doing so, it seeks to contribute to our understanding of this institution's collective decision-making process which, despite increased scholarly attention, has largely remained a 'secretive and specialised affair' (Thomson 2006, p. 329).

The Council is the institutional heart of EU policy-making (Lewis 2007, p. 155). Being the most powerful of the EU's institutions in legislative politics (Thomson and Hosli 2006), its jurisdiction stretches across all of the EU's policy responsibilities. Although the systematic study of Council collective decision-making has experienced a substantive growth in the literature recently (for recent monographs and volumes, see e.g. Drüner 2007; Häge 2008a; Hagemann 2006; Naurin and Wallace 2008; Tallberg 2008; Thomson et al. 2006; Warntjen 2007), some areas of this field are still in their infancy. Moreover, while in all of these areas our knowledge is incomplete, in some of them the existing findings even contradict each other. The latter relate, for instance, to the shape of the Council's political space, coalition dynamics and the member state governments' success in achieving desired policy outcomes (but see Chaps. 4, 5, and 6).

The Council of Minister's decision-making process is largely secretive, isolated from other EU institutions and the public.[3] Yet the outcomes of deliberations impact

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manuscript, also when historical references are made to the time prior to the Treaty of Maastricht (1993), which created the European Union.

[2]For a review, see Palfrey (2006).

[3]There is some degree of transparency, however. For instance, the Council's voting records are freely available from 1998 onwards. Also, when laws are adopted under the co-decision rule, the deliberations of the ministers have been made open to the public from 2002 onwards. The extent

upon 27 member states with more than 440 million citizens. Studying the Council is thus not only relevant for understanding the dynamics of collective decision-making in an International Organisation, but pertains to debates about the efficiency, legitimacy and accountability of European integration (cf. Chap. 2).[4]

Focussing on the Council as a case-study in collective decision-making is particularly intriguing since it recently experienced an increase in actors from 15 to 27 – for many the most important institutional challenge for the European Union so far (e.g. Vaughan-Whitehead 2003, p. 13). The fall of the Iron Curtain freed Eastern European countries in the early 1990s from communist dictatorship. These then transitioned towards democracy and free market economy. A process of gradual political- and economic rapprochement to the EU finally resulted in the accession of ten Central and Eastern European Countries (CEECs), together with Malta and Cyprus.[5] This enlargement into Europe's geographic East, completed in two accession rounds during 2004 and 2007, had left many scholars anxious that the Council's capacity to act would be severely restricted (e.g. Hosli 1999; König and Bräuninger 2004; Zimmer et al. 2005). Scholars feared that the new member states would increase heterogeneity of policy preferences amongst the states, making compromises harder to achieve. Hence the Council's decision-making efficiency might be severely constrained, potentially resulting into policy gridlock. Moreover, it has been predicted that the CEECs, all relatively homogeneous in socio-economic terms compared to the EU-15, could form a blocking minority in the Council, using their legislative powers to veto unwanted policies.

Seeking to provide a comprehensive picture of Council decision-making before and after Eastern enlargement, three major issues are analysed in this study. First, the shape of the Council's political space is investigated. Because only with an understanding of this shape – i.e. the dimensionality of political conflict, the policy nature of the conflict dimensions and the location of actors on these dimensions – political behaviour and policy outcomes can be interpreted and explained (Gabel and Hix 2002, p. 934). Second, the stability of coalitions across policy domains and the determinants of coalition behaviour are researched. Such analysis is needed since scholars know relatively little about the stability of actor alignments in the

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to which these factors can contribute to the understanding of Council decision-making is discussed in Chaps. 2 and 5.

[4]In defining European integration, this study follows Schimmelfennig and Sedelmeier (2002, p. 502), perceiving it is a process of gradual and formal vertical institutionalisation.

[5]Multiple factors led the European Union to decide upon the Eastern enlargement. On the one hand, political stability was needed in the region, and the effects of accession were anticipated to bring stability. On the other hand, the integration of the candidate countries' economies into the EU's internal market was envisaged to bring about greater economic strength and the ability to compete with emerging markets in Asia and Latin-America (De Grauwe 2009). Moreover, with more resources available, the power of the EU as a global player was assumed to be strengthened. To facilitate enlargement, a pre-accession strategy was being developed in the 1990s. This particular terminology of the policy process 'pre-accession' was mentioned for the first time in the conclusions of the Essen European Council of December 1994, and built upon the Copenhagen criteria that the European Council adopted a year earlier at their meeting in Denmark's capital.

Council and what determines them. Finally, the study analyses the member state governments' success in achieving desired policy outcomes and what explains that success. This is particularly important since it not only assists in evaluating the extent to which there is a consensus culture in the Council, but it also helps to put the findings from the other analysis into perspective. Taking stock at these three major issues, this study therefore seeks to elucidate Laswell's (1936) famous postulation of 'who gets what, when and how' in politics, in this case in the EU Council of Ministers.

The research project makes use of a newly constructed dataset that comprises estimates of governments' powers, their positions, the salience of these positions for the governments and policy outcomes on ten different policy domains of central importance to the Council. These domains include for instance the Common Agricultural Policy, the Common Market and Economic & Monetary Policy. The period of investigation ranges from 1998 to 2007. Positions and salience have been computed from European party manifestos. Each point estimate comes with estimates of uncertainty. The outcomes of Council decision-making are calculated using a theoretical model approximating the Nash bargaining theorem. For the exact estimation procedures and validity tests, readers are referred to Chap. 3.

1.2   Summary of the Argument and the Main Findings

'Without common interests, there is nothing to negotiate for. Without conflict, nothing to negotiate about' (Iklé 1964, p. 2). Both, common interests and conflict, are indisputably present in the Council. The imminent question is how the member state governments, with their rather heterogeneous preferences, have been able to maintain a balance between common interests and conflict without the Council's decision-making process ending in policy deadlock.

In this study, I demonstrate that the answer to this question lies in a political space constituting two stable conflict dimensions, interest-based actor alignments and a balanced government success in achieving desired policy outcomes in Council decision-making.

Although predominantly an exercise in exploratory research, this study maintains a few core assumptions that serve as a framework to analyse Council decision-making.

The actors in the Council are the member state governments. Governments are conceived as unitary, interest-based rational actors. Their assumed goal is hence to maximise utility.

Political contestation is argued to be present in the institution's decision-making process. Conflict is as natural as cooperation (cf. Schattschneider 1960). The causes for such conflicts in the Council are manifold. These can range from pressures from the domestic electorates (van der Eijk and Franklin 2004) to the impact of interest groups (Wessels 2004). Equally, one needs to bear in mind that the EU member states are a heterogeneous group of countries. This might manifest itself

in political conflict between net-contributors and net-receivers of the EU budget (see Zimmer et al. 2005), in dispute over the levels of harmonisation (or integrative policies) between the CEECs and the 'old' member states (see Thomson 2009), or in cleavages between ideologically defined groups of actors (see Hagemann and Høyland 2008; Hix 2008a).[6]

As opposed to the core assumptions above, the final point is rather a conceptual caveat. The study argues that in maximising their utility the member state governments face a dilemma. A wrong-sightedness in negotiations, where power-politics might sideline weaker opponents, can easily lead to a policy gridlock since the 'losers' might threaten to undermine consensus voting or even resort to blockade future legislation. Therefore, compromises and reparations are needed to secure a certain level of contentedness amongst all governments. The highly repetitive nature of decision-making in the Council requires thus a mix of short-, medium-, and long-term strategies for governments to maximise their yields. The result is a cobweb of agreements and vote-trades, spanning across time as well as policy domains and issues. This cobweb imposes problems on scholars' inferences, however. Whilst it may seem that a government loses heavily on a given policy issue, it might be compensated on a different issue at another point in time. This complexity is what Tsebelis (1990) refers to as a 'nested game.'[7]

Based on these assumptions, I show that the Council's political space comprises two stable conflict dimensions. The analysis in Chap. 4 suggests that these can best be described as an 'integration' and a 'policy' dimension. The integration dimension constitutes conflicts relating to deepening of EU integration, harmonising standards and legislation as well as the transfer of member state sovereignty to a supranational level. The policy dimension manifests itself in disputes over predominantly redistributive policies. Whereas the latter is found in many studies analysing the Council's political space, the significance of the integration dimension has been underestimated so far.

The two conflict dimensions are nearly orthogonal and define a two-dimensional plane that enables bargaining between actors with heterogeneous policy preferences.

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[6]Perhaps the most famous episode has been the 'empty-chair crisis' between 1965 and 1966. Following a disagreement with the Commission on the financing of the Common Agricultural Policy, France refused to attend any intergovernmental meetings of the Community bodies in Brussels for 6 months. This incident led to the infamous 'Luxembourg Compromise.' This informal agreement stated that when a decision was subject to qualified majority voting, a decision could be postponed if any member state felt that important national interests were under threat. Without closer defining 'important national interests', the Luxembourg Compromise was nothing less than an agreement to fully resort to unanimity voting. It took 20 years until the Single European Act (1987) ended this situation, reinstating qualified majority voting.

[7]Nested games present scholars with the problem that governments are confronted with a series of choices and do not pick the alternative that seems optimal at first hand (Tsebelis 1990). These choices, however, become intelligible when the whole network of games is examined. Tsebelis (1990, p. 7) stresses that suboptimal behaviour is often a case of 'disagreement between actor and observer.' If 'an actor's choices appear to be sub-optimal, it is because the observer's perspective is incomplete' (ibid).

In particular, the political space seems to facilitate side-payments from the net contributors to the net recipients of the EU budget in exchange for support for more pro-integrationist policies (cf. Carrubba 1997, but see Chap. 4).

The analysis also shows that Eastern enlargement did neither significantly affect the space's dimensionality nor the policy nature of the conflict dimensions. However, the following finding illustrates the dynamic and problem-solving ability of Council decision-making: in 2004, the year the ten new member states joined the EU, three instead of two conflict dimensions shaped the political space. As there might have been a need for new member states to adapt to Council deliberations, new cleavages emerged initially after the increase from 15 to 25 members, and a three-dimensional space facilitated the prevention of institutional deadlock.

The positions of actors within the political space seem to follow a geographic pattern. Whereas there is evidence in the EU-15 for a North-Centre-South divide, the EU-25 exhibits a certain East-West cleavage. In the EU-15, Germany and the United Kingdom appear to be the pivotal players in the Council's political space. In the EU-25, however, these big member states have lost their pivotal position. Another result relates to the position of the CEECs in the post-enlargement period. Whereas in 2004 the spatial positions between 'old' and 'new' governments are relatively fuzzy, the CEECs have slowly moved away from the EU-15 countries and formed a distinct cluster in the Council's political space by 2007.

Studying coalition dynamics by analysing actor alignments at the policy domain level, i.e. within and across policy domains rather than at the level of the political space, this study finds that actor alignments are stable within but unstable across domains (see Chap. 5). The Eastern enlargement increased stability within domains, but also increased the variability of coalitions across them. The increased stability of alignments did not result into coalition patterns where the same groups of governments form stable coalitions, however. Instead, it increased the diversity of coalitions across domains. Contrary to the findings about the Council's political space, Eastern enlargement thus did not lead to a conglomerate of CEECs against the EU-15 at the policy domain level. It rather appears that the inclusion of ten new member states has enabled coalitions at this level that exhibit a far better fit of preferences than in the pre-accession Council.

In contrast to the political space, where a clear geographical spatial distribution in actor alignments is identified, most probably the result of socio-economic clusters of states, there seems to be no clear latent factors structuring government positions when analysing the policy domains. Alignments at the domain-level thus lack the clear determinants, but also the overall stability, that are observable in the Council's political space (see Zimmer et al. 2005). However, alignments at the domain level exhibit more structure, and more importantly, stability, than at the policy issue level (see Thomson 2009, for an analysis of the latter).[8] Formulating a conceptual framework of coalition formation in the Council, I maintain that these observed

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[8] A policy domain relates for instance to the Common Market, whereas the policy issue level pertains to pieces of Council legislation within the domains.

dynamics seem to fit the expectation of interest-based actors in the Council, who align in geographical clusters to pursue long-term policy objectives: to enable stable and productive collective decision-making in the Council of Ministers governments must therefore cooperate with varying partners at the domain and issue level.[9]

Finally, I show that the governments' success in achieving desired outcomes in the Council is relatively the same amongst the actors when considering all policy domains between 1998 and 2007. There are thus no clear winners or losers of Council decision-making (cf. Arregui and Thomson 2009; Bailer 2004; Drüner 2007). Also during the post-period of enlargement this is clearly observable, and therefore in disagreement with expectations of scholars critical to enlargement (see above).

Analysing the determinants of governments' success in achieving desired outcomes, it appears that the more salient a position is to a government, the more likely the outcome of Council deliberations will be close to that actor's ideal position. The reason is that it will try to exert more influence than governments for which the position is less salient. Similarly, the more extreme a position, the less likely it becomes for a government to exert influence on the outcome. Since the governments generally strife to reach a compromise solution, where all positions are considered equally, the relative success of extremist actors is consequently lower. In addition to these determinants some expected but also some surprising insights into the Council's decision-making dynamics are revealed. As hypothesised by the literature, holding the Council Presidency increases the likelihood of achieving a desired outcome. Being the pivotal actor in turn does not raise the chances to secure a policy outcome close to one's ideal position. Neither does it help to be just the median voter. Success in achieving desired outcomes appears thus to depend neither on power nor on luck, but rather something in between (see Barry 1980). Most surprisingly, however, governments with a far-right party in office are penalised. Presuming this can occur due to problems in negotiating with these governments or even through 'sincere' punishment by other governments, these actors appear to be systematically disadvantaged in Council decision-making.

Synthesising the study's findings, it seems that to maximise utility under the formal and informal rules of collective decision-making in the Council, the member state governments strategically engage in a cobweb of log-rolling, side-payments and package-deals. Policy deadlock is prevented by two conflict dimensions that facilitate deeper integration by transfers through redistributive policies to the poorer member states. Conciliation between governments occurs at the policy-domain and issue levels. To secure national interests, governments often trade-in their positions on less salient issues which eventually safeguards other governments' support on issues more salient to the former.

Perhaps most intriguingly, however, I do not find systematic evidence for the existence or development of left-right politics in the Council. This finding is against

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[9]See Chap. 2, Fig. 2.2 for the actual Council productivity between 1998 and 2007.

the current trend in the analysis of EU legislative politics (for positive findings, see e.g. Hagemann 2008; Hagemann and Høyland 2008; Hix 2008a; Lindberg et al. 2008; Warntjen et al. 2008). In none of the empirical chapters do I find that ideologically defined groups of states appear to fight 'real political battles,' as Simon Hix (2006, p. 3) succinctly characterised partisan politics.

In search for an explanation, I argue that there are some institutional peculiarities that might have impeded the development of 'normal' politics in the Council so far (but see Chap. 4).[10] For instance, the Council, unlike the European Parliament, has no institutionalisation of partisanship. Without fractions and party groups, however, one might speculate whether ideological coherence is likely to be stable. This is because ideologically informed coalitions in the Council cannot effectively be organised, lead, and keep rebels disciplined. Related to this, there are concerns about whether ideology alone can mobilize support in the Council. Despite the gradual transition of the EU from an International Organisation to a 'state-like' entity, this institution is still an intergovernmental forum. There must thus not necessarily exist a linear relationship between 'normal' politics as observed within the EU member states or the European Parliament and politics at the level of the EU Council. In contrast, preferences regarding redistributive or integrationist policies may be predominant catalysts of collective decision-making in the Council, as demonstrated in this study.

1.3   Implications for EU Studies and Political Science

This research hopes to contribute to political science in general and EU studies in particular. The key implications are shortly addressed here, providing more elaborate discussions during the course of the manuscript.

In EU studies, the array of measurement techniques employed to collect information on actors is impressive. Quantitative data has been derived from expert interviews (e.g. Bueno de Mesquita and Stokman 1994; Thomson et al. 2006), expert surveys (e.g. Farrell et al. 2006; Hooghe et al. 2010; Steenbergen and Marks 2007), the analysis of voting behaviour (e.g. Hagemann 2007; Hix et al. 2007), public opinion surveys (e.g. Thomassen 2005) or political text (e.g. Klüver 2009; Proksch and Slapin 2010).

This important work notwithstanding, there are still considerable shortcomings with regard to the information pertaining to positions and saliences of preferences of actors. As exemplified above, clearly some changes have been made since Gabel

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[10]The proponents of the partisan hypothesis in Council politics define 'normal' politics as the struggle between groups of actors which align depending on their ideological affiliation, similar to politics in the EU member states and the European Parliament. Although this definition is maintained in this study when referring to 'normal,' one might argue whether 'normal' politics in the Council should not better be more neutrally defined as the 'competition of groups of governments.'

et al. (2002, p. 482) argued that the development of European political science has been 'retarded unnecessarily by the dearth of public and systematically collected data on EU politics.' Nevertheless, to advance the field's scientific profile to a level approximating American politics, much remains to be done regarding our efforts in collecting and disseminating data that enables the comprehensive study of actors' behaviour.

By introducing a novel dataset that employs original techniques to collect information not only on the Council but also on various other EU political actors over a considerable period of time, this study addresses the key-propositions of the cumulative research agenda for EU studies set out by Gabel et al. (2002): collecting data, reporting the process and making available the dataset to the scientific community.

This dataset, called 'Positions and Salience in European Union Politics,' offers estimates of Council actors' positions, the salience of issues and policy outcomes on ten policy domains over a ten-year period of time.[11]

In addition to information on Council members, the dataset comprises information on various other actors of the EU political system that are of interest to a number of scholars not directly working on the Council. For instance, the data include estimates of the positions and saliences of more than 200 domestic parties on the study's ten policy domains and a 'Justice and Home Affairs' dimension between 1979 and 2004. For all of these domains, the dataset also contains positional estimates and the salience of these positions for the major European Parliament (EP) party groups. Of most direct use for comparative research could be two dimensions that represent actors' left-right positions on EU issues and attitudes towards European integration, respectively. These may assist scholars in formulating and testing hypotheses about actors' political behaviour in European Union politics. All of these point estimates also come with estimates of uncertainty. As done previously, the left-right dimension can also be confidently used to analyse partisan dynamics in the European Commission (Franchino 2007). With a recently published dataset containing the party political make-up of EU institutions (Warntjen et al. 2008), the range of the dataset's applicability is expanded even further.

Although the normative implications of this research will be discussed in detail in the conclusion, some major implications for the study of other International Organisations should be mentioned here already.

First, notwithstanding that scholars observe increased tendencies of 'normal' politics in the European Parliament, it appears that 'state-interest' based theories of EU politics (e.g. Moravcsik 1998) still exhibit considerable explanatory power for decision-making in the Council. Despite the European Union being more than just an International Organisation it remains to be 'less than a Federation' (Wallace 1983, p. 403). In regard of legislative decision-making, this has been recently demonstrated by Hagemann and Høyland (2010), who show that in the 'bicameral

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[11]I will not explicitly discuss the measurement and validation of party and EP groups point estimates in this study. Please refer to Veen (2011b) for a more elaborate coverage of these issues.

politics' between Council and Parliament, the Council still enjoys significant agenda setting powers. As for the Council, it thus appears that member states are equally refraining from making a transition to 'normal' politics in this inter-institutional context.

One might argue, however, that the stability of Council decision-making depends fundamentally on the current institutional make-up, favouring interest-based, state-centric, preferences. Left-right politics in the Council, manifested in essence in government-opposition dynamics (cf. Mair 2007), might eventually jeopardise the delicate system of balanced 'winnings' and 'losings,' the existence of which I demonstrate in this study and that appears so important for collective decision-making in this institution. Also, since the division of labour between the European Parliament and the Council is similar to that of successful federal polities, where the bicameral system is characterised by a chamber with a 'partisan' and a chamber with a 'geographic' political cleavage, one might wonder whether to invoke partisan politics in the Council is something to aspire to in this respect. To what extent this view can hold against claims that the EU is incapable of copying with recent political and economic challenges, however, that might possibly only be addressed by injecting 'more political competition into EU political processes' (Hix 2008b, p. 86), shall be discussed at the end of this study.

Finally, from a more general collective decision-making perspective, it is encouraging that the considerable increase in the number of actors as a consequence of Eastern enlargement appears to have had no significant effect on the delicate working of politics in the Council as compared to the EU-15. This may similarly constitute a positive signal to the EU and to other International Organisations, providing a strong case that enlargement must not necessarily lead to a revolution in the collective decision-making dynamics.

1.4   Structure of the Study

The following chapter acknowledges prior Council research and argues that by far not every aspect of this institution's decision-making process has been sufficiently studied or understood. Capitalising on the existing Council literature, the research design is then introduced and explained. In doing so, the chapter critically discusses the study's ontological, epistemological and methodological points of departure. Substantively, I argue that estimating government positions and the salience of these positions by using content analytical techniques constitutes a valuable alternative to existing collection efforts that mainly employ roll-call votes and data from interviews with policy experts. Moreover, in order to analyse bargaining success in the Council, I propose a formal bargaining model approximating the Nash-bargaining solution to estimate the outcomes of deliberations under qualified majority- and unanimity voting. Finally, the chapter introduces the ten Council policy domains this study focusses on. These domains cover most policies enacted under the EU's community pillar.

    Chapter 3 elaborates measurement issues of governments' powers, policy posi-
tions and how salient these positions are to governments. The power to influence
collective decision-making is computed from the Shapley–Shubik Index and sup-
plemented by a term that accounts for the increase in bargaining power a member
state acquires when holding the Council Presidency. The chapter describes how
parties' European election platforms ('Euromanifestos') can be converted into valid
and reliable estimates of Council member positions on different policy domains. To
enhance the data quality compared to previous manifesto research, a new method
for scaling count data is applied. Moreover, I employ simulations of stochastic
text generation processes to yield measures of uncertainty for all point estimates.
Validity tests show that the study's data have a high correlational and discriminant
validity. I also offer a new scaling approach to extract estimates of salience from
election manifestos by computing the proportion of text devoted to a policy domain.
Then the chapter demonstrates that also the salience scores exhibit high validity.
Finally, a left-right policy index is constructed to analyse partisan dynamics in the
Council.

    Chapter 4 analyses the dimensionality and nature of political conflict in the
Council. Analysing the distance between member state governments' policy posi-
tions, multidimensional scaling techniques are employed to make inferences about
the dimensionality of the Council's political space. The dimensions are interpreted
performing multiple regression analysis. The analysis suggests that there are two
stable conflict dimensions structuring the political space. The first is an 'integration'
dimension representing the support for deepening EU integration and the transfer of
sovereignty to a supranational level. The second is a 'policy' dimension, manifested
in disputes over mainly redistributive policies. The analysis of government positions
largely corroborates the generally maintained assumption that cleavages in the
Council's political space are structured roughly along geographically defined
clusters of countries. More specially, I show that after Eastern enlargement, a North-
South divide was replaced with an East-West cleavage.

    Chapter 5 provides an analysis of actor alignments in the Council. The theoretical
part establishes a conceptual framework to order and understand the dynamics of
coalition formation in this institution. I posit that there are two distinct types of
coalitions. At the bargaining stage, there are interest-based groups of states that
form alignments to influence the policy outcome. At the voting stage, proponents
and opponents of a decision might tactically use the instrument of public dissent to
signal their constituencies. The framework also differentiates between three levels of
coalition-making in the Council: the political space-, the policy domain- and policy
issue level. At the political space level, alignments are relatively static over time.
At the policy issue level instead, alignments change constantly across issues, fields,
and time. The policy domain level then is expected to exhibit stable alignments
within domains over time, but unstable and different alliances across them. Whereas
the literature corroborates the expectations for the political space and issue-level,
the domain level has largely not been subjected to comprehensive analysis yet.
Using Kendall's coefficient of concordance, I show that at the policy domain level,
actor alignments are relatively stable within the ten policy domains. However, they

are highly unstable across them. Employing multidimensional scaling and multiple regression analysis, I find that coalitions at the policy domain level are interest-based rather than structured by a latent cleavage such as geography or ideology.

Chapter 6 then identifies the 'winners' and 'losers' of Council decision-making. Bargaining success is hereby defined as the distance between a government's policy position and the policy outcome. In the theoretical part I discuss expectations regarding states' success in achieving desired policy outcomes and their determinants. Comparing government's success over time and across policy domains, I reveal that both in the EU-15 (1998–2003) and EU-25 (2004–2007), there have been no clear winners and losers of Council decision-making, irrespective the voting rule. Although the governments' performances vary to some extent, winnings and losings keep always a balance. Regression analysis is employed to uncover the determinants of success in achieving desired policy outcomes. To correct for attenuation in the estimates, I use simulation-extraction. In addition, to take full advantage of the parameter estimates, 100,000 statistical simulations are being run to understand the full statistical model and compute quantities of interest. It appears that the main determinants are firstly the salience of positions to governments and secondly the extremity of these positions. The more a government strives for a particular decision, the closer its position is situated at the decision-making outcome. However, the more extreme a position, the more difficult it becomes for a government to secure an outcome close to its position.

The final chapter concludes with some critical reflections upon the study's findings. In doing so, it links the results to a normative discussion of the EU's and the Council's democratic deficit and the lack of political accountability. Playing the devil's advocate, I argue that it is precisely the secretive and isolated nature of decision-making that enables stable collective decision-making in this unique institution. Building upon the book's results, problems and neglects, I then sketch avenues for future research, calling for instance for more research on the separability of preferences between policy domains and the inter-institutional dynamics between the EU law-making bodies. Finally, the conclusion provides an outlook of decision-making under the Lisbon Treaty and discusses the implications of Turkey's possible EU accession to the dynamics of collective action in the Council of Ministers.

Chapter 2
Analysing Collective Decision-Making in the Council: A Research Design

> The method of Political Science is the interpretation of life; its instrument is insight, a nice understanding of subtle, unformulated conditions.
>
> *Woodrow Wilson*

2.1 The Council of the European Union: A Black Box

In Political Science the term 'black box' has been coined by David Easton. He conceives of the political decision-making process, 'that system of interactions [...] through which [...] authoritative allocations are made and implemented' (Easton 1965a, p. 50), as a conversion mechanism wherein political inputs (demand and support) are transformed into outputs (policy).[1] The inner workings of this mechanism are not visible. As a result, one does not know by which precise rules it operates other than by systematically comparing variation in input with variation in output.

The Council of Ministers' decision-making process resembles an Eastonian black box. The inputs and the outputs are known,[2] but the workings of the conversion mechanism that turns the inputs into policy decisions remains largely invisible.

Nevertheless, some might argue that parts of the transformation process are not surrounded by an impenetrable 'veil of secrecy' (Bauer 2004, p. 370). For instance, transparency initiatives adopted by the Treaty of the European Union (TEU) (1993) lifted some of this veil. The TEU provided public access to Council timetables, the minutes of ministers' meetings, voting records of their decisions taken and

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[1] See also Easton (1965b). The interplay of interest representation (input), decision-making (black box) and policy decision (output) is also referred to as the politics-polity-policy triad (cf. Keman 1993, 1997).

[2] Formally, the input are proposals drafted by the Commission. The output are Council acts.

the monthly summaries of adopted Council acts. The Seville European Council (2002) even opened deliberations between ministers to the public, albeit restricted to acts adopted under the co-decision procedure, i.e. co-legislated with the European Parliament.

But these steps, although seeming like a welcoming step in shedding light on the transformation mechanism, are rather superficial. Every act under the co-decision procedure has been 'pre-cooked' by the Council's presidency and the intransparent lower tiers of the institutional decision-making process (see Sect. 2.2), leading towards compromise solutions even before the ministers sit.[3] The Council documentation similarly relates only to this 'staged' level of decision-making (see Chap. 5 for a discussion as to why this level should be conceived of as staged.)

Thus, despite adding transparency at the surface, the lion's share of decision-making and brokering in the Council has remained opaque (cf. Gomez and Peterson 2001; Häge 2008a; Hayes-Renshaw and Wallace 2006; van Schendelen 1996). From an academic perspective the Council's decision-making process largely remains opaque (Sullivan and Veen 2009, p. 113); an Eastonian black box.

The majority of scholars assumes that Council decision-making is grounded in 'diffuse reciprocity, mutual responsiveness, and a culture of compromise' (Lewis 2002, p. 191–192), where governments 'are willing to compromise for the sake of reaching common solutions' (Arregui et al. 2004, p. 152).[4]

To evaluate these assumptions and to be able to understand whether and how these 'games governments play in Brussels' (Naurin and Wallace 2008, p. 12) may pertain to the European Union's political accountability, legitimacy and representation problems (see e.g. Arnull and Wincott 2003; Bovens 2007; Fisher 2004; Moravcsik 2002; Schmitter 2000),[5] more comprehensive studies aiming at increasing the insights into the Council's collective decision-making process are certainly needed.

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[3]Observers argue that some negotiations by ministers are genuine (Spence 2004). As yet, however, scholars have not systematically analysed these open debates. If done correctly, this may be an important step forward in deepening our understanding of the Council's intra-institutional politics.

[4]This pattern persists in the enlarged European Union with its current 27 member states (Lempp 2007; Lempp and Altenschmidt 2008; Puetter 2006).

[5]Governments in the Council are not accountable to any political forum at the European level (Spence 2004; van Gerven 2005). While accountability to domestic constituencies is formally existent, ministers usually are not held responsible for decisions taken in the Council. In some of the states (e.g., the Netherlands), governments must give their national parliaments information about the votes they have cast in the Council. As a domestic practice, however, this is not obligatory in all countries. Isolated from constituencies and without effective legislative oversight, governments have thus leeway to bargain about the substance of important issues without pressure and oversight from the electorate or other EU institutions. The isolation is even reinforced through superficial coverage of Council politics by the mainstream broadcasting channels and newspapers (cf. Trenz 2004). This combined lack of oversight effectively decouples decision-making from the short-term policy constraints the electoral cycle imposes on law-making in the EU's member states. Representation problems may arise, however, when governments trade-in national preferences to achieve common solutions in the Council.

To this end, the remainder of this chapter introduces a novel design to study Council decision-making. The following section elaborates the organisation of the Council's intra-institutional decision-making process and analyses principal-agent problems between ministers and their governments. Section 2.3 then acknowledges scholarly attempts to understand Council decision-making. Taking stock of that literature, Sect. 2.4 introduces the study's research design, divided into discussions of ontology, epistemology and methodology.

2.2 Intra-Institutional Decision-Making

The Council is the 'institutional heart of the decision making in the EU' (Lewis 2007, p. 153). Although it increasingly 'co-legislates' with the European Parliament (see Kreppel 2002; Rittberger 2005; Scully 1997a,b, 2001), no law can be adopted without its explicit consent (Westlake and Galloway 2004). In some policy areas, it even enjoys exclusive legislative powers.

Accounts of the Council's role in the EU inter-institutional legislative decision-making process are numerous (e.g. Bache and George 2006; Dinan 1999; Hix 2005; McCormick 2008; Nugent 2006; Raunio and Wiberg 1998).[6] Focussing on intra-institutional Council decision-making, this section discusses an issue that received comparatively little attention so far: party-political policy drift of ministers. However, to facilitate this discussion, some paragraphs are firstly devoted to the Council's institutional division of responsibilities.[7]

In the Council, the ministers only formally discuss and adopt legislative proposals. Most of the preparation and negotiation happens at subordinate levels. More than 250 Council working groups, the Committee of Permanent Representatives (or Coreper, the French acronym for *Comité des réprentants permanents*) and senior high-level committees are engaged with these tasks. Hayes-Renshaw and Wallace (1997, p. 78) estimate that about 70% of all legislative proposals are decided upon at the Council's working group level, 10%–15% in Coreper and high-level committees and the rest by the ministers themselves.[8]

The following sketches a simplified account of deliberations within the Council (see also Fig. 2.1): at the lowest level are the working groups, the 'Council's

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[6]It is not the Council of Ministers but the European Commission that is generally responsible for drafting EU legislation. The Council and the European Parliament only have the authority to reject, amend or accept legislative proposals.

[7]For general discussions of formal decision-making in the Council, see Westlake and Galloway (2004), Häge (2008a) and Hayes-Renshaw and Wallace (2006).

[8]Häge (2008a) challenges these estimates and argues that the ministers are actively involved in more than 60% of all legislative proposals. However, in cases of involvement the ministers usually focus on only one, two or three major points of contestation within a wider proposal. Thus, although ministers have an input on a considerable proportion of proposals, this input is usually limited to a very small number of issues within these proposals. Only Andersen and Rasmussen (1998) estimate that the ministers' real impact is larger than that of the 'committee levels.'
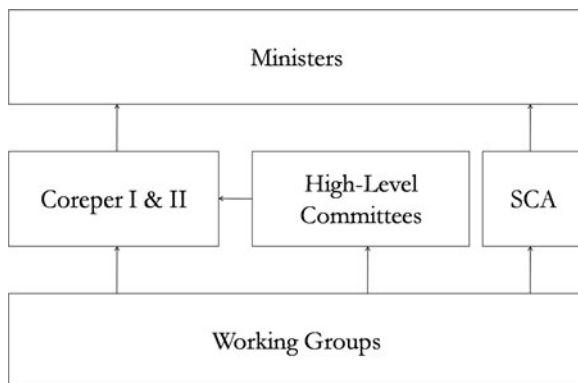
Fig. 2.1 The Council of Ministers: A three-level system of decision-making.
Note: The width of the boxes does not provide an indication for the relative power or importance among and within the three decision-making levels. Moreover, this description is explicitly simplistic. Neither does it make a differentiation between policy domains and EU pillars, nor does it include Coreper's subordinated Mertens and Antici Groups (Lewis 1998). Coreper I consists of deputy heads of the Permanent Representations and deals largely with social and economic issues. Coreper II consists of the Permanent Representatives and deals largely with political, financial and foreign policy issues (Bostock 2002)

lifeblood' (Westlake and Galloway 2004, p. 200). Discussions about legislative proposals received from the Commission are usually initiated here by request of the Council Presidency. The working groups try to reach agreement on as many issues as possible (Fouilleux et al. 2005). This relieves the higher decision-making levels, making the working groups the 'backbone of the entire process of European integration' (Hayes-Renshaw and Wallace 2006, p. 96). The 'precooked' proposals (Larsson 2003, p. 5) are then being forwarded to either Coreper or the so-called 'high-level committees.' The decision whether to send a proposal to Coreper or a committee depends on the policy responsibility (see Bostock 2002). Among the high-level committees, the Special Committee on Agriculture (SCA) occupies a unique position as it is the only committee where proposals prepared for the ministers must not be formally submitted through Coreper. If the middle-tier cannot reach an agreement either, the proposal will be placed as a B-item on the Council's agenda for further discussion. While only the ministers may adopt legislation, the Council's institutional structure permits that many decisions are effectively being taken at lower levels, and passed without further elaboration by the ministers as so-called A-items.[9]

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[9]The classification between A- and B-items can sometimes be misleading. In general, an A-item refers to a proposal formally agreed upon at the Coreper level, while a B-item needs to be resolved by the ministers (Lewis 2002). However, there can be also 'pseudo' (de Zwaan 1995, p. 136) or 'false' (van Schendelen 1996, p. 540) A-items. This refers to A-items that were amended or rejected in an earlier Council session. Thus originally these were B-items. Similarly, there are 'false B-items', where Coreper reached agreement but on which it is deemed desirable that the

2.2.1   *Portfolio Holder Policy Drift in the Council?*

An issue that has attracted limited attention is to what extent ministers of coalition governments in the Council represent their parties' rather than their governments' policy positions. This is a typical principal-agent problem (cf. Thies 2001). The agents (i.e. the ministers) might not share the principals' goals (i.e. the government), at least not exactly.

In coalition government, while the cabinet is collectively responsible to the parliament for its policies, it must delegate responsibility for specific areas of policy to individual ministers. There lies the risk. When delegating, the principal empowers agents who might have different goals. By virtue of delegation, the agents then may have the ability to undermine the principal's own preferences.

This problem of ministerial drift is also formulated in Laver and Shepsle's 'portfolio allocation approach' (Gallagher et al. 2001; Laver and Shepsle 1990, 1994, 1996): parties allocate ministers to portfolios to pursue party political goals and policy targets formulated explicitly in a coalition accord. But a minister might place the wishes of her party over the policy goals of the cabinet, resulting into policy drift from the government's ideal point. The logic underlying this behaviour is that 'coalition partners are in some sort of mutual competition for votes' (Strøm and Müller 2000, p. 257).

In domestic politics, the government can 'keep tabs' on its ministers through mechanisms such as cabinet decision-making (Andeweg 2000), allotments of junior ministerial positions to shadow the other parties' ministers (Thies 2001) or legislative oversight (Martin and Vanberg 2004, 2005).

In the Council, these mechanisms are not available. Moreover, the ministers can even position experts from their ministries at key-stages of the Council's decision-making process, which may grant ministers even more leeway to deviate from their principal's position. But to what extent do ministers deviate from government positions in the Council?

Around 70% of the legislative proposals' issues are negotiated at the working group level. The latter consist of clerks that are either based in national ministries or are temporarily seconded to the member states' permanent representations in Brussels. According to Hayes-Renshaw and Wallace (1997), the working groups are a real opportunity for a minister to have her views taken into account (see also Westlake and Galloway 2004, p. 221).

A similar picture can be sketched for the high-level committees that have been established for particular policy fields. These committees are also composed of policy experts from the responsible domestic ministries (Westlake and Galloway

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ministers should deliberate as well (Hayes-Renshaw and Wallace 1997, p. 80). The logic behind A- and B-items has been described by Noël (1967) as 'un certain assouplissement ultérieur a conduit maintenant à interpréter cette procédure plutôt comme une renonciation unanime à une discussion dans le Conseil' (as cited in Westlake and Galloway, 2004, p. 204).

2004, in particular pp. 204–205 and pp. 218–219).[10] They therefore represent 'the interests of particular government departments in the Council system' (ibid, p. 219).

However, there is Coreper.[11] Being a facilitator between highly specialist policy experts at the working group level and the ministers, Coreper assumes a gate-keeping position: equipped with the power and expertise to make amendments to decisions taken by working groups and committees, it decides which issues are forwarded as an A- or B-item onto the Council's agenda (Bostock 2002, p. 225). According to article 207 of the Treaty of the European Communities (TEC), Coreper is responsible for preparing the work of the Council and executing the tasks assigned by the Council. In addition, the permanent representatives act in place of the ministers if they are unable to attend a Council meeting. Coreper is therefore conceived of as 'the real engine for much of the work of the Council' (Hix 2005, p. 83) and the 'backbone [...] of Council business' (Westlake and Galloway 2004, p. 200).

Most importantly, Coreper is a 'direct, state-led rival' to the Commission (Westlake and Galloway 2004, p. 203), with the duty of representing the member states' interests and 'defending the national position' (Hayes-Renshaw et al. 1989, p. 130–131). In contrast to the high-level committees and working groups, Coreper does not consist of specialists from individual ministries, but predominantly of staff from the foreign ministry (see also Hayes-Renshaw and Wallace 1997, p. 76). It has a reputation of serving the capital and government rather than taking party political sides (Egeberg et al. 2003; Trondal 2001).[12] Moreover, the leader of the national Coreper delegation is usually an intimate of the head of government.

As decisions taken on committee levels have to be accepted by Coreper before submission to the ministers (Larsson 2003, p. 41), Coreper can thus actively curtail the ministers' policy drift. It has an incentive to do so due to its institutional role and loyalty to the government.

To conclude this discussion, one may assume that Coreper is not only a gate-keeper, but the governments' watchdog over their ministers in Brussels. Therefore, when analysing Council decision-making, it seems realistic to focus on government positions rather than ministers' party positions.[13]

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[10]See also Hayes-Renshaw and Wallace (1997, pp. 84–96) and Nugent (2006, pp. 200–202).

[11]For more information, see Bostock (2002), Noël (1967), de Zwaan (1995), Hayes-Renshaw (1990), Lewis (1998), Lewis (2002), Lewis (2000), Hayes (1984), Hayes-Renshaw et al. (1989), Mentler (1996), and Westlake and Galloway (2004).

[12]Some argue that Coreper is Janus-faced as it serves two masters: the national governments on the one hand, and the project of European integration on the other (Lewis 2005, 2008). They maintain that Coreper's members develop a supranational identity in addition to their role of agents of government (see e.g. Beyers 2005; Egeberg 1999). Perhaps a bit exaggerated, a German Permanent Representative therefore once joked that the 'ständige Vertreter' (permanent representatives) are known as 'ständige Verräter' (permanent traitors) in the capital (Barber 1995).

[13]As only the SCA can submit its decisions directly to the ministers, ministerial drift may most probably occur in this policy domain. However, agriculture has been a salient policy issue in EU politics since the 1960s. Moreover, it is a policy domain where decisions translate directly into winning or losing a decent share of voters (farmers still have a fair amount of influence on other

A focus on government positions as opposed to party positions constitutes the first contribution to the research design. Its relevance will become clearer when elaborating the calculation of government positions (see Sect. 2.4.2.1.) The discussion now turns to a review of prior Council studies. It only focusses on insights relevant to the research design, however. Findings with relevance to the study's research questions are addressed in the empirical chapters.

2.3   Research on Council Decision-Making

The literature on Council decision-making can be roughly divided into two streams. First, there is the qualitative school stressing that both formal and informal processes have to be taken into account to understand Council deliberations. Most importantly, this approach sees Council decision-making as grounded in a 'culture of consensus rather than a culture of competition' (Lijphart 1998, p. 104).[14] The fact that Council decisions are mostly taken unanimously regardless the formal voting rule has been promoted by the repetitive nature of Council deliberations. This has resulted in a 'supranational' socialisation of the involved actors (Beyers 1998, 2005; Beyers and Trondal 2003; Egeberg 1999; Egeberg et al. 2003; Heinisch and Mesner 2005; Lempp 2007; Lempp and Altenschmidt 2008; Lewis 2005, 2008; Trondal 2001, 2002). According to Spence (2004, p. 257), negotiations therefore are 'generally positive-sum, rarely about distributive bargaining and almost always about integrative bargaining, where accommodation and rapprochement is the rule.' Apart from socialisation, informal factors such as seniority and experience of actors, their negotiation skills, frequent informal meetings, 'corridor bargaining' and inter- and intra-group dynamics, keep Council decision-making functioning (Hayes-Renshaw and Wallace 2006, p. 28). Usually, these scholars obtain their information from in-depth interviews with actors directly involved in the Council machinery (e.g. Beyers and Dierickx 1998; Elgström and Jönsson 2000; Elgström et al. 2001; Garman and Hilditch 1998; Naurin and Lindahl 2008).

Despite revealing valuable insights on deliberations in senior committees (Lewis 2003, 2008; Niemann 2008), consensus formation in single policy fields (Andersen and Rasmussen 1998; Aus 2008; Miklin 2009), the influence of the Council Secretariat (Beach 2008) or the Council Presidency (Tallberg 2004, 2006, 2008), qualitative studies have so far provided only an incomplete perspective of an extremely complex process of decision-making, that can only be understood by taking into account a very large number of characteristics of actors and context, to

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voters in rural areas). It is therefore difficult to imagine that agents have the discretion to deviate from the principal's position unchecked.

[14]See Westlake (1995), and Sherrington (2000).

which any particular qualitative researcher can only hope to contribute fragmentary bits and pieces.[15]

The quantitative approach sets out to provide a comprehensive and parsimonious account of the Council's decision-making process. Almost all contributions of this 'significantly' growing branch (Naurin and Wallace 2008, p. 2) are firmly grounded in rationalist assumptions and stress actors' strategic and utility maximising behaviour. The 'rich and systematic data analyses' (König et al. 2006, p. 554) facilitates the rigorous testing of assumptions about Council members' behaviour and preferences that have been only put under limited empirical examination before (see Hörl et al. 2005; Sullivan and Veen 2009).

Capitalising on this burgeoning literature, the following sections critically discuss its contribution to the understanding of Council decision-making, drawing lessons for this study's research design.

2.3.1   Council Voting Studies

The quantitative analysis of Council voting records has provided empirical support of the existence of the 'culture of consensus' that was inferred in the qualitative literature from fragmented evidence (Hayes-Renshaw and Wallace 1997; Sherrington 2000; Westlake 1995).[16]

Mattila and Lane (2001) have been the first to demonstrate that the majority of Council decisions technically subject to QMV are not contested at the voting stage. Heisenberg's (2005) analysis reveals a similar pattern, with ca. 80% of all decisions under QMV rule taken unanimously (see also Hayes-Renshaw et al. 2006). Heisenberg (2005, p. 79) therefore argues that the scarcity of explicit majority voting 'undermines the fundamental assumptions in the rational institutionalist (RI) as well as the power index models,' and that therefore 'the biggest embedded assumption of EU spatial models that decision-making in the Council is concerned more with inter-institutional dynamics than with the substance of the proposal at hand' (ibid., p. 80) is flawed. In other words, she contends that informal bargaining processes that result in consensus voting cannot be captured by these models, rendering them inappropriate for research on Council decision-making. The implications of this critique will be addressed in Sect. 2.3.2. To anticipate, while her critique be relevant for models that place exclusive emphasis on formal decision-making rules, it does not apply to those that are based on cooperative game-theory (cf. Schneider 2008).

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[15]State-of-the-art reviews of that literature can be found elsewhere (e.g. Hayes-Renshaw and Wallace 2006; Naurin and Wallace 2008; Westlake and Galloway 2004).

[16]The Council voting records have been collected systematically by the Council Secretariat since 1998 and can be accessed through the Council Minutes and the Monthly Summaries of Council Acts.

But Council voting studies also reveal other important aspects of Council politics (see also Chap. 5, Sect. 5.2). Analysing roll-calls from 1995 to 1998, Mattila and Lane (2001) find that abstentions or explicit 'no' votings are most likely to occur in the policy sectors agriculture, internal market and transport. This finding has been corroborated by Hayes-Renshaw et al. (2006) for the period between 1998 and 2004. Mattila (2004) in turn looks at the factors associated with dissent and finds that leftist governments tend to vote less against the majority than their right-wing counterparts (see also Hagemann and Høyland 2008). Moreover, governments from countries that benefit financially from the EU are less likely to vote against the Council majority than governments from countries that are net-contributors to the EU budget. Larger countries as well as Northern countries are also more likely to vote against the majority (Hagemann and De Clerck Sachsse 2007; Hayes-Renshaw et al. 2006; Heisenberg 2005; Mattila 2004, 2009; Mattila and Lane 2001). Countries that hold the Council Presidency oppose majoritarian decisions less frequently than other governments (Mattila 2004). Eastern enlargement in May 2004 did have no significant impact on the extent of consensus voting (Hagemann and De Clerck Sachsse 2007). With a percentage of uncontested decisions at around 90%, this even outperforms consensus behaviour in the EU-15 (Mattila 2008, 2009, p. 844). When comparing explicit votes by country, the new member states appear to vote less often against the majority than old member states (ibid., but compare Hagemann 2008). This exceeds pre-enlargement expectations, where the CEECs were assumed only to 'partly adopt the norm [...] not [to] allow the smooth functioning of the EU [...] [to be] impeded by their desires' (Field 2001, as cited in Mattila, 2009, p. 844).

However, despite valuable insights revealed by voting studies, the findings have to be taken with a grain of salt. Although consensus behaviour has been demonstrated at the voting stage, this leaves scholars non-the-wiser with regard to the 'real' contestation in Council decision-making. This relates to a serious problem of roll-call data: only legislation that has been 'pre-cooked' successfully at previous bargaining stages enters the arena of the ministers. At this stage, any potential vote trades have usually already been decided upon. Stokman and Thomson (2004b, p. 7) therefore correctly argue that if 'actors shift initial positions during the pre-legislation bargaining process, then voting records do not properly indicate who won and who lost.' Also, only legislative proposals that have not been withdrawn at an earlier stage of the institutional process are voted on (Sullivan and Veen 2009, p. 118). The data are thus effectively subject to censoring bias, providing a downwards biased estimate for disagreement and conflict in the Council (see also Mattila 2004, p. 31).[17]

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[17]This is a wider problem of studies of decision-making that has not been addressed clearly in Council research, however. The literature on 'non-decisions' argues that the manifest absence of conflict and disagreement cannot be seen as conclusive evidence for the absence of actual conflict (see Bachrach and Baratz 1962, 1963). This idea has been formulated by the German political scientist Friedrich (1963) as the 'law of anticipated reactions.' It maintains that actors condition their behaviour according to what they believe is the preference of the principal. They try to

But there is another problematic issue with voting data. For various reasons, states opposed to a legislative proposal often decide not to show their dissent by abstention or an explicit 'no.' Heisenberg (2005, p. 82), for instance, speculates that unanimity enhances the credibility of the Council in the eyes of citizens when losers of Council decision-making are not made explicit. With regard to the implementation of Council decisions, Hayes-Renshaw et al. (2006, p. 163) maintain that consensus voting also enhances governments' compliance. This similarly masks real dissent in the data (cf. Mattila 2008).

Most scholars unequivocally acknowledge these limitations of roll-call data (cf. Hagemann 2008; Hagemann and Høyland 2008; Mattila 2008; Mattila and Lane 2001), yet often tend to leave the probably most important issue undiscussed: the significance of an explicit vote. Simply because decisions have been 'precooked' and consensus is the modal outcome, an abstention from the vote or an explicit 'no' is a highly significant event. These may be used to signal external constituencies that the negotiators did their best but failed eventually, or to expose governments as being uncompromising. In other words, dissent in the Council of Ministers is likely to be highly strategic. Accordingly, because of the strategic element to any explicit vote, the voting literature ought to limit its conclusions to the peculiar voting stage, and not generalise about the Council's decision-making process (see also Chap. 5).

2.3.2 Theoretical Models of Council Decision-Making

Models of Council decision-making focus explicitly on the decision-making process, seeking to predict decision outcomes.[18] Although diverse in scope and application, all models are unified by their rational choice assumptions of human behaviour and the use of concepts derived from game theory. They conceive of collective decision-making as decision-making on controversial issues about which actors hold single peaked preference functions (e.g. Black 1958; Bueno de Mesquita et al. 1985). Decision outcomes are seen as the result of interactions between goal-oriented actors operating within institutional constraints. A broad distinction can be made between models that emphasise the formal procedural aspects of EU decision-making (institutional constraints such as voting rules, decision rules, etc.), or the informal bargaining that takes place prior to the adoption of legislative proposals. This distinction gives rise to procedural and bargaining models, respectively.

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conceive how the principal would behave in their situation, and adjust their behaviour accordingly. This may lead to behaviour different to situations where there would have been no principal. 'Non-decisions' therefore relate to the limitation in scope of actual decision-making to decisions that are cast under the 'shadow' of the principal's anticipated preference. In the Council, the existence of the 'culture of consensus' may similarly condition actor behaviour since they feel that they ought to behave in accordance with this guiding principle of institutional bargaining. Consequently, the observable degree of contestation that is manifested in Council decision-making is relatively low, but it does not allow for the conclusion that there is low or no political conflict.

[18] Their prediction is actually often 'postdiction.'

Procedural models see institutions as constraining behavioural opportunities. They determine the identity of players, the strategies available to them, the sequence of play and the aggregation rules whereby players' choices are translated into decision outcomes (Shepsle 1989; Shepsle and Weingast 1981).[19] This class of model is rooted in non-cooperative game theory[20] and spatial voting theory. It stresses both the sequential features of the legislative process and the decision-making powers that actors can utilize to affect the bargaining outcome. Most procedural models applied to the EU focus on inter-institutional rather than intra-institutional bargaining, yet some make explicit assumptions about deliberations amongst Council members (see König 1997; König and Proksch 2006; Widgrén and Pajala 2006).

The structure of a procedural model depends on the legislative procedure under investigation. In a non-cooperative game setting, actors are differentially empowered in accordance with their procedural position (e.g. *agenda-setter* see Kingdon 1984; Niskanen 1971) and voting power (e.g. *veto-players* see Tsebelis 2002). Given the complexity of EU decision-making, scholars choose their specifications in accordance with the specific procedures operative in the decisions they want to model (Dijkstra et al. 2008).[21] Since procedural models are highly sensitive to the sequence of play and the number of moves of the game, applications have suffered greatly from inconsistent predictions (Hörl et al. 2005; Steunenberg and Selck 2006). Moreover, the procedural models have come under increased fire from the qualitative Council literature, that argues that this class of models is unable to explain the informal negotiation culture in the Council (see especially Heisenberg 2005).

By contrast, Council bargaining models privilege behind-the-scenes negotiations rather than institutional formalities (e.g. Arregui et al. 2006; van den Bos 1991; Bueno de Mesquita 1994; Stokman and Oosten 1994). In conceptualising Council deliberations, they primarily base their predictions on cooperative game theory without any specification of the sequence by which decision outcomes are reached.[22] Instead, the bargaining process is conceived of as a black box into which actor positions, the importance they attach to the relevant issues and their capabilities are entered (Granger and Newbold 1986, p. 36). Formal decision-making rules are still incorporated into bargaining models, as they channel actors' interests and partially define actors' evaluations of other stakeholders' capabilities (Arregui et al. 2004). But institutions and procedures 'don't determine behaviour, but set the boundaries within which the action takes place' (Stokman and Thomson 2004b,

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[19]See Sect. 2.4.1 for a detailed analysis of institutions' impact on Council decision-making.

[20]A well-known model in this tradition is the Baron-Ferejohn model (1989). With its clear sequence of moves and the multi-session character it has been used to explain coalition formation, law-making and pork-barrel.

[21]There are for instance different perspectives regarding which actor has the first mover advantage leading to conciliation in the co-decision procedure. Some argue it is the European Parliament (e.g. Crombez 2000a; Steunenberg 1997), others speculate it is the Council (e.g. Crombez 1997a; Garrett 1995; Tsebelis and Garrett 1997).

[22]The most prominent example being the Nash Bargaining Solution (Morrow 1994; Nash 1950; Schneider et al. 2006, p. 301).

p. 19). The theoretical advantage of this model class is that consensus voting can be accounted for while simultaneously including institutional constraints (Achen 2006b, especially pp. 100–104).[23]

2.3.2.1   Evaluating Theoretical Models' Predictive Power

Much of the knowledge about theoretical models of EU decision-making stems from the *Decision-making in the European Union* (DEU) group. Their research project, coordinated by Frans Stokman and Robert Thomson, designed, tested and evaluated a range of procedural and bargaining models (Stokman and Thomson 2004a; Thomson et al. 2006).[24] Bueno de Mesquita (2004, p. 126) refers to it as 'the finest work done thus far in applying rigorous standards to the empirical evaluation of competing explanations of decision-making.' The team compiled a dataset containing 162 controversial issues related to 66 controversial legislative proposals that were negotiated between 1996 and 2002. These issues were selected from different policy areas and only politically 'important' proposals were included. For a piece to be 'important', at least five lines of coverage had to be devoted to it in the daily newspaper *Agence Europe*. The data was gathered by conducting more than 150 semi-structured interviews with decision-makers from the Commission, Parliament and Council. For each issue, the respondents were asked to position actors on a uni-dimensional policy scale ranging from 0 to 100. A similar scale was used to derive estimates of the importance actors attributed to a policy issue. Finally, the respondents were required to locate the actual policy outcome on the policy scale.[25]

The observed outcomes as stated by the interviewees where then compared to the models' predictions. Subjected to these empirical tests, Thomson et al. (2006) find a substantive discrepancy between model predictions and observed outcomes; even the best-performing models fail to predict the observed outcomes very accurately. However, bargaining models consistently and decisively outperform their procedural counterparts (Kauppi and Widgrén 2004; Schneider et al. 2006). Moreover, those bargaining models that include actor interaction during the negotiation process in cooperative terms are the best performers overall (Achen 2006a, pp. 293–294).[26]

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[23]These cooperative modes of actor behaviour also include coalition building amongst actors with similar interests (e.g. Axelrod 1970; Van Deemen 1997).

[24]The DEU project's research design was greatly inspired by the volume *European Community Decision Making: Models, Applications, and Comparisons* (Bueno de Mesquita and Stokman 1994), a similar project that applied two alternative explanatory bargaining models to Council decision-making on five legislative dossiers containing 16 controversial issues. Recently, Arregui and Thomson (2009) and Hertz and Leuffen (2010) carried out a data collection exercise that includes 22 legislative acts complementary to the DEU dataset adopted after the 2004 enlargement, to allow analysis of bargaining before and after Eastern enlargement.

[25]For details see Thomson et al. (2006), and especially Thomson and Stokman (2006, pp. 36–43).

[26]Cooperative models also slightly outperformed the null-model that simply estimated the median voter's position in the Council, which itself had a better predictive power than the procedural models.

These results can be interpreted as supporting the conclusions of studies employing qualitative techniques, namely that unanimity is 'a strong norm in the EU,' where the highly iterative nature of day-to-day decision-making, combined with a lack of stable patterns of coalition formation, 'strongly facilitate the universally inclusive, compromise mode of decision-making' (Schneider et al. 2006, especially pp. 302–308). However, while bargaining models can correctly diagnose consensus decision-making as the Council's modal outcome and provide theoretical explanations for such behaviour, their low predictive accuracy remains a problem (Hörl et al. 2005).

Sullivan and Veen (2009) argue that the problem lies in the input data that are used to test the models. Most model evaluations rely on data generated by elite interviews,[27] an expedient choice given the models' data requirements. But it is one that suffers from scaling problems and post-dictive bias (Bueno de Mesquita 2004; Schneider et al. 2006). The latter refers to the issue of estimates of policy positions being tainted by knowledge of policy outcome. Inferences of models' reliability made with retrospective data can thus be misleading. Evaluating the ex ante and ex post predictions of a cooperative bargaining model that was also tested by the DEU project,[28] Feder (1995), as cited in Bueno de Mesquita (2004, p. 128), shows that when the model's predictions disagree with the predictions of experts whose data have been used to generate the model's results, the model almost always proved right and the expert predictions proved incorrect.[29]

In general, the literature evaluating the 'fit' of models concerned with bargaining and with the process (as distinct from the procedures) shows that the actual performance of the models in predicting outcomes is better than evaluations with retrospective estimates suggest (Arregui et al. 2006; Bueno de Mesquita 2002; Ray and Russett 1996; Rojer 1999; Stokman and Oosten 1994). The class of bargaining models, that already performed best in the DEU group's tests based on retrospective estimates, should therefore have a better predictive accuracy than the team's evaluations suggest. Indeed, it is usually assumed that the predictive accuracy of bargaining models is very good across policy domains, with 85%–90% of outcomes predicted correctly (Mokken et al. 2000; Stokman 1995; Stokman and Oosten 1994). Therefore, the use of models as a tool to analyse dynamics of Council decision-making should not be discarded. Instead, more systematic attention needs to be devoted to the input data in order to increase the predictions' validity.

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[27]For a detailed critique of the interviewing approach, see e.g. Berry (2002).

[28]This model is the 'challenge' or expected utility model (Bueno de Mesquita 1984, 1994). It is described in detail further below.

[29]According to calculations of the United States' Central Intelligence Agency (CIA), the expected utility model was correct in 90% of the cases even when experts were wrong (Westerfield 1995).

2.4   Research Design: Understanding the Black Box

Although qualitative and quantitative research have generated important and extremely valuable insights into Council decision making, the basic question of 'who gets what, when and how' in the Council has been answered neither sufficiently nor comprehensively. The Council still remains an 'opaque institution' (Sullivan and Veen 2009, p. 113). Hagemann (2008, p. 39) is therefore right in pointing out that there is 'room for many more quantitative explorations.' Following from the discussion above, this study builds upon a quantitative research design to provide an parsimonious and comprehensive account of Council decision-making.

However, instead of resorting to existing data such as roll-call votes or expert judgements from the DEU project, a completely new dataset on Council decision-making is employed. There are various reasons for collecting new data. First, all existing and suitable data have been subjected to extensive analyses already. The added value of using them in this context would be limited. Second, there may be a slight inference problem. Neither roll-call nor DEU data are valid to make generalisations about 'ordinary' Council decision-making. They are restricted to highly politicised issues (see Sect. 2.4.2.1).

This new dataset comprises estimates of governments' power, their positions, the salience of these positions for the governments and the policy outcomes on ten policy domains of central importance to the Council. The period of investigation ranges from 1998 to 2007. Positions and salience have been computed from European party manifestos. Each point estimate comes with estimates of uncertainty. The outcomes of Council decision-making on each domain are calculated using a theoretical model approximating the Nash bargaining theorem.

The following paragraphs elaborate further the research design. In doing so, attention will be devoted to data generation, model choice and the selection of policy domains.

2.4.1   The Ontological Point of Departure

Traditional theories of European integration have little to say about how decisions are being brokered within the EU's institutions. Liberal Intergovernmentalism (LI) as advocated by Moravcsik (e.g. 1993, 1998) focusses primarily on explaining integration by analysing the negotiations resulting in the major 'grand bargains' (Moravcsik 1999, p. 268), the EU treaty framework.[30] Grounded in the 'two-level' game notion (e.g. Mo 1994, 1995; Putnam 1988), LI conceives of integration as the result of national preference formation and inter-state bargaining at intergovernmental conferences. The institutional day-to-day decision-making process is only

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[30]See also Moravcsik and Nicolaïdis (1999).

of little or no significance.[31] Neo-Functionalism (e.g. Haas 1958, 1964; Lindberg 1963; Lindberg and Scheingold 1970) and its quasi successor, 'Supranational Governance,' (e.g. Bache and Flinders 2005; Eising and Kohler-Koch 1999; Hooghe and Marks 2003; Sandholtz and Stone 1998; Sweet et al. 2001)[32] conceive of integration as the result of the influence of non-state actors and supranational institutions on politics. Yet, while the emergence of institutions and the increased influence of non-state actors is explained neatly, scholars of this school have little to say about how outcomes are reached within the institutional environments.

That institutions matter not only for the facilitation of inter-state bargaining and international organisation by lowering transaction costs and increase information and trust (e.g. Cornett and Caporaso 1992; Keohane 1989), but also by structuring political actions and outcomes, has been acknowledged by the 'New Institutionalism' (March and Olsen 2006; March and Olson 1984, 1989).[33] This theoretical approach comprises three distinct schools of thought (cf. Aspinwall and Schneider 2000; Hall and Taylor 1996): historical – (e.g. Bulmer 1993, 1998, 2009; Thelen and Steinmo 1992), sociological – (e.g. Finnemore 1996), and rational-choice – (e.g. Calvert 1995; Nørgaard 1996; Shepsle 1989) institutionalism. While these branches all agree that 'institutions affect outcomes,' their understanding of *how* outcomes are affected by institutions differs significantly (Aspinwall and Schneider 2000).

This study embarks from a rational-choice institutionalist point of view.[34] Ontologically,[35] it thus adheres to the precepts of methodological individualism (see Elster 1982, 1986). The concept claims that social phenomena are a result of individual actions. These can be explained through the motivational state, or

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[31]LI only explains why institutions are important in facilitating cooperation between states: institutions stem primarily from the desire to lock-in credible national commitments to efficient decision-making and compliance in areas where governments have invested special assets and are vulnerable to foreign defection (Moravcsik 1998). Moravcsik (1999, p. 270) moreover argues that the supranational institutions' role in shaping European integration is being exaggerated and that their influence on shaping actor's preferences is negligible.

[32]For a critique of this approach, see Hix (1998).

[33]But see also Moe (1990, 1991) or DiMaggio and Powell (1991). The also called 'Neo-Institutionalism' arrived in EU studies during the 1980s, and accumulated increased scholarly interest from the 1990s onwards (Pollack 1996).

[34]Rational-choice institutionalism not only informs most analytical studies on the Council, but provides the groundwork for EU studies explicitly interested in inter- and intra-institutional behaviour. In addition to the studies discussed in Sect. 2.3, the remaining literature can be roughly divided into research that assesses the effects of different EU legislative decision-making procedures on decision-making outcomes among institutions (Corbett 2000; Crombez 1996, 1997a, 2000a; Kardasheva 2009; Moser 1996, 1997a,b; Steunenberg 1994; Steunenberg et al. 1999; Tsebelis 1994, 1996; Tsebelis and Garrett 1997, 2000), the effect of these procedures on intra-institutional cooperation (Kovats 2009; Kreppel 1999, 2002; Kreppel and Tsebelis 1999; Tsebelis et al. 2001) and their effect on EU legislative decision-making speed (Golub 1999, 2007, 2008; König and Junge 2008; Schulz and König 2000; Sloot and Verschuren 1990; Zorn 2007).

[35]Wendt (1999, p. 38–40) defines ontology as 'the kind of 'stuff' the world is made of and how we should think about 'what's going on.'

preferences, of an actor. An actor's behaviour reflects the choices made as she seeks to maximise her utility while minimising her costs. She can rank her priorities in accordance with fixed, exogenous preference scales. In other words, she adopts a 'strategic action' behaviour. The 'action frame of reference' (Parsons 1937, p. 43) is therefore the key element of this class of social science enquiry. This can be illustrated with an imaginary example from the Council. In this example, countries are unitary actors and preferences are exogenous. During Council negotiations, member states will always seek to broker an agreement that is as close to their policy position as possible. However, as sometimes a policy issue is less important than another, say France is rather indifferent about free movement of capital but places great importance on the price of milk, France will pursue the latter negotiations with more rigour than the former.[36]

For rational-choice institutionalists, institutions provide a framework for individual action. They regulate and inform human interaction and are a priori given.[37] According to Nørgaard (1996, p. 39), institutions are 'legal arrangements, routines, procedures, conventions, norms and organisational forms that shape and inform human interaction.' In this respect, institutions function as 'government structures' of the game (Shepsle and Bonchek 1997, p. 311). But they not only provide formal structures. The 'rules of the game' are also influenced by informal structures. Aspinwall and Schneider (2000, p. 4) argue that in the European Union, voting and legislative procedures are among the formal structures. The consensus voting pattern in the Council, on the other hand, is an important informal rule informing bargaining behaviour in the Council.[38]

2.4.1.1   Interlude: Differentiating Between Policy Position and Preference

The terms 'policy position' and 'policy preference' are used interchangeably in the mainstream literature. Yet, they denote two related, but not identical concepts. To avoid confusion, this section provides a definition of both concepts, differentiating between them by using the debate between proximity and directional voting as a point of reference.

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[36]Granted, this example disregards the repetitive nature of Council decision-making that is so important in understanding policy outcomes (cf. Chap. 6). However, the aim of the example is to make the reader familiar with the basics of the rational-choice paradigm.

[37]Despite the assumption that institutions are a priori given to a bargaining situation, this does not mean that rational-choice institutionalism ignores their creation. According to Calvert (1995, p. 218), institutions are the strategic outcome of a game, the institutionalised equilibrium patterns of rational behaviour. They are primarily erected to reduce transaction costs between actors (Shepsle 1989). Institutions thus evolve through bargaining processes. In this perspective, the notion of the creation of institutions resembles quite closely that of Liberal Intergovernmentalism (see Pollack 1996).

[38]While not originally intended for this purpose, Plott's (1991) succinct equation 'institutions times preferences equals outcomes' appears to be an outstanding synthesis of the rational-choice institutionalism.

Models of proximity- or distance voting are based on the classical work of Hotelling (1929), Downs (1957) and Black (1958).[39] The most important concept derived from the proximity voting model is Black's median voter theorem. In its simplest form, it assumes simple majority voting rule and a uni-dimensional policy space. The theorem maintains that the opinion held by the median voter will become the game's outcome. In an election game with only two parties, where all voters vote deterministically for the parties closest to their own ideal point, a party must commit to the policy position preferred by the median voter in order to win an election. The model has been advanced and formalised in particular by Davis and Hinich (1966), Davis and Ordeshook (1970) and Hinich and Munger (1994). It is based on the assumption that voters have single-peaked preferences. These 'ideal points', or 'policy positions', constitute that there is only one policy option of an ordered set of policy options that provides the maximum utility for the policy-oriented voter. The utility function is thereby decreasing monotonically to both sides as distance to the ideal point increases. The probability of choosing a party increases with the proximity of the parties ideal point and the voter's ideal point. This requires the conditionality that the voter can differentiate and order parties' ideal points along the set of policy options (Black 1958, p. 18). More formally, the underlying assumption about voting behaviour is that party preference, i.e. the decision which party to choose, is a function of the Euclidean distance between the ideal points of parties and the ideal point of the voter in the multi-issue space. Whether a party attracts or loses votes thus depends upon the positions it adopts on the different issues that are at stake as well as on the positions adopted by competing parties (van Cuilenburg et al. 1980; Downs 1957; Jessee 2009; Shapiro 1969; Tomz et al. 2006).

The major alternative to proximity theory is Rabinowitz and MacDonald's (1989) directional model (see also MacDonald et al. 1991). In essence, it conceptualises voters' utilities as being determined by the intensity and communality of direction of their own and the parties' positions on policy issues. This model stands in contrast to the proximity model which represents utility as a declining function of distance between voter and parties' ideal positions. Moreover, it is an explicit critique of the proximity model. Rabinowitz and MacDonald (1989) argue that thinking of a voter's attitude towards an issue as a specific position on a scale of ordered policy options is illogical. Rather, the attitude should be interpreted as a *diffuse preference*, not a position but a disposition in one direction or another (Rabinowitz 1978, pp. 810–815).

In this model, a voter is confronted with an issue environment with three possible attitudes: consent, dissent or neutrality. Choosing either of these options, the voter then evaluates which position a party takes on the issue. If they share the attitude, the voter registers this positively and vice versa. Salience, or intensity, impacts on the voter's evaluation.[40] If she feels strongly about an issue, and a party takes on opposite attitude, she will feel more strongly against the party than with an issue

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[39]See also van der Eijk and Franklin (2009).

[40]Proximity models can also incorporate salience by so-called 'weighted distances.'

that has lower salience for her. The degree of support for a party is then the product of the voter's and the party's intensity.[41]

Where does this excursus leave this study in terms of the differentiation between 'policy position' and 'policy preference'? When it refers to 'policy position,' it is talking about an actor's ideal point. This is the only one policy option of an ordered set of policy options that provides the maximum utility. The term 'preference' on the other hand is used to describe the relative utility of the policy options, irrespective whether the most preferred option represents the ideal point.

2.4.2   The Epistemological and Methodological Point of Departure

The rational-choice paradigm does not lend itself for a debate on epistemology. It is by definition positivist. The methodology used in this study is grounded in game-theory and spatial analysis.[42]

2.4.2.1   On Power, Positions and Salience

To estimate member states' power, this study develops a new measure that not only takes into account formal voting power, but that considers the powers that come with the rotating Council Presidency (see Schalk et al. 2007). The measure incorporates both formal and informal sources of power, contributing to existing voting power estimates in the Council literature (see Chap. 3 for details).

Whilst computing member states' capabilities is relatively straightforward, estimating policy positions and policy salience poses bigger problems.

The DEU project, for instance, uses expert interviews to derive these measures. But expert interviews appear not to be the best choice in the context of the present study, for reasons discussed in the next paragraphs.[43]

First, positional data derived from experts are likely to have missing values (König et al. 2005). In addition, Achen (2006b, pp. 120–121) posits that the top Council decision-makers are usually unavailable for these rather technical interviews. Therefore, the reconstruction of positional and salience data by subordinates may result into incorrect estimates. Third, interviewees may have the tendency to (explicitly) overestimate their countries' role in the decision-making process,

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[41]With regard to policy advice, the two models differ extremely. The distance model argues that successful issue campaigns develop clear and strong messages to attract voters to a party while the proximity model recommends that parties must support centrist policies to be successful at elections.

[42]This methodological choice turns into a tacit ontological choice (cf. Ruggie 1983).

[43]See Thomson (2006) for a defence of expert interviews as indispensable sources for Council decision-making research.
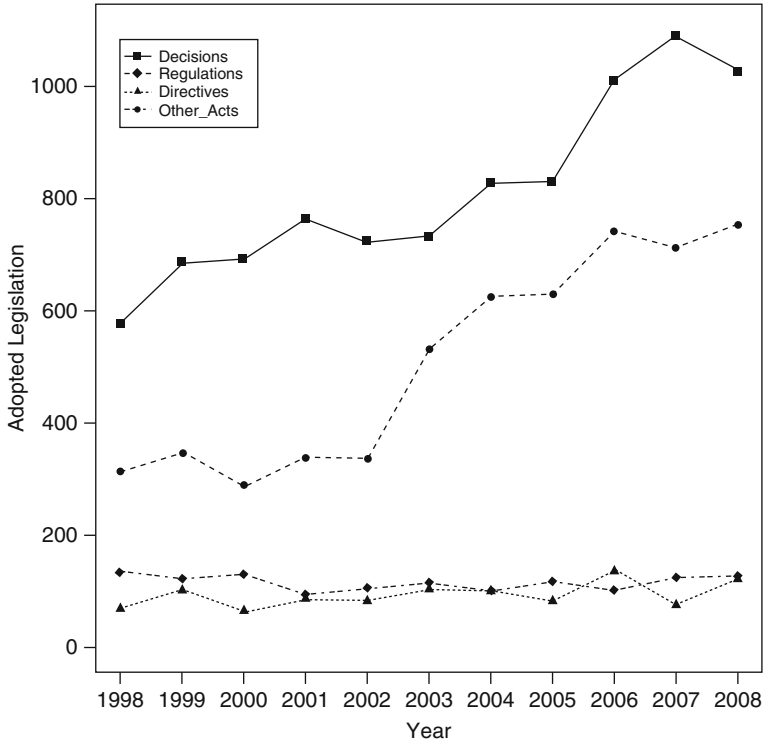
Fig. 2.2 Legislative output in the Council of Ministers (1998–2008).
Source: Data retrieved from Eur-Lex

again introducing error. But perhaps most importantly, expert information becomes increasingly unreliable with increasing time between the event and the moment of their judgement. Over time, judgements become tainted by events that took place since the initial event. Consequently, an expert becomes gradually incapable to provide an accurate and reliable estimate. Considering that the data-collection for this project started in late 2009, seeking to estimate the positions of all member state governments from 1998 onwards, one may cast serious doubts on the validity of the estimates that would have been obtained from experts.

Finally, expert interviews are not used due to their cost. Even the DEU group, with more than a dozen members, could originally collect data on 62 legislative proposals for the period 1998 and 2002 'only.'[44] Considering that the Council on average adopts approximately 1,000 pieces of legislation per year (see Fig. 2.2), any generalisation about the Council's decision-making process based on a similar number of cases may thus remain rather ambitious (Sullivan and Veen 2009).

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[44]After 2004, data on twenty-odd legislative proposals were added to assess decision-making after Eastern enlargement (Arregui and Thomson 2009; Thomson 2009).

Another way to estimate policy positions in the Council has been proposed by Hagemann (2007). Capitalising on Council documentation and procedural data directly accessible via the EU's legal databases *Eur-Lex* and *Celex*, she gathered roll-call data from the Council and supplemented it with procedural information of earlier negotiation stages. To derive at positional estimates, Hagemann (2007, 2008) uses the NOMINATE method for roll-call data.[45] However, while this approach cannot yield estimates of salience, Sullivan and Veen (2009) also argue that the validity of the positional scores remains questionable because these are fundamentally based on bias-prone voting data (cf. Sect. 2.3.1).

A potential alternative to estimate policy positions and salience could be the analysis of newspaper articles. These are readily available and potentially contain information leaked by actors directly involved in the Council's decision-making process. However, the feasibility of extracting relevant information from newspapers has been questioned by Veen and Sullivan (2009). First, they argue that there is no appropriate content analytical tool available to fulfil such a task.[46] Second, even if the right tool was available, the 'newsworthiness' of EU politics is conceivably too low to provide sufficient material from which specific positional and salience information can be extracted (cf. Trenz 2004); let alone over time and across policy domains.

A more promising way of measuring member state governments' policy positions has been suggested by Franchino (2007) in his study of delegation in the EU. He estimates the positions of Council members from measures of party positions that were coded from domestic election manifestos (see also Mastenbroek and Veen 2008). Franchino's approach has also been employed successfully by other EU scholars (König 2008b; Warntjen et al. 2008).

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[45]NOMINATE was developed by Poole and Rosenthal (1997) (see also Poole 2005). To yield valid results, cohesion within the institution that casts the votes should be relatively weak. NOMINATE therefore enjoys ample application in the analysis of the US Congress, where party cohesion is not as strong as in West-European Democracies. The technique has also been applied to study voting behaviour in the European Parliament (e.g. Hix et al. 2007).

[46]Content analytical tools such as for instance *Wordscores* (Benoit and Laver 2006a; Benoit et al. 2005; Laver et al. 2003; Lowe 2008) or *Wordfish* (Slapin and Proksch 2008) are unsuited. These methods are geared to analyse political text where the *de facto* author – a politician or party – is clearly identifiable. A newspaper article, on the other hand, does not generally explicate the journalist's policy preference, but instead reports the interactions of political actors. For this reason, event data research, which typically focuses on conflict and provides measures of the type and intensity of actor interactions (Azar 1970; Bond et al. 2003; King and Lowe 2003; McClelland and Hoggard 1969; Schrodt and Gerner 1994), is one of the few techniques for which newspaper articles are well suited. But this technique is of limited use in the context of bargaining and decision-making models. Although promising advances in the field of semantic network analysis have successfully yielded estimates of party policy positions and salience during recent Dutch elections (van Atteveldt et al. 2008), estimating actor positions from non-Dutch-language texts is currently out of reach for the existing software.

In general, research on manifesto data has convincingly shown that positions on policy issues can be inferred from party manifestos, particularly for government parties (Gabel and Huber 2000; Pennings 2002).

Although manifesto data are not without problems (see the discussion in Chap. 3, Sect. 3.4), manifestos are a generally reliable and objective source of positions (Laver and Garry 2000) and ideal for longitudinal analyses (Marks et al. 2007). Moreover, they contain not only positional, but also salience information (see Chap. 3).[47]

Electoral platforms or party programmes constitute unique political texts. They are written manifestations of a parties' political motives and ambitions; a 'set of key central statements of party positions [...] subject of extensive prior debate and negotiations inside the party' (Budge et al. 1987, p. 18). Manifestos are generally not designed to inform voters about a party's goals and ambitions. That would be a waste of resources, since only a minority of voters does indeed consult these documents. Manifestos are rather 'contracts' that define party lines within and amongst parties. Presumably, manifestos are therefore sincere in that they are not geared towards the median voter.[48] As party wings have given their consent, parties are committed to comply with the manifestos content (van der Brug 1996). This might explain why parties are mostly observed as trying to realise their election pledges when in office (see e.g. Budge and Hofferbert 1990; Costello and Thomson 2008; Gallagher et al. 2001; Klingemann et al. 1994; Naurin 2009; Rallings 1987; Thomson 2001).[49]

This study seeks to build upon the developments in manifesto research and to derive estimates of policy positions and salience from European election manifestos. While the next chapter elaborates the practical measurement issues involved in this, the following shall provide a brief and critical overview.

The European Manifesto Project (EMP) coded European election manifestos of domestic parties in all European countries covering a period from 1974 to 2009. The EMP employs a coding scheme consisting of 125 thematic coding categories, comprising the Comparative Manifesto Projects's (CMP) (Budge et al.

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[47]There are different types of party manifestos: party election programmes represent a party's political agenda for certain period of time, usually for the next electoral term. They address recent socio-economic developments. They can be conceived of as the plan of action for the next electoral term. The second type are ideological party programmes. These are usually disconnected from time and short-term societal contexts. Instead, they represent a party's ideological foundation.

[48]Although manifestos may be sincere, this does not always exclude them from being geared towards the median voter. This depends on whether a party is policy/ideology driven (irrespective of costs in terms of power) or power driven (irrespective of costs in terms of policy) (see e.g. van der Eijk and Franklin 2009).

[49]However, different factors might lead to deviation from the realisation of the policy goals (Pennings and Keman 2002). These might be due to coalition pledges during the government formation process or arising from unforeseen economic and political circumstances (see also Keman 1997; Schmidt 1996).

2001) original coding categories and extending it by 69 categories relating to the political system and policies of the EU. EP elections present identical timing for all parties and a similar context to measure preferences. Given that European election manifestos designed to define party lines within and amongst parties, criticism that these documents consist only of 'cheap talk' should be rejected.[50]

The Euromanifestos are aggregated and scaled into ten policy domains of central importance to Council decision-making. These are constructed from the EMP coding categories according to the standard manifesto research procedure (Budge et al. 2001). Positions and salience are quantified using a log-ratio and proportional scaling approach, respectively, that provide better estimates than previous scaling techniques (see Lowe et al. 2011).[51]

The portfolio holders' room for discretion to pursue party- rather than governmental goals in the Council was discussed earlier. It was argued that this problem is generally minimal due to Coreper's role as the capitals' watchdog. Therefore, this study assumes that the government is a unitary actor and that there is no principal-agent problem between cabinet and ministers. The governments' positions and saliences X_g are thus computed as the average of each coalition party's i out of n position p on a policy scale weighted by its seats in parliament (Kim and Fording 2001, p. 161).

$$\sum_{i=1}^{n} \text{position or salience}_i \times \frac{\text{power}_i}{\text{total power}} \text{ for } i = 1, \ldots, n. \qquad (2.1)$$

Power can be defined as either the government parties' relative share of seats in parliament or the number of portfolios each government party has been allocated. According to Gamson's Law (Gamson 1961) there is a proportional relationship between the relative share of seats and the number of portfolios allocated to the party (for empirical proofs, see e.g. Browne and Franklin 1973; Schofield 1976).[52]

To get a sense of noise in the data, estimates of uncertainty for all scores were computed. The procedure follows Benoit et al. (2009), who proceed to reconstruct the stochastic processes that generate manifestos by way of simulation. Hence, here

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[50]This criticism can arise since very little is at stake in EP elections and that there is also very little media coverage of these documents.

[51]The scales are constructed by grouping coding categories containing positive mentions of the desired policy dimension on one side and negative mentions on the other. Thus the balance of mentions of each side does express the party's position on an underlying continuous policy scale.

[52]According to Browne and Franklin (1973), the two variables correlate extremely well ($r = 0.926$), and a regression analysis yields an intercept of almost zero and a slope coefficient of nearly one. This is why Laver (1998, p. 7) labels it 'one of the highest non-trivial R-squared figures in Political Science.' Portfolio allocation appears to be informed by a distinct sense of 'fairness' (Müller and Strøm 2000, p. 22). This relationship does even hold when controlling for portfolio salience (Laver and Hunt 1992; Warwick and Druckman 2001, 2006), formateur advantages (Browne and Franklin 1973; Browne and Frendreis 1980; Bueno de Mesquita 1979; Schofield and Laver 1985) and replacing seat shares by game-theoretic measures of bargaining power (Ansolabehere et al. 2005; Strauss et al. 2003).

the analysis of each coded manifesto was bootstrapped, based on re-sampling from the set of issue categories in each manifesto.

This data collection exercise is based on assumptions not necessarily grounded in theory. To assume a linear relationship between parties' policy goals for EP elections and their behaviour as members of governments in the Council may be problematic: conceiving of parties' weighted positions as government positions could perhaps not mirror government preference-formation particularly well. But there is also support for this decision. Using the model with CMP estimates, Kim and Fording (2001, 2002) show that resulting government positions exhibit a surprisingly high resemblance to actual behaviour. Similarly, in the context of the EU Council, both Franchino (2007) and König (2008b) successfully study decision-making processes with government positions from CMP data. Moreover, the validity tests in Chap. 3 seem to confirm that although the model's theoretical basis is relatively weak, it produces encouragingly accurate positional estimates on all Council policy domains tested.

Another problematic issue may relate to the fact that the data is collected once in five years only, i.e. with EP elections, under the assumption that the preferences of parties do not change. Only the composition of the national governments changes during these intervals, either due to national elections or changes in government composition. However, this may underestimate the dynamics of preference configuration in the Council. While there appears to be no remedy to this problem when using EMP statistics, the study's government estimates nonetheless seem to exhibit good face validity over time (see Chap. 3).

A final caveat concerns the influence of the EU agenda on positions as articulated in manifestos. Key-issues such as enlargement or the constitutionalisation process of the Constitutional Treaty occurring at the time of writing may have biased the texts' content. Similarly, one could argue that statistical inferences are therefore biased in favour of the constitutional agenda of the EU. However, since mainly legislative coding categories of the manifestos have been used to construct the policy scales, the impact of the latter problem might be relatively small. With regard to the influence of salient agenda items, one can argue that these have had an impact on EU politics for several years. Hence, a possible temporal bias introduced by these items should not distort the study's inferences significantly since these issues also remained valid for a longer period of time.

2.4.2.2 The Model: An Approximation of the Nash-Bargaining Solution

In predicting the outcome of Council negotiations, the choice of the correct model is paramount considering that even slight adjustments to a model's specification can considerably change its predictions (Steunenberg and Selck 2006). To provide valid estimates, the model must therefore be able to capture the peculiar bargaining *modus operandi* of Council decision-making while showing outstanding predictive accuracy. Since 'bargaining matters more than the official decision-making rules' in

the Council (Achen 2006a, p. 298), the following discussion is limited to models of cooperative bargaining.

Among the models evaluated by the DEU project are three cooperative bargaining models (see Arregui et al. 2006): the compromise model (van den Bos 1991), the challenge model (Bueno de Mesquita 1984) and the position exchange model (Stokman and Oosten 1994; Stokman et al. 2000).

The compromise model is a mean-voter model weighed by actors' voting power and the importance they attach to an issue. The compromise model does not model the process through which decisions are reached (Arregui et al. 2006, p. 133). In other words, it treats the decision-making process exclusively as a black box. In contrast, the challenge model and the position exchange model distinguish between two stages of the decision-making process. The first is the 'influence' stage, during which actors try to exert influence on another to realise decisions close to their ideal point. The second is the 'decision stage,' where actors agree upon a decision-making outcome. The position exchange model is nothing more than the compromise model supplemented with a cooperative position exchange model (see Arregui et al. (2006) for details). Or, put differently, the position exchange model allows for log-rolling between issues on a legislative proposal. The challenge model expects that the outcome is close to that of the median voter whereby positions are weighted by actors' capabilities and the levels of salience they attach to the positions. In contrast to the other two models, the challenge model sees the influence process in terms of challenging positions rather than as a search for compromise.

All three models have in common that they compute some sort of the mean or median of the policy positions of governments. This acknowledges that each actor's position is taken into account when the Council agrees upon a decision. Extreme policy positions are therefore accommodated for rather than ignored by other actors. All of these models also incorporate estimates of capabilities and salience. This allows for determined and important actors being conciliated beyond the formal necessity in Council deliberations (Achen 2006a). By bargaining, actors may have more influence on the outcome when they are relatively more powerful or when they care more about certain policy goals than other actors. Most importantly, all these models exceed their procedural counterparts in predicting Council policy outcomes (ibid., p. 293).

But which model to choose for predicting Council decision outcomes? Because the challenge model sees the influence process in terms of challenging positions rather than of a search for compromise, it appears unsuited for predicting Council decision-making outcomes in this study.

This leaves the position exchange model and compromise model. There are two reasons to prefer the compromise over the position exchange model[53]: most importantly, there is no empirical evidence regarding when and how Council

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[53]The predictive power of the position exchange model is enhanced when including externalities. Positive externalities mean that third actors profit from bilateral deals, whereas negative externalities mean that bilateral deals hurt third actors. These have been included in the externalities exchange model (EEM), which yielded better estimates than the compromise model (Dijkstra et al.

members shift positions. The position exchange model thus models a stage with concrete assumptions about its dynamics for which there is no empirical evidence at all. Second, it is impossible to distinguish between initial- and final bargaining positions based on the positional estimates collected here (cf. Chap. 3). This study must thus rely on a one-stage model.

Therefore, the compromise model is used. This model is firmly grounded in the literature on influence processes that assumes that agreement is more important than diverging interests. Finally, it also outperforms the other models in nearly all of the DEU project's evaluations (Schneider et al. 2006, p. 305).[54]

The input variables are common knowledge for all actors in the game, a reasonable assumption in the repetitive and close environment in Brussels (Arregui and Thomson 2009). The model computes the bargaining outcome P on policy issue x as

$$\text{Policy Outcome P}_x = \frac{\sum_{i=1}^{n} \text{Policy Position}_{xi} \, \text{Salience}_{xi} \, \text{Voting Power}_{xi}}{\sum_{i=1}^{n} \text{Salience}_{xi} \, \text{Voting Power}_{xi}} \quad (2.2)$$

This weighted mean model thus takes the sum of the product of each actor's (i out of n) most preferred position, the salience of the issue in question for her, and her voting power and divides it by the sum of the product of all saliences and voting powers. In other words, the model predicts the pareto optimal outcome. Achen (2006b) maintains that the CM is therefore an approximation of the Nash-Bargaining Solution (Nash 1950).[55] This, however, only holds true when the reverse point is highly undesirable and the actors are risk averse.[56] These conditions are met in the Council, as the governments cultivate joint- and continuous problem solving. The break-down of negotiations is highly unwanted since failure to reach an agreement is more costly than just going back to the reverse point. Being extremely risk-averse in this context, negotiators place a great deal of commitment to make issues agreeable to all governments (Hayes-Renshaw and Wallace 2006). This is because in the Council, it is common practice 'to exclude the possibility of not reaching an agreement at all' (Lindberg 1963, p. 285).

However, current EU legislation to some extent revises existing legislation rather than establishing new laws. In this respect, it is debateable whether the reverse

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2008). But, as explained above, because there is no empirical evidence about when and how actors exchange positions, the EEM is not used in this study.

[54] Achen (2006a) argues that the compromise model also outperforms the exchange and the position exchange model in the first model evaluation study in EU politics (i.e. the *European Community Decision Making: Models, Applications, and Comparisons* volume by Bueno de Mesquita and Stokman (1994).)

[55] Nash (1950) came up with the bargaining solution to provide an answer to the question what two players should receive in a situation where they must collaborate for mutual benefit. The answer is that the game's outcome is the point where both receive maximal utility.

[56] The reverse point in the Council can be conceived of as the status quo, i.e. the rejection of the issue under discussion in the Council and returning to the state in which it was before.

point is still undesirable under this condition. The rational choice literature would suggest that the reverse point indeed is no longer undesirable. But from a long-term perspective on Council decision-making, which constitutes a cobweb of agreements and vote-trades, spanning across time as well as policy domains and issues, one may argue that the reverse-point remains undesirable. Particularly due to the dependence of decisions in the Council, resorting to the reverse point on one issue could jeopardise negotiations on another issue. Moreover, the hypothesis of a desirable reverse point in the Council moreover implies that the institution would become (partially) grid-locked. For this, however, there is no empirical indication, neither from the analysis of decision-making speed (e.g. Golub 1999, 2007; König 2008a), from the quantity of roll-calls taken (Hagemann 2008; Mattila 2008) nor the overall output of Council decisions (see Fig. 2.2).

2.4.3   Period of Investigation and Policy Domains

The period covered by this study spans the years from 1998 to 2007. This period allows to investigate the impact of Eastern enlargement. The latter not only increased the number of governments in the Council from 15 to 25, but also necessitated the adaptation of the institution's decision rules (Treaty of Nice), making it particularly interesting to study enlargement's effect on collective decision-making.[57] Moreover, the systematic publication and collection of Council roll-call votes started in 1998 (Westlake and Galloway 2004). Future studies can thus neatly supplement this study's data with information from the Council's official documentation.

Over the period of investigation, the Council adopted a staggering number of 7.662 pieces of secondary EU legislation.[58] To estimate actors' positions and saliences as well as to compute the policy outcome for each individual law is certainly a mammoth task exceeding the resources of this study. As a remedy, it analyses the Council on a 'policy domain'-level of decision-making. While this inhibits an investigation of the micro level of Council decision-making, it enables the comprehensive analysis across time and policy areas. This will yield additional insights to Council decision-making, because such focus has not been exercised systematically so far.

But what are the Council's policy domains and how to classify them? As yet, studies are united in their disagreement over this question. The most straightforward way has been proposed by Thomson et al. (2006), who resort to the official Council

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[57]The Treaty of Nice' objective was to anticipate potential policy conflicts in the EU-25, to propose a status quo bias in policy making to cope with these conflicts and to grant veto-power to the large member states (Giering 2001).

[58]This number has been calculated using the Council's legal database *EUR-lex*. The secondary legislation is based on the founding and accession Treaties and includes various forms of EU legal acts, adopted by individual or several EU institutions.

configurations.[59] Another possibility is using the classification scheme employed by the EU's official legislative databases *Eur-lex* and *Celex*. However, this approach is prone to yield fuzzy borders between domains as the scheme has not been applied consistently over time. Other studies disaggregate the Council configurations into different policy fields. Based on roll-call data from the Council, Hayes-Renshaw et al. (2006) identify 19 different policy fields.[60] Also based on Council voting data, Mattila and Lane (2001) identify thirty-seven policy fields.[61] On the other end of the spectrum, König (2008b) melts down EU policies to four policy fields,[62] while König and Junge (2008) employ seven.[63]

This study's primary objective is to provide an analysis of Council decision-making within the EU's Community pillar. That excludes the fields of Justice and Home Affairs and Common Foreign and Security Policy. The domains should capture as many policy areas as possible while maintaining exclusiveness, i.e. they should not exhibit unnecessary overlap or fuzzy borders. In identifying and selecting the study's policy domains a data-driven approach was employed. First, all domains that were scalable from the EMP coding scheme were identified (see Chap. 3, Sect. 3.4). Second, each domain was subjected to rigorous validity tests of the positional estimates and rejected where validity was unacceptable. An example for the latter was the field 'Cohesion Policy,' where estimates only showed very low validity when compared to existing Council research. This approach yielded ten final policy domains as described in Table 2.1.[64] These cover most important policy areas of Council decision-making under the Community pillar apart from the aforementioned cohesion policy. Detailed accounts of the domains, including their estimation and validation, can be found in Chap. 3.

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[59]These are General Affairs and External Relations; Economic and Financial Affairs; Cooperation in the fields of Justice and Home Affairs (JHA); Employment, Social Policy, Health and Consumer Affairs; Competitiveness; Transport, Telecommunications and Energy; Agriculture and Fisheries; Environment; Education, Youth and Culture.

[60]Agriculture; Trade; Economic and Finance; Education; Culture; Development; Energy; Environment; Fisheries; General Affairs; Health; Health and Consumer Affairs; Internal Market; Justice and Home Affairs; Research; Social Policy; Telecommunication; Transport; Transparency.

[61]Economic Policy; Statistical System; Internal Market; Industrial Policy; Education; Vocational Training and Youth; Economic and Social Cohesion; Measures for the most Remote Regions; Trans-European Networks; Transport Policy; Information Society and Telecommunications; Environment; Agricultural Policy; Regional Policy; Fisheries; Employment and Social Policy; Equal Opportunities; Information; Communication; Audiovisual Media and Culture; Common Commercial Policy; Development Policy; Relations with Mediterranean Third Countries; Financial Assistance; Budget; Action to Combat Fraud; Administration and Management; Institutions; Research and Technological Development Policy; Public Health; Consumer Policy; Enlargement; Energy Policy; Nuclear Safety; European Citizenship; Transparency; EMU; Competition policy; General questions; External affairs.

[62]Agriculture; Internal Market; Trade; Common Rules. These categories were aggregated from policy sectors based on Eur-Lex' (formerly Celex) policy sector classification.

[63]Agriculture; Internal Market; Fishery; ECOFIN; JHA; Common Rules; Other.

[64]Council policy domains were constructed from the EMP's coding scheme according to the standard additive dimension approach as advocated by the CMP (see Chap. 3).

Table 2.1 Ten important Council policy domains under the Community Pillar

Field	Narrative
Common Agricultural Policy	Fisheries, agriculture & protectionist issues
Common Market	Policy of the Single Market. Includes competition and labour migration
Centralisation	Transfer of Power to the EU. Covers the debate regarding the EU constitution
Enlargement	Issues surrounding Enlargement. From 2004 onwards, it includes the Turkish application to EU membership
Environmental Protection	Harmonisation of these policies at the Community level
European Integration	Competences of EU institutions. Complexity of law-making Democratic deficit and support of EU Integration
Monetary Policy	Role of European Central Bank & policies regarding Economic and Monetary Union
Competences to European Parliament	Role of Parliament as co-legislator
Research & Development	Harmonisation of R&D expenditures & Lisbon Agenda
Welfare & Social Security	Harmonisation of social policies at the Community level

2.5 Conclusion

Easton's system theory, with the black box at its core, has always suffered from one fundamental issue. Its level of abstractness prevented effective theory-testing. Easton himself employed it once (see Easton and Dennis 1969), yet eventually it served descriptive purposes only. That it has been so frequently invoked is because its concepts help to order and understand a wide variety of empirical studies, hypotheses and data (Garson 1976, p. 65).

The concept of the black box similarly helps to describe the nature of collective decision-making in the Council of Ministers. In the research design section, a way to study the Council's conversion mechanism was then introduced.

Since it is impossible to directly observe collective decision-making in this institution, this chapter prepared the basis to study these processes by focussing on the input (positions, importance, power) and output (policy outcomes) of Council decision-making in the study's analytical parts.

Having reviewed the pertinent Council literature and elaborated the research design, the next chapter turns towards measurement of the input variables. This constitutes the natural extension of the present chapter, addressing various method-ological issues brought up by the research design. Inter alia, it discusses the use of political time for dividing the period of investigation, elaborates upon the estimation of policy positions and salience from hand-coded text and presents various validity tests that prove the estimates' accuracy.

Chapter 3
Measurement: Power, Positions and Salience in the Council of Ministers[1]

3.1 Measurement

Whereas the previous chapter only referred to the measurement techniques employed in general terms, the present chapter provides an elaboration and justification of these methods. It also provides assessments of validity and reliability.

The chapter proceeds as follows: Sect. 3.2 focusses on organising the period of investigation into annual intervals. Then voting power indices to estimate the governments' power in influencing decision-making outcomes are elaborated (see Sect. 3.3). To generate valid estimates, Shabley–Shubik scores are supplemented with a multiplier capturing the increase in voting power from holding the Council Presidency. Section 3.4 develops how parties' European Election platforms can be used to obtain estimates of Council member positions on ten different policy domains. To enhance data quality, a superior method for scaling count data is applied and simulation of stochastic text generation processes is employed to yield estimates of uncertainty for each point estimate (see Sect. 3.4.3). Validity tests show that the positional data have high correlative and discriminant validity. They also accurately reflect empirically observed variation in position due to changes in government (see Sect. 3.4.4). Estimates of salience can be also extracted from election manifestos by computing the proportion of text devoted to a policy area, and Sect. 3.5 demonstrates that such salience scores have high validity, too.

3.2   Making Sense of Annual Intervals: On Legislative Activity and Elections

When covering Council decision-making between 1998 and 2007, the question arises into what intervals the period of investigation should be organised. Ideally, these allow for longitudinal comparison without making too many concessions in regard of data validity and reliability. As the European Parliament is elected in 5-year intervals, there will be only very limited longitudinal variation in estimates when using monthly or semi-annual intervals. Intervals of multiple years, however, can reduce the potential for the analysis of events between 1998 and 2007, of which Eastern enlargement is the most notable. Yearly periods in turn allow for the analysis of Council politics over time with sufficient longitudinal variation in governments' positions and salience (see e.g. Chap. 4.).

When using yearly periods, the next question concerns where to let these start and end. These points in time should ideally be chosen so that changes in government composition in member states have a minimal distorting effect on the analysis.

A problem arises from the fact that elections in the member states are not conducted synchronously. This is being complicated by changes in coalition government composition that are not linked to elections. When assigning annual values for the positions of governments and for the salience of issues, this comes with the risk that these values are incorrect when governments change in the course of the yearly period. For instance, if the period started in June, all governments that took office in January–May would analytically be considered to represent the positions of their successors. The opposite effect would occur for governments taking office between July and December.

To minimise these effects, an assessment is required during which months electoral activity in the EU member states is minimal. Table 3.1 provides the relevant

Table 3.1 Parliamentary elections in EU member states (1998–2008)

Month	Frequency	Percentage
January	1	1.5
February	4	6.0
March	11	16.4
April	4	6.0
May	8	11.9
June	12	17.9
July	0	0.0
August	0	0.0
September	12	17.9
October	10	14.9
November	5	7.5
December	0	0.0
Total	67	100.0

Note: Collected from *EJPR Political Yearbooks* and the *Electoral Studies'* supplement

Table 3.2 Legislative activity in the EU Council of Ministers

Month	Hayes-Renshaw	Settembri	Mattila	Own
January	6.8	8.2	5.1	5.1
February	4.7	5.9	7.7	7.0
March	11.3	7.4	6.0	8.6
April	9.9	7.7	4.3	6.4
May	6.7	8.0	6.1	8.6
June	17.0	5.9	9.6	12.7
July	7.2	14.1	10.3	11.4
August	0.0	3	3	0.0
September	5.8	6.5	6.5	6.0
October	6.8	7.7	8.9	5.9
November	7.8	7.9	14.2	9.5
December	16.0	17.7	18.5	18.8
Total	100.0	100.0	100.0	100.0

Note: H-R. = (Hayes-Renshaw et al. 2006), n = 513; S. = (Settembri 2007), n = 376; M. = (Mattila 2009), n = 1358; Own = present author, n = 1575. Activity is measured as monthly proportions of legislative acts adopted

information. It shows that between 1998 and 2008 no national parliamentary elections were held during either July, August, and December. This includes regularly scheduled as well as early elections, such as the Dutch elections in 2002 after the abrupt end of the cabinet Balkenende-1. Most elections appear to be clustered just before or just after July and August. This implies that the overall effect of attributing incorrect positions to a government will be considerably smaller when annual periods are defined as starting in July and August than in December.[2]

A second consideration for determining the start of the annual periods is that it should fall in a month of low legislative activity in the Council. This may also decrease the problem of assigning incorrect positions.[3]

To assess during which month legislative activity is the lowest, Table 3.2 shows the Council's legislative activity as measured by three recent studies, complemented

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[2]Obviously, an election does not equal government formation. It takes time to form a government; time during which the previous government formally remains in office. However, coalition formation does on average not take long in the EU member states. According to the *Parliamentary Democracy Data Archive* (Müller and Strøm 2000; Strøm et al. 2003), the average duration of government formation in the EU between 1944 and 1998 was 22 days (cf. Golder 2010). This is partly due to pre-electoral coalitions, of which there were 186 in 19 West European countries between 1946 and 2002 according to Golder (2005, p. 646). Pre-electoral coalitions denote (in)formal coalition agreements made prior to elections. Martin and Stevenson (2001) demonstrate that parties that make these commitments usually quickly form a government after elections (see also Carroll and Cox (2007)). It is thus reasonable to conceive of the month of election as on average the month of government formation.

[3]See Veen (2009b) for an in-depth analysis of determinants for law-making activity in Council, Parliament and Commission.

with estimates specifically collected for this study (Hayes-Renshaw et al. 2006; Mattila 2009; Settembri 2007). These numbers reflect the quantity of votes in the Council. Each study covers a slightly different period of time: Hayes-Renshaw and her colleagues cover a period from 1998 to 2004, while Settembri's (see also Best and Settembri 2008a,b; Best et al. 2008) focus is on four Council Presidencies during 2003 (Greece and Italy), 2005 (United Kingdom) and 2006 (Austria). Mattila (2009) analyses a period from May 2004 until December 2006, and the study's data a period from January 1998 until December 2008. Table 3.2 shows that August is the month with the significantly lowest legislative activity by far. Taking into account that during August electoral activity was also zero, this study therefore defines yearly periods as starting in this month.

3.3   Measuring Power in the Council

> Power is not revealed by striking hard or often, but by striking true.
>
> *Honoré de Balzac*

According to Weber (1921, p. 28), power 'bedeutet jede Chance, innerhalb einer sozialen Beziehung den eigenen Willen auch gegen Widerstreben durchzusetzen, gleichviel worauf diese Chance beruht'.[4] When measuring power,[5] one must acknowledge that the actual power an actor can exert in a bargaining situation depends fundamentally on both contextual and institutional factors (cf. Muthoo 1999; Schelling 1960). For instance, power in armistice negotiations therefore depends on different variables than power in government coalition formation.

In the institutional environment of the Council, actors' formal power to influence collective decision-making is determined by voting weights and decision-rules.[6] Informal power in the Council is a more equivocal concept. Ambiguity regarding the extent to which these powers are exogenously or endogenously determined (see Bailer 2004), makes it delicate to compute valid scores. Before discussing the implications for this study, however, the next section will firstly introduce the measurement of governments' formal power.

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[4] 'Power is every opportunity to realise the own will against the resistance of others, no matter what this opportunity consists of'. For a more balanced discussion of the concept of power, see van der Eijk (2001).

[5] In the Council literature, power is also often referred to as capability to influence someone.

[6] This is a parsimonious attempt to capture an intrinsically complex concept. More sophisticated measures might yield power measures that fit reality better, yet are much harder to estimate. However, Dahl (1991, p. 27) alleges that it is difficult enough to estimate relative power within a particular scope and domain. Yet it is by no means clear how to 'add-up' power over many domains in order to arrive at aggregated power. Thus computing power other than relying on objective indicators such as voting weights and decision-rules can be extremely error prone.

3.3.1 Formal Voting Power: Shapley–Shubik's ϕ, Penrose's ψ or Banzhaf's β?

The previous chapter showed that there is no formal sequence in Council deliberations. Bargaining must therefore be conceived of in cooperative terms. Measures explicitly calculating power under the assumption that a game consists of a sequence of moves can thus be rejected a priori.[7] This leaves cooperative voting power indices.

These estimate power in the Council according to the following: the institutional decision rules grant each government a certain amount of votes under qualified majority voting (QMV). These roughly correlate with the countries' population size and economic power. Voting power indices then take these raw votes and convert them into scores that yield the governments' formal power to influence Council decision-making.[8]

Some scholars allege, however, that voting power indices do not function properly (Axelrod 1970). According to Garrett and Tsebelis (1996, 1999), this would particularly hold true for the institutional context of the European Union.[9] The critics argue that votes alone do not constitute power, but that there are additional factors that determine a member state's capability to influence the decision-making process. One can think of, for instance, whether a government has a pivotal position with regard to the issue being voting upon (Schneider et al. 2010).[10] As a consequence, some indices have been proposed that take into account actors' policy positions (e.g. Napel and Widgrén 2004, 2006; Pajala and Widgrén 2004).[11] These measures in turn are challenged by Braham and Holler (2005), who allege that they confound power and policy preferences, thereby resting on weak theoretical foundations.

Probably the most fundamental critique, however, is that voting power indices define power as exogenous. They therefore overlook the actual distribution of power,

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[7]An example of a voting power index for non-cooperative bargaining theory is the minimum-integer voting-weight (Ansolabehere et al. 2005; Strauss 2003; Strauss et al. 2003).

[8]For book-length accounts of power indices, see Holler and Owen (2001) and Felsenthal and Machover (1998). Power indices can also be used to make inferences about an institution's 'capacity to act' (Coleman 1971, p. 249).

[9]A critical review of Garret and Tsebelis' thesis (1996; 1999) has been made by Felsenthal and Machover (2001a).

[10]Yet another critique is offered by Albert (2003, 2004), who suggests that voting power is not grounded on positive political theory as it does not produce falsifiable hypotheses. His advice is therefore to reject voting power indices in general.

[11]An alternative approach has been suggested by Bailer (2004). She asserts that 'exogenous' power resources, such as votes and economic strength, are good indicators for capabilities in certain policy fields only. 'Endogenous' power resources, such as the extremity of policy positions and negotiation skills, are more useful in predicting bargaining success in general. However, Bailer relativises her findings in a subsequent article, arguing that 'exogenous resources such as voting and economic power are the two crucial power resources' (Bailer 2006, p. 374).

evolved from actor socialisation and contextual factors (see Hayes-Renshaw and Wallace 2006). Yet, supporters argue that because voting power has been ultimately derived from decision rules that were determined by power, these indices are an important tool for studying actual voting power (cf. Shapley and Shubik 1954).

There has been a vivid debate about the applicability and feasibility of power indices. But as with many political science's debates, consensus has not been reached. And indeed, this study agrees that there are some problematic theoretical and conceptual issues surrounding voting power indices that may limit their applicability.

However, whereas the conceptual critique has not been addressed in Council studies satisfactorily, evaluations of different measures of power in terms of their predictive accuracy indicate that voting power indices are the most suited measures of power to influence bargaining (e.g. Achen 2006a; Schneider et al. 2006; Thomson et al. 2006, but see Kauppi and Widgrén (2004)). This has been corroborated by other research on the Council (e.g. Dobbins 2008; Felsenthal and Machover 2001b; Hosli 1995, 1996; Lane and Berg 1999; Laruelle and Widgrén 1998; Schneider et al. 2010; Thomson et al. 2006; Widgrén 1994).

Proposing to measure power with voting power indices because of the high predictive accuracy, the next question concerns which index to use. As discussed above, approaches that seek to merge positions and voting power should not be considered further. Instead, this study resorts to 'pure' voting power indices.

At the core of all voting power indices lies the assumption that power to influence bargaining is not simply determined by the players' relative voting weights. Power is conceived of as a player's ability to determine the outcome of a voting game due to her voting weight. A player's power is defined by the relative number of times that she can decide the game (i.e. being pivotal) by using her voting weight to turn a losing coalition into a winning coalition.[12]

Penrose (1946) was the founder of the scientific theory of voting power. He had the idea that more powerful players actors must have a higher probability in deciding a voting game than less powerful players. In other words, the probability r to be on the winning side would increases with power. Because luck can enter any estimation of probability (but see Barry (1980)), as even a dummy of $r = \frac{1}{2}$ has a 50% probability being on the winning side (Felsenthal and Machover 2000), Penrose (1954) therefore proposed the equation

$$\psi_i = 2r - 1 \tag{3.1}$$

where ψ is the index for voting power and can be interpreted that the player i is decisive in turning a losing coalition into a winning one.[13]

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[12]Other voting power indices such as the Deegan-Packel Index (1979), the Johnston-Index (1978) or the Holler-Packel Index (1983) are deliberately left out, as there is no evidence for their applicability in the Council.

[13]Using the symbol ψ here follows Owen (1995).

In perfect congruence with Penrose's work, but completely unaware of it, Banzhaf (1965) came up with a voting measure that did not measure power of actors as an absolute, but as a relative value.[14] The BI β for any player can be derived by dividing the value of ψ for that player by the sum of values ψ of all actors. So the values for β always add up to one. In an institution N where a is any player, the BI is

$$\beta_a = \frac{\psi_a}{\sum_{x \in N} \psi_x} \tag{3.2}$$

An absolute power index was proposed by Shapley and Shubik (1954). The index is based on the Shapley-value (1953), which is an a priori measure of the players' anticipated pay-offs in cooperative game-theory (Felsenthal and Machover 2000). The Shapley–Shubik index (SSI) is the probability that player i is the pivotal player in a set N of n players, if all orderings of the players' positions on a one-dimensional policy continuum are equally likely. Given that player i is the pivotal player, then the index ϕ denotes the proportion of orderings of both the coalition members S_i as well the players not in the winning coalition from the number of orderings of the set of all players N. The total number of times that player i is the pivot is $\sum_{S_i} s!(n-s)!(s-1)!$. The SSI ϕ_i is therefore this number as a proportion of the number of orderings of all players in N,

$$\phi_i = \sum_{S_i} \frac{(s!((n-s)!(s-1))}{n!} \tag{3.3}$$

The decision which of these indices to choose is delicate. Felsenthal and Machover (2000) argue that the SSI, in contrast to BI and Penrose's ψ, is unsuited for voting power estimations in the Council due to procedural constraints in the EU's law-making process. For any piece of legislation, the Commission is the agenda setter; the EP is an additional blocking player under the co-decision procedure. Accordingly, Felsenthal and Machover (2000) maintain that power indices must be able to account for additional players without shifting the relative power of the Council members vis-á-vis each other. The SSI however does change the relative power of countries when Commission and/or the European Parliament are considered in Council decision-making, effectively raising the blocking threshold (Felsenthal and Machover 2000, p. 14). Penrose's ψ and Banzhaf's β are insensitive to this. However, as this study focuses on decision-making *within* the Council and thus amongst member states only, this critique is irrelevant.

On the other hand, the SSI is the sole power index not haunted by either of the so-called paradoxes of voting power, i.e. the 'weighted voting', 'bloc' and 'donation'

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[14]Some years onwards, Dubey and Shapley (1979) proposed to re-scale the BI to compute absolute rather than relative values. Unaware of Penrose's ψ, too, their absolute BI β' is similar to Penrose's ψ (Felsenthal and Machover 2000, p. 11).

paradox (see Felsenthal and Machover 1995, 1998, especially pp. 251–263).[15] Moreover, the Shapley–Shubik index has been used successfully to test Council bargaining models, yielding better predictions than other indices. It even outperformed power estimates derived from EU policy maker expert judgements (Achen 2006b, p. 122). In addition, Laruelle and Valenciano (2009) argue that the SSI is the best power index for bargaining situations where the actors strive for consensus. It therefore appears highly suited for the Council of Ministers.

3.3.1.1 Governments' Power Before and After Eastern Enlargement

Under qualified majority voting in the Council, each government holds a certain number of votes that they cast when voting on a decision (see Table 3.3.)

In the EU-15, 62 of the total number of 87 votes (71.26%) were needed to pass a law. In the event that a legislative proposal did not originate from the Commission,[16] at least ten member states (66.67%) and 62 of 87 votes were required for a law to pass.[17]

The accession of the new member states in 2004 and 2007 required a revision of the Council's voting rules. These were implemented in the Nice Treaty (2003) and came into force in 2004 with the first round of Eastern enlargement.[18]

In the EU-25, to pass a law required under QMV at least 232 out of 321 votes (72.27%) and the support of 13 member states (52%). Moreover, a country was always able to invoke the 'population clause' for any given proposal voting on. This clause required at least 62% of the population to be represented by the majority of member states. For proposals not prepared by the Commission, the support of 17 countries (68%) was required to adopt this.[19]

In the EU-27, an amended article 205 TEU requires that 255 of 345 (73.91%) and 14 countries (51.85%) are needed to pass legislation. The 62% rule remains the same. When a proposal has not been drafted by the Commission, eighteen member states (66.67%) need to give their consent.[20]

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[15]In order to compare and evaluate voting power indices, 'natural' postulates have been proposed that measures of voting power should satisfy. The violations of these are referred to as 'voting power paradoxes' (Laruelle and Valenciano 2005).

[16]Legislative proposals prepared by an institution other than the Commission are rare (ca. 2% off the total); Source: Eur-Lex.

[17]Article 205 (ex article 148) of the Consolidated Version of the Treaty establishing the European Community of the European Union C340 of 10 November 1997.

[18]The distribution of the new voting weights after Nice is often being criticised for favouring larger countries and disadvantaging particularly the accession countries (Aleskerov et al. 2002; Baldwin and Widgrén 2004; Heinemann 2002; Kandogan 2005; Moberg 2002; Sutter 2000; Widgrén 2008).

[19]Article 205 of the Consolidated Version of the Treaty establishing the European Community. Official Journal of the European Union C 321 of 29.12.2006.

[20]See also the 'Amendments to Primary Legislation further to the Accession of the Republic of Bulgaria and Romania to the European Official Journal of the European Union C 321 of 29.12.2006.'

Table 3.3 Shapley–Shubik Index for QMV in EU-15 and EU-25

Country	Votes		Population		EU15$_1$	EU15$_2$	Shapley–Shubik Index			
	Pre-nice	Post-nice					EU25$_1$	EU25$_2$	EU25$_3$	EU25$_4$
Germany	10 (11.49)	29 (8.41)	82.54	(18.16)	100.0	100.0	100.0	100.0	100.0	100.0
France	10 (11.49)	29 (8.41)	59.63	(13.12)	100.0	100.0	100.0	98.7	100.0	98.6
United Kingdom	10 (11.49)	29 (8.41)	59.33	(13.05)	100.0	100.0	100.0	98.7	100.0	98.6
Italy	10 (11.49)	29 (8.41)	57.32	(12.61)	100.0	100.0	100.0	98.7	100.0	98.6
Spain	8 (9.20)	27 (7.83)	41.55	(9.14)	81.8	82.6	92.7	91.4	92.9	91.4
Netherlands	5 (5.75)	13 (3.77)	16.19	(3.56)	47.3	50.6	42.9	41.6	46.3	44.8
Greece	5 (5.75)	12 (3.48)	11.02	(2.42)	47.3	50.6	39.9	38.1	43.3	41.9
Belgium	5 (5.75)	12 (3.48)	10.36	(2.28)	47.3	50.6	39.9	38.1	43.3	41.9
Portugal	5 (5.75)	12 (3.48)	10.41	(2.29)	47.3	50.6	39.9	38.1	43.3	41.9
Sweden	4 (4.60)	10 (2.90)	8.94	(1.97)	38.9	42.7	32.5	31.5	37.6	36.3
Austria	4 (4.60)	10 (2.90)	8.07	(1.78)	38.9	42.7	32.5	31.5	37.6	36.3
Denmark	3 (3.45)	7 (2.03)	5.38	(1.18)	30.2	34.9	22.6	21.8	29.2	28.1
Finland	3 (3.45)	7 (2.03)	5.21	(1.15)	30.2	34.9	22.6	21.8	29.2	28.1
Ireland	3 (3.45)	7 (2.03)	3.96	(0.87)	30.2	34.9	22.6	21.8	29.2	28.1
Luxembourg	2 (2.30)	4 (1.16)	0.45	(0.10)	17.7	22.6	12.8	12.3	21.2	20.4
Poland	N.A	27 (7.83)	38.21	(8.41)	N.A	N.A	92.7	91.4	92.9	91.4
Czech Republic	N.A	12 (3.48)	10.20	(2.24)	N.A	N.A	39.3	38.1	43.3	41.9
Hungary	N.A	12 (3.48)	10.14	(2.23)	N.A	N.A	39.3	38.1	43.3	41.9

(continued)

Table 3.3 (continued)

Country	Votes		Population	Shapley–Shubik Index					
	Pre-nice	Post-nice		$EU15_1$	$EU15_2$	$EU25_1$	$EU25_2$	$EU25_3$	$EU25_4$
Slovakia	N.A	7 (2.03)	5.38 (1.18)	N.A	N.A	22.6	21.8	29.2	28.2
Lithuania	N.A	7 (2.03)	3.46 (0.76)	N.A	N.A	22.6	21.8	29.2	28.2
Latvia	N.A	4 (1.16)	2.33 (0.51)	N.A	N.A	12.8	12.3	21.2	20.4
Slovenia	N.A	4 (1.16)	2.00 (0.44)	N.A	N.A	12.8	12.3	21.2	20.4
Estonia	N.A	4 (1.16)	1.36 (0.30)	N.A	N.A	12.8	12.3	21.2	20.4
Cyprus	N.A	4 (1.16)	0.72 (0.16)	N.A	N.A	12.8	12.3	21.2	20.4
Malta	N.A	3 (0.87)	0.40 (0.09)	N.A	N.A	09.6	09.2	18.6	18.0
Total	87	345	454.56	N.A	N.A	N.A	N.A	N.A	N.A

Note: Values reported in parentheses are percentages. The SSI values are standardised. The highest value is set to 100 and other estimates are relative to that. $EU15_1$ considers the vote requirement only. $EU15_2$ includes the 'ten country' threshold for proposals not originated from the Commission. $Eu25_1$ considers voting and country threshold. $EU25_2$ adds the population requirement. $Eu25_3$ and $Eu25_4$ are nearly identical to $Eu25_1$ and $EU25_2$, respectively. Only the country threshold is 17 to account for legislation not drafted by the Commission. The SSI scores are computed using the IOP 2.0 programme (Bräuninger and König 2005). The population estimates are drawn from Eurostat. Under unanimity voting, each government has a score of 100

The calculation of Shapley–Shubik scores takes these voting rules into account.[21] Table 3.3 provides the SSI scores for decisions taken under qualified majority voting. For the EU-15, the first score reports the standard requirement, the second score includes a country threshold for legislation not originated from the Commission. The EU-25 category contains four sets of SSI scores: standard qualified majority, qualified majority with population threshold and two sets with high country thresholds for legislation not originated from the Commission. The EU-27 scores have been omitted here as Bulgaria and Romania have not been included in the analysis.[22]

3.3.2   Informal Voting Power in the Council of Ministers

It is questionable whether focussing on formal voting power suffices in presenting a valid estimate of government capabilities. The literature has shown that informal factors – the seniority and experience of negotiators, their degree of socialisation, frequent informal meetings, 'corridor bargaining' and inter- and intra group dynamics – also affect governments' power in Council decision-making (see e.g. Dür et al. 2010; Hayes-Renshaw and Wallace 2006). However, quantifiable measures of this 'soft power' remain largely unavailable.

One notable exception is the networking capability index of Naurin and Lindahl (2008) (see also Naurin 2007), who interviewed a large number of Council working group members. Those were asked with which governments' officials they most often cooperate to develop a common position. The responses were used to construct a scale representing the networking capabilities of the EU countries. Including the scale as a power indication, however, either as a supplement or replacement, would introduce an endogeneity problem. This is because network capability itself can be conceived of as the result of Council bargaining. Including this variable might thus result in erroneous model specifications.[23]

3.3.2.1   The Effect of the EU-Presidency on Voting Power

The effect of the Council Presidency on voting power is not endogenous, however, and it should be discussed whether this effect is quantifiable.

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[21]The higher the country threshold, the more the voting power of states with fewer votes increases.

[22]Voting power under unanimity is always equal amongst all governments, because each government has the same probability of being pivotal. The non-standardised SSI score for each member state in the EU 15 is 6.6%. It is 3.7% in the EU-27. In others words, unanimity makes voting power indices redundant.

[23]Moreover, the correlation coefficient of voting power and network capability is 0.622 for the EU-15. In this respect, the added information gained by including this scale in the power index would be very limited.

The presidency is responsible for the functioning of the Council. It determines political priorities and mediates between governments to resolve controversy. Moreover, it represents the Council externally, for instance in the negotiations between the Council and the European Parliament under the co-decision procedure.

The specification of the role of the Presidency in collective decision-making is contested between scholars. This is because it neither holds formal agenda-setting nor veto powers in the formal sense (Warntjen 2008b, p. 210). More dated studies therefore conclude that the Presidency's influence is not different from the formal voting weight of the country occupying the presidency (e.g. Cini 1996; Sherrington 2000). More recent research asserts, however, that the member state holding the Presidency commands a range of informal powers and has comparatively better information. Holding the Presidency is thus assumed to increase a country's efficiency in agenda-management, brokerage in negotiations and representation (Bunse 2009; Tallberg 2003, 2004, 2006, 2008).

With regard to the EU's legislative decision-making process, both Warntjen (2008a) and Schalk et al. (2007) agree that in the early decision-making stages, i.e. during preparation and adoption by the European Commission, the power of the Presidency to influence the Commission is similar to that of other Council members. But when it comes to deliberating and voting over bills in the Council, the presidency enjoys increased influence over decision-making outcomes (Thomson 2008b). Moreover, 'independent of country size and economic power – on which formal voting power is based – Presidencies in the voting stage have additional leverage in EU decision-making compared with other member states' (Schalk et al. 2007, p. 245).[24]

Because this study is concerned with collective decision-making in the Council, the additional power leverage a government enjoys while holding the EU Presidency must be incorporated. Such extra power is a perk of any Council Presidency, unchallenged by other countries (cf. Kollman 2003), who 'accept the exploitation of the Presidency in the present because they will get their opportunity in the future' (Tallberg 2006, p. 222).

Schalk et al. (2007) find that holding the presidency at the voting stage of a legislative proposal multiplies the formal voting weight by the factor 4.88. However, due to the limited period of time and selection procedure of proposals,[25] in the present study the voting power of a country holding the Presidency is multiplied by a more conservative factor four only.[26]

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[24]These results are in congruence with Veen's (2009b) analysis of political time's impact on EU legislative decision-making. He shows that the end of the EU Presidency's term results in a 50% increase in the passing rate of Council legislation.

[25]See the discussion of the DEU dataset in Chap. 2.3.2.

[26]In fact, as the period of investigation has been aggregated into yearly intervals, this score is divided by two. This is because two countries held the Council Presidency per year.

3.4   **Estimating Policy Positions in the EU Council of Ministers**

Valid and reliable estimation of policy positions is the holy grail of spatial modelling. Consequently, attempts to generate these data have been manifold (for a review, see Benoit and Laver 2006b). These include for instance estimates derived from expert interviews, expert surveys, the analysis of voting behaviour, public opinion surveys or political text. Each method has its distinct benefits and disadvantages (see Marks et al. 2007), and certainly none has the monopoly on the truth. Rather, they have their particular advantages and complications, and thus the choice for the 'right' measurement instrument fundamentally depends on a combination of a study's research questions and logistical considerations.

The current trend in Political Science is to rely predominantly on expert surveys (e.g Benoit and Laver 2006b; Castles and Mair 1984; Huber and Inglehart 1995; König 2005; Laver and Hunt 1992; McElroy and Benoit 2007; Ray 1999) and computer assisted content analysis (CCA) (e.g. van Atteveldt et al. 2008; Benoit and Laver 2006a; Hopkins and King 2010; Laver et al. 2003; Pennings and Keman 2002). This is in contrast to Council studies, where scholars generally employ expert interviews and roll-call data (but see Chap. 2). The applicability of CCA and expert surveys for this study will be discussed in the following paragraphs.

The computerised analysis of political text uses 'words as data' (Laver et al. 2003). It converts them into estimates of the author's policy position on a uni-dimensional scale. This can be conceived of as a 'left-right' representation of the political space. CCA techniques yield coding reliability equal or even superior to that of human coders (King and Lowe 2003). They moreover eliminate the problem of inter-coder reliability.[27] Computer programmes such as *Wordscores* (Benoit and Laver 2006a; Laver et al. 2003)[28] and *Wordfish* (Proksch and Slapin 2010; Slapin and Proksch 2008) nowadays allow for cheap, fast and reliable[29] estimation of positions from textual sources within the limitations of their algorithms.[30]

However, the problem of CCA is the over-aggregation of results: CCA is capable of extracting a single underlying policy dimension per document only. To scale positions from one text onto several policy domains, the document needs to be dissected into 'relevant' parts and to be coded individually. Thus the researcher must first read and interpret the text. Then she pre-codes it into 'policy' domains.

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[27]This is the problem of two individuals coding the same text differently (but see Krippendorf 2003; Weber 1990). It even occurs with coders having received extensive training (Burgess and Lawton 1972). In contrast, a computer programme only makes systematic error that can be adjusted. The text can then be quickly re-coded and the results assessed (Weber 1990). Humans in turn are prone to commit non-systematic error (Singer and Hudson 1992). Hand-coding moreover is a slow and tiresome endeavour, with coders getting bored and inaccurate (Schrodt 2004; Schrodt and Gerner 2001) as well as project costs rocketing.

[28]For critical evaluations, see Lowe (2008) and Klemmensen et al. (2007).

[29]CCA claims to have perfect reliability but is at the same time haunted by validity problems. Manual content analysis in turn claims very good validity and suffers from reliability issues.

[30]See e.g. Lowe (2008) for a discussion on bias in these tools.

To pinpoint which parts in a text deal exclusively with a single policy issue is problematic, however. Domains can overlap and borders between policies are fuzzy. To use CCA to derive estimates on ten different Council policy domains might therefore be a bridge too far without severe implications for the data.

Expert-surveys rely on in-depth case knowledge of experts. The positions are computed as the mean of the expert judgements. Thus data quality fundamentally depends on the knowledge of experts and their level of agreement (Dorussen et al. 2005; Whitefield et al. 2007).[31] The advantage is that expert surveys are cheap and have usually good validity (Steenbergen and Marks 2007),[32] and prior projects have produced impressively large datasets (Benoit and Laver 2006b; Castles and Mair 1984; Hooghe et al. 2010; Huber and Inglehart 1995; Marks et al. 2007; Rohrschneider and Whitefield 2007; Wiesehomeier and Benoit 2009). [33]

However, logistical considerations and time constraints prevented conducting an expert survey in the present study. Such data, moreover, would have been marred by retrospective questions (see the discussion of the effect of time on expert judgements in Chap. 2).

Having discussed and ruled out the use of experts interviews, roll-call analysis, CCA and expert surveys, this study computes estimates of positions from hand-coded European party manifestos that were published prior to European Parliament elections. Before turning to the practicalities, however, the following section briefly introduces the issues surrounding the manual analysis of political platforms.

3.4.1   Hand-Coding Electoral Platforms

The most extensive project that extracts party policy positions manually from texts is the Comparative Manifesto Project (Budge et al. 1987, 2001; Klingemann et al. 2006).[34] The CMP project has coded more than 3,000 post-WWII party election manifestos according to a specifically developed 56 issue category scheme.[35] The data provide information on several hundred parties in 50-odd countries, covering

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[31]Section 3.4.4.1 shows that these sometimes can be considerable.

[32]Sometimes, however, experts themselves appear to be influenced by their own political views. This bias is observable for instance in about 20% of the cases in the Benoit and Laver (2006b) survey (Curini 2010).

[33]Other survey techniques include surveying politicians (e.g Farrell et al. 2006; Scully and Farrell 2003) and voters (e.g. van der Brug et al. 2006; van der Eijk and Franklin 1996; Gabel and Huber 2000; Thomassen and Schmitt 1997). However, with regard to politicians, one may wonder to what extent they can deliver sincere estimates. The voter on the other hand can only provide perceptions of the position of parties. Both measurements hence result in indirect estimates of party positions.

[34]More specifically, the Manifesto Research Group was a research network that started collecting most of the party manifestos of 20 post-war democracies for almost the whole post-war period and preparing them for quantitative analysis (Budge et al. 1987). This work was later continued by the Comparative Manifestos Project located at the Social Science Research Centre in Berlin (WZB).

[35]Originally there were only 54 coding categories. Two were added in 1989 to account for communist and environmentalist party programmes (Volkens 2001).

a period of time between 1948 and 2003.[36] The CMP data have been used in more than 800 third-party publications (Benoit et al. 2009).

The CMP coding scheme explicitly relies on 'salience' or 'valence' theory (Budge and Farlie 1983).[37] This is an approach which assumes that parties do not directly oppose each other on an issue-to-issue basis (Robertson 1976). In principle, they endorse the same policy position with only minor exceptions (Budge et al. 2001, p. 82). Parties differentiate between themselves by putting particular emphasis onto these exceptions in their manifestos. They do this as an indirect way of confrontational party competition (Budge 1994; Budge and Farlie 1983).

However, most scholars interpret the manifesto data as positional rather than valence data. And indeed, all but two of the CMP coding categories are explicitly positional (McDonald and Mendes 2001, pp. 91–92).[38] Nearly half of the categories are even confrontational.[39]

Budge et al. (2001, p. 83) admit that the coding scheme is not perfectly constructed according to saliency theory. However, 'it did allow for a continuing empirical check of the validity of the saliency assumptions.' Budge and his colleagues argue that even where opposing issues have been coded, these appear to be valence issues as the estimates populate the extreme ends of the positional indices (see also Budge et al. (1987, pp. 50–51)). Third parties have shown, however, that this is certainly not the case. Positions do populate the full spectrum of each index (see Lowe et al. 2011). Benoit and Laver (2006b, p. 101) therefore conclude that the CMP's coding scheme clearly 'is a positional coding scheme.'

The conversion of text into quantitative information is straightforward. A coder parses a manifesto's text into 'quasi-sentences,' semantic units containing a political statement. Quasi-sentences do not necessarily need to be whole sentences, but they are a text unit carrying a singular argument. An argument is the verbal expression of a political idea or issue (Wüst and Volkens 2003). These are allocated to a coding category and converted into counts. The CMP then usually converts these counts into proportions. The proportions in the categories are finally re-scaled to construct indices of policy preferences ranging from 0 to 100. The most famous of these indices, and by far the most widely employed, is the left-right policy index (called

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[36]To be more exact: The first wave of manifestos were coded by Budge et al. (1987). A significantly enlarged version of the dataset was reported in the project's core publication, *Mapping Policy Preferences* (Budge et al. 2001). The dataset covered thousands of policy programs, issued by 288 parties during the period 1945–1998. Recently, the CMP data has been expanded a second time (cf. Klingemann et al. 2006). This step incorporated an additional 1,314 cases generated by 651 parties in 51 countries in OECD and Central and Eastern Europe, thereby extending the period covered to 2003.

[37]Budge et al. (2001, p. 76) state that 'the saliency theory of party competition is the one the manifesto codes and estimates are based upon.'

[38]One of which is actually directional.

[39]Examples are the categories 'Decentralisation: Positive' or 'Decentralisation: Negative.'

'RILE'). It subtracts the sum of proportions of 13 'left'-associated categories from the sum of proportions of 13 'right'-oriented categories.[40]

3.4.1.1 Reliability of Hand-Coded Manifesto Estimates

Krippendorf (2003, p. 211) maintains that 'a research procedure is reliable when it responds to the same phenomena in the same way regardless of the circumstances of its implementation.' There are three types of reliability: stability, reproducibility and accuracy. Of these, accuracy is the strongest indicator of reliability (Krippendorf 2003, pp. 214–215). The following discusses these reliability indicators in regard of hand-coded manifesto data.

The CMP asserts that the data have been 'subjected to standard stability and inter-coder-reliability tests' (Budge et al. 2001, p. 14).[41] But due to the different languages involved, which made direct the check of coding by the project members impossible, 'emphasis has been put on strong central supervision' (Budge et al. 2001, p. 14). An overview of these 'scrupulous procedures [...] under unified supervision', as Budge (2001, p. 51) puts it, is given by Budge et al. (2001, Chap. 4). Based on these precautionary actions and posterior checks, Volkens (2001) concludes that the estimates are relatively stable and accurate (see also Budge et al. 2001; Klingemann et al. 2006). McDonald and Mendes (2001) report similar results.

However, due to the fact that every manifesto has been coded only once by a single coder, the expectations regarding all types of reliability are perhaps optimistic. Mikhaylov et al. (2010), for instance, critically review the CMP's reliability claims. They re-code some manifestos with several coders per text. Their findings suggest that reliability is significantly lower than reported by the CMP. The authors infer that if the manifesto project had employed multiple independent human coders per text, inter-coder reliability may have been unacceptably low. The major source of unreliability is caused by ambiguities in the coding scheme. Statistically, Mikhaylov et al. (2010) maintain that it adds noise of around 10% of the total variance to the data.

Specifically, Mikhaylov et al. (2010) find that reliability issues arise predominantly from misclassification due to overlapping or vague boundaries between the CMP's coding categories. The problem of misclassification, however, can be reduced by combining some of the coding categories where fuzzy boundaries exist. By adding categories into indices representing policy dimensions, variation in the data due to misclassification can largely be eliminated (ibid.). Indeed, this is in principle what the CMP does when it constructs the policy indices.

Despite these problems, most scholars find that manifesto data reflect 'real' party positions very well (e.g. Budge and Pennings 2007; Franchino 2007; Klingemann

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[40]The CMP emphasises the importance of their indices, particularly RILE. Most chapters in both Budge et al. (2001) and Klingemann et al. (2006) either use this index to illustrate party competition or verify its reliability and validity. But see also McDonald and Mendes (2001).

[41]See also Budge and Farlie (1977); Budge et al. (1987).

et al. 2006, esp. Chaps. 4 and 5). When assessing the data's validity through comparison with party positions derived from other sources, results are promising (Marks et al. 2007). A recent account is provided by Schmitt and van der Eijk (2009), who reduce the manifesto data to six 'core-meanings' by means of a two-step factor analytical technique and subsequently regress left-right party estimates collected by mass surveys from the *European Voter* database (Thomassen 2005) on these. When controlling for variations of the meaning of 'left' and 'right' over time and across countries, their model explains 83% of the variance. In other words, although there can occur error due to variation in coder classification, the 'aggregate validity of the data of the characterisation of a party's manifesto has always been underscored' (Schmitt and van der Eijk 2009, p. 10).

3.4.2   The Euromanifestos Project

Party policy positions in this study are extracted from parties' European election platforms.[42] These have been coded by the 'Euromanifestos Project' (EMP) (Braun et al. 2004; Wüst and Volkens 2003). 'Euromanifestos' are published by domestic parties prior to European Parliament elections and reflect their stance towards EU policies. The EMP uses an extended version of the CMP coding scheme, using additional coding categories directly relating to the political system of the EU (Wüst and Volkens 2003).

The coding scheme allows for the differentiation between quasi-sentences relating to either the EU or the domestic level. Between 1994, 1999 and 2004 an average of 341 quasi-sentences was devoted to EU issues per manifesto, while only 68 semantic units related directly to domestic politics. Thus although domestic issues are discussed in Euromanifestos, EU issues dominate the discourse. Parties are also serious about writing 'real' Euromanifestos prior to EP elections. Of the 424 manifestos published prior to the 1994, 1999 and 2004 elections, 89.9% were proper European Election Party manifestos. Only 1.2% consisted of excerpts from national party manifestos; 4.5% constitute 'another official election-related party document;' 0.9% are manifestos derived from the party leader; and 3.5% fell into the category 'other' (Braun et al. 2004).

Euromanifestos are only half as long as domestic election manifestos (see Fig. 3.1).[43] While this implies that the gross amount of information is lower, this does not confine the validity of positional estimates, however (compare Sect. 3.4.4).

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[42]Data from the CMP project are dismissed since it is debatable whether data derived from domestic election platforms can reflect accurately actors' attitudes towards specific EU policy issues.

[43]This may be because European parliament elections are often portrayed as second order national elections (Reif and Schmitt 1980). Due to a number of reasons (see e.g. van der Eijk et al. 1996; Marsh 1998; Marsh and Mikhaylov 2009), second order elections are conceived of as being less salient than 'regular' elections. Yet, this does not imply that a parties statements are less sincere in European elections. Similarly to domestic party manifestos, because these documents are primarily 'contracts' that define party lines within and amongst parties (see Chap. 2).
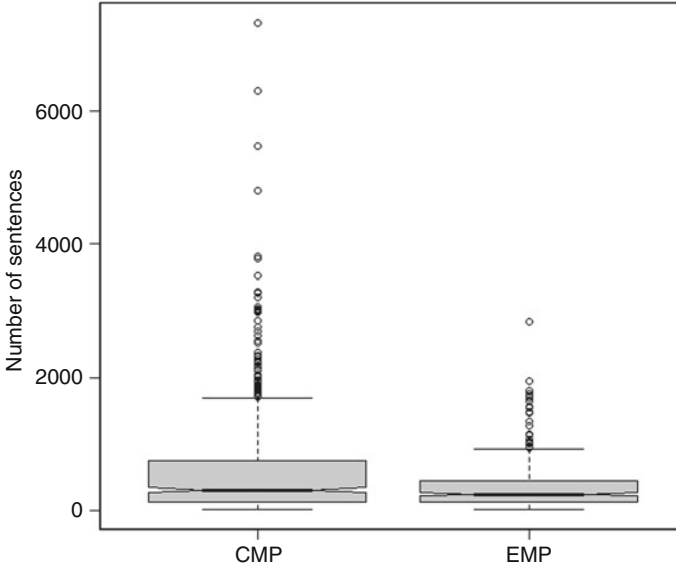
Fig. 3.1 The Length of Euro- and Domestic manifestos.
Note: CMP includes all manifestos between 1990 and 2003, EMP includes all manifestos between 1994 and 2004. For the CMP, the mean is 845.6 with a Standard Error of 47.8. The Interquartile Range is 1,108. For the EMP, the mean is 353.5 with a Standard Error of 18.1. The Interquartile Range is 326

There are no assessments of the EMP data's reliability. However, a subtle indication for the overall advantage in reliability compared to the CMP may be found in the number of quasi-sentences that could not be allocated to coding categories. Whereas coders were unable to identify proper categories for an average of 3.5% of all quasi-sentences coded with the CMP scheme, this number is only 0.4% for the EMP. However, further research is needed to quantify the extent to which reliability in the EMP data is affected in detail.

3.4.3   Deriving Policy Positions from Euromanifestos Data: On Policy Indices, Scaling and Uncertainty

The first step to estimate governments' policy positions consists of constructing additive policy indices from the 125 coding categories in the EMP coding scheme. Here, the standard CMP procedure is followed. This means that combinations of categories are identified that are assumed to constitute opposing positions on an

underlying policy dimension, or index. For example, the domain 'Common Market' is indicated by the coding categories 'Single Market: Negative' and 'Protectionism: Negative' on one end of the continuum and 'Single Market: Positive' and 'Protectionism: Positive' on the other end.[44] Table 3.4 maps the EMP coding categories to the ten policy domains distinguished in this study.

For each index, prototypes were constructed and evaluated upon their validity. The prototypes were tested against estimated positions from expert surveys and checked in terms of face-validity considerations (see Sect. 3.4.4).[45] On average, four 'prototypes' were constructed per policy domain.[46] The index that represented the positions most accurately compared to expert surveys and the pertinent EU literature, was chosen as the final index. The results indicate that it is not the number of coding categories that determine valid indices, but the combination of variables.[47] Another rationale for constructing several prototypes was due to the ambiguity of some EMP coding categories. With regard to the 'Common Agricultural Policy' index, it was for instance unclear whether 'Financing the EC/EU: Negative' did express opposition against the distribution of money under the CAP arrangements. Thus prototypes were constructed including and excluding this category. It then appeared that the category did not measure opposition against the CAP arrangement, but against financing the EU in general.

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[44]Before including any coding category into an index, a preliminary test was conducted to ensure that the category actually measured a party's attitude towards EU policies and not towards domestic policies. As a rule of thumb, categories were included where at least 65% of all quasi-sentences directed to the EU level.

[45]To transform party into government estimates, the well-known formula from Chapter 1 is used: $\sum_{i=1}^{n} \text{position}_i \times \frac{\text{power}_i}{\text{total power}}$ for $i = 1, ..., n$. This states that a government position is the mean of the position of all parties in government weighted by the relative power. For these calculations, information on all elections in the EU between 1998 and 2007 were collected from the *European Journal of Political Research* political yearbooks and the election notes in *Electoral Studies*. This included data on the dates of elections, the resulting governments and the absolute number of parliamentary seats of each party that joined the government (see Table 3.10). In the very few cases where parties merged and this was not captured by the original EMP data, a new party manifesto was artificially constructed from the founding parties' old manifestos. This procedure is similar to the 'government' manifesto, only that each manifesto is weighed evenly. In cases where a coalition government party's manifesto was not coded because it has been formed after the 2004 EP elections (e.g. UDEAUR and MfI in Italy or NSP in Lithuania), the party was dropped from the government. Accordingly, government positions consist only of parties with coded party manifestos, and their weighing is relative to the amount of seats each of these parties holds in the government. In cases where a party manifesto is missing but the party has been coded at another EP election, the existing estimates serve as a proxy for the parties' missing programme.

[46]The prototypes' estimates correlated highly, ranging from r = 0.905 to r = 0.955.

[47]See Sect. 3.4.4 for validity checks of these 'final' versions.

Table 3.4 Additive policy indices for the Council of the European Union

Policy dimension	'Left' position	'Right' position	Source
Common Agricultural Policy	7032 (Agriculture and Farmers: Negative) 407 (Protectionism: Negative)	7031 (Agriculture and Farmers: Positive) 406 (Protectionism: Positive)	*(Proposed)*
Common Market	4085 (Single Market: Negative) 4083 (Labour Migration: Negative) 413* (Nationalization)	4084 (Single Market: Positive) 4082 (Labour Migration: Positive) 401 (Free Enterprise)	(Proposed)
Centralisation	204 (Constitutionalism: Negative) 301 (Decentralization: Positive) 3012 (Transfer of Power to the EC/EU: Positive) 309 (Competences of the European Commission: Negative) 313 (Competences of the ECJ: Negative)	203 (Constitutionalism: Positive) 302 (Decentralization: Negative) 3021 (Transfer of Power to the EC/EU: Negative) 308 (Competences of the European Commission: Positive) 312 (Competences of the ECJ: Positive)	(Proposed)
EC/EU Enlargement	317 (EC/EU Enlargement: Negative)	316 (EC/EU Enlargement: Positive)	(Proposed)
Environmental Protection	410 (Productivity)	501 (Environmental Protection) 416 (Anti-Growth Economy)	Lowe et al. (2010)
European Integration	110 (Europe, European Community/Union: Negative) 3011 (Transfer of Power to the EC/EU: Negative) 307 (Competences of the European Parliament: Negative) 309 (Competences of the European Commission: Negative) 311 (Competences of the European Council/Council of Ministers: Negative) 313 (Competences of the European Court of Justice: Negative)	108 (Europe, European Community/Union: Positive) 3021 (Transfer of Power to the EC/EU: Positive) 306 (Competences of the European Parliament: Positive) 308 (Competences of the European Commission: Positive) 310 (Competences of the European Council/Council of Ministers: Positive) 312 (Competences of the European Court of Justice: Positive)	(Proposed)

Category			
	315* (Competences of Other EC/EU Institutions: Negative) 318 (Complexity of the EC/EU Political System) 2021 (Lack of Democracy in Europe, the EC/EU)	314* (Competences of Other EC/EU Institutions: Positive)	(Proposed)
Monetary Policy	4087 (European Monetary Union/ European Currency: Negative) 3151 (Negative Mentions of the European Central Bank) 414 (Economic Orthodoxy)	4086 (European Monetary Union/ European Currency: Positive) 3141 (Positive Mentions of the European Central Bank)	(Proposed)
More Competences to the European Parliament	307 (Competences of the European Parliament: Negative)	306 (Competences of the European Parliament: Positive)	(Proposed)
Research & Development	507 (Education Limitation)	506 (Education Expansion) 411 (Technology and Infrastructure)	(Proposed)
Welfare and Social Security	503* (Social Justice) 504 (Welfare State Expansion) 7061 (NEDG: Women) 7062 (NEDG: Old People) 7063 (NEDG: Young People)	505* (Welfare State Limitation)	Budge et al. (2001) [amended]

Note: * = includes EMP subcategories not reported here, but included in the analysis

3.4.3.1   Scaling Manifesto Data into Policy Positions

The second step for deriving governments' policy positions from EMP data involves identifying an appropriate scaling technique for turning the categories comprising the policy indices into positions of actors.

Lowe et al. (2011) state that the CMP's traditional methods to scale coded manifestos yield suboptimal results. Their critique firstly relates to the original 'salience' or 'proportional' scaling approach, where the content of all coding categories is first 'semi-scaled' into proportions. These proportions are then summed for each 'side' of a given policy index. Finally, the 'left' side is subtracted from the 'right' side to yield a policy position.[48] The problem of such relative instead of absolute scaling techniques is their sensitivity to the number of quasi-sentences not included in the additive dimension. The larger these are, the more the positions of any party will approximate zero. There is thus serious risk of arriving at neutral positions even where parties take extreme stances.

The second CMP scaling approach challenged is the so-called 'ratio' scaling (Kim and Fording 2002). It sums and subtracts the number of quasi-sentences of an additive index's side from the other, respectively. These are then divided by another, yielding a positional score. This approach does therefore not suffer from the proportionality problem. But there is a different problem with this scaling technique: it cannot yield valid positional estimates when the overall number of quasi-sentences available for an index is low, because it compares counts of quasi-sentences only to the number of quasi-sentences in the opposing category rather than to counts of all quasi-sentences (cf. Lowe et al. 2011).

As a remedy, Lowe et al. (2011) propose to take the log ratio of the one side of the index divided by the other. Unlike the previous approaches, where the indices' endpoints range from -1 to 1, this scaling approach does not make any assumption about indices' endpoints. It can therefore generate positions at any level of extremity. Applied to CMP data and plotted against estimated party positions collected by Benoit and Laver (2006b), the logit scale appears to be the only scaling method that has a relatively linear relationship with expert estimates. Also, it does not suffer from skewed extremes or dispersed points in the plot's middle.

As the logit scale is basically nothing more than a method to parameterise count data, it can be applied to this study as well.[49]

Figure 3.2 shows a comparison of the three scaling procedures based on this study's European Integration index. The ratio scale clearly suffers from skewed extremes and overestimates high positive positions. While the proportional and the logit scale show a (relatively) normal distribution, the proportional scale is heavily

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[48]The relative emphasis approach is based on the original CMP assumption that the coding scheme is based on 'saliency' theory of party competition (Budge et al. 2001, p. 76).

[49]A spare α to smooth the estimates was added to the dimension's sides D_1 and D_2 (see Lowe et al. 2011). This is standard statistical practice in the analysis of contingency tables (Agresti 1996). The formula for the logit scale is thus $scale_l = \ln((D_1 + \alpha_{D1})/(D_2 + \alpha_{D2}))$.
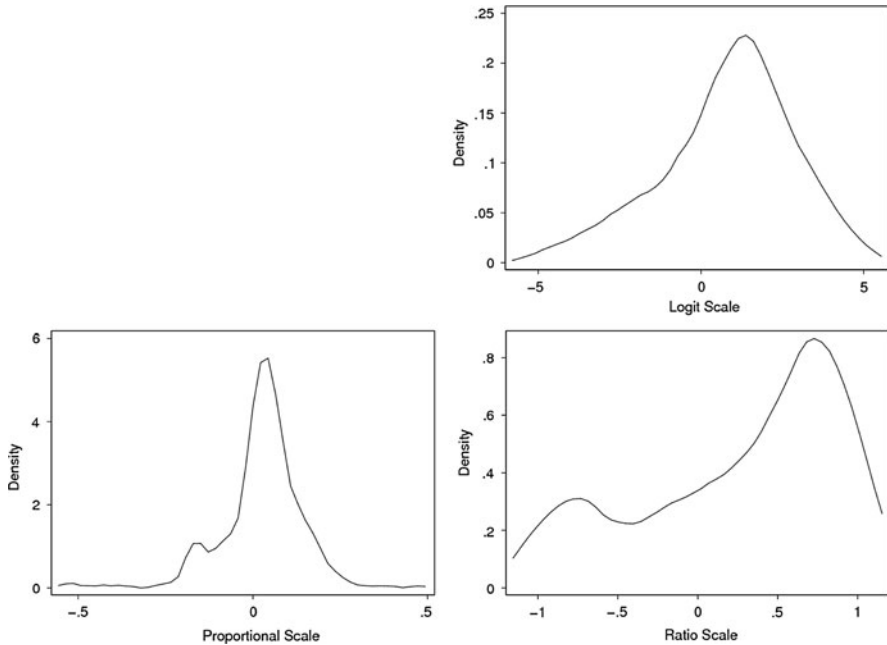
Fig. 3.2 Kernel density of positional estimates for the European integration scale

clustered around zero, with a density that exceeds the logit scale by factor 20. The salience scale therefore masks the real distribution of positions. Overall, the logit scale has the best dispersion.

When plotting the distributions of positions derived from each scale against Chapel Hill expert estimates (Hooghe et al. 2002a, 2010) for the European Parliament index as shown in Fig. 3.3, the pattern of dispersion is consistent with the observations earlier. The logit scale seems to be the only measure with an approximately linear relationship with the expert survey. The variation of the positions compared to expert estimates is satisfactory. The scale has no suppressed variation at the midpoint, and there is no censored variation at the scale's endpoints. Residual analysis moreover suggests that the relationship between Chapel Hill estimates and the logit scale's scores is linear and homoskedastic. This is not the case for the other scales.

Based on these tests, the present study therefore uses logit scaling in estimating actors' positions.

3.4.3.2   Estimating Uncertainty

A problem inherently related to positions derived from hand-coded manifestos is that there are no estimates of uncertainty (Benoit and Laver 2007a; Klingemann et al. 2006). Without these estimates, however, it is impossible to distinguish
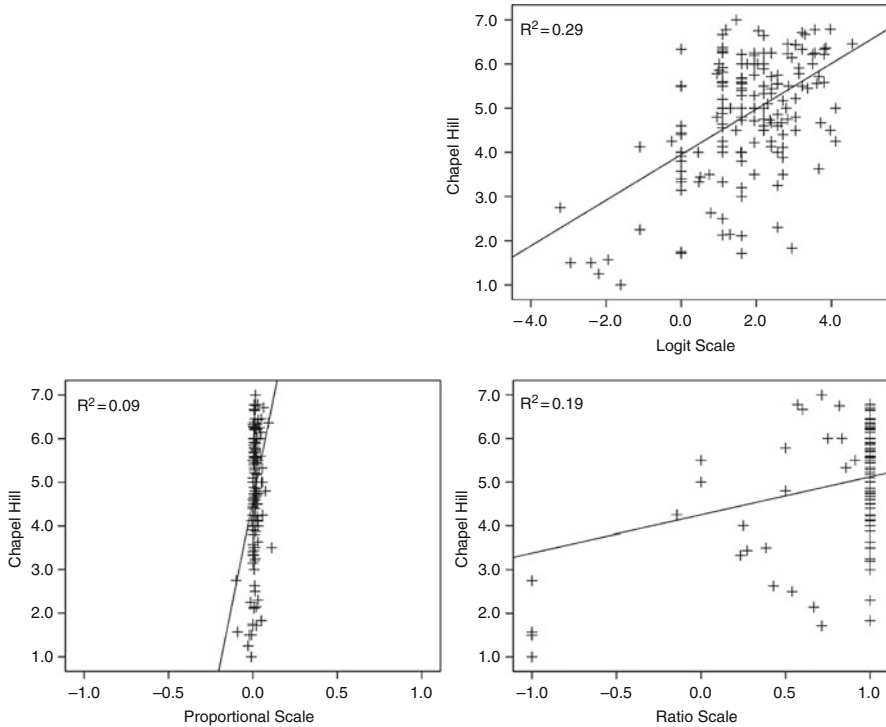
Fig. 3.3 Comparison of scaling methods with expert estimates for the European parliament scale

between 'signal' and 'noise,' between measurement error and the 'real' differences in policy positions (Benoit et al. 2009). This in turn lowers the scientific quality of inferences.

Benoit et al. (2009) therefore attempt to reconstruct the stochastic processes that generate manifestos. Their argument proceeds as follows: a party has an intended message π. This is fundamentally unobservable and only exists in the party's 'mind.' To communicate π, the party creates some text t. Now consider a party would try this exercise several times. Then t would always look slightly different as there are numerous ways to express π. This is due to the stochastic process T. Based on the hypothesised variation in t due to T, by which π is sometimes captured better and sometimes captured worse in a document, Benoit et al. (2009) estimate degrees of non-systematic variation in the CMP policy estimates by simulation.

This re-creates the stochastic processes that constructed each text, based on assumption that there are many t to express π. They bootstrap the analysis of each coded manifesto, based on re-sampling from the set of quasi-sentences in each manifesto reported by the CMP.[50] Bootstrapping not only generates standard errors

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[50]Bootstrapping is a method for estimating the sampling distribution of an estimator through repeated draws with replacement from the original sample.

for coding categories, but also for policy indices. The authors moreover assume that the larger the number of quasi-sentences in a manifesto, the greater the confidence in the CMP's point estimates. In other words, the shorter the manifesto, the larger the unsystematic variance.

Euromanifestos are only as half as long as the CMP's manifestos (Fig. 3.1). But bootstrapping provides error variances that decline as exponential functions of text length. Thus applying this procedure to the EMP yields uncertainty estimates much larger than in Benoit and his colleagues' (2009) application. This may be inflated, however. Moreover, a problem of the suggested bootstrapping procedure is that it is blind towards the effect of coding bias. However, to estimate the effect of coding bias on error in the present data and to incorporate this into the simulation would require serious data collection efforts with multiple coders. This is clearly beyond the scope of this study. Therefore, the procedure to estimate standard errors and uncertainty according to Benoit et al. (2009) is used.[51] Yet these estimates have to be taken with a grain of salt.

To estimate uncertainty for government positions, first uncertainty for each party in a coalition was computed. Then the weighted sum of variance for the government was calculated. If party estimates were transformed into government positions first and subsequently bootstrapped to derive at uncertainty measures, the actual variance may have been underestimated.

To calculate the variance of a government composed of more than one party, the variance must be summed and weighted according to the parties' power in government. As positions of parties cannot be assumed to be independent or uncorrelated, the covariance cov must be included to account for correlation of the variables. Therefore, the variance σ^2 of the sum $(d_x + d_y)$ is

$$\sigma^2(d_x + d_y) = a^2\sigma_x^2 + b^2\sigma_y^2 - 2ab\text{cov} \qquad (3.4)$$

where a and b are the factors variables x and y are to be weighted by, respectively (compare Torgerson 1958, especially Chap. 9). A depiction of bootstrapped manifestos that were subsequently converted into government estimates for the EU Integration scale in 2004 is presented in Fig. 3.4. The bars symmetrically aligned to the point estimates indicate that one can confidently state that with a probability of 95%, the true position of an actor lies within this range.

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[51]Practically, the present bootstrapping procedure is guided by the method as proposed by Benoit et al. (2009). One significant difference however is that logit scaling instead of proportional scaling is employed for the computation of positions. Other differences are that 1,250 instead of 1,000 multinomial draws are taken, and that the median instead of the mean of the sample is used to locate the point estimates 1,250 instead of 1,000 draws are taken because 1,000 only constitutes the minimal requirement for bootstrapping. The draws do not exceed 1,250 because the author's hardware could not cope with more. The median has been used instead of the mean because it is not sensitive to outliers in the data. The resulting bootstrapped manifestos resemble very accurately the originals. Old and new documents have a shared correlation coefficient of 0.939.
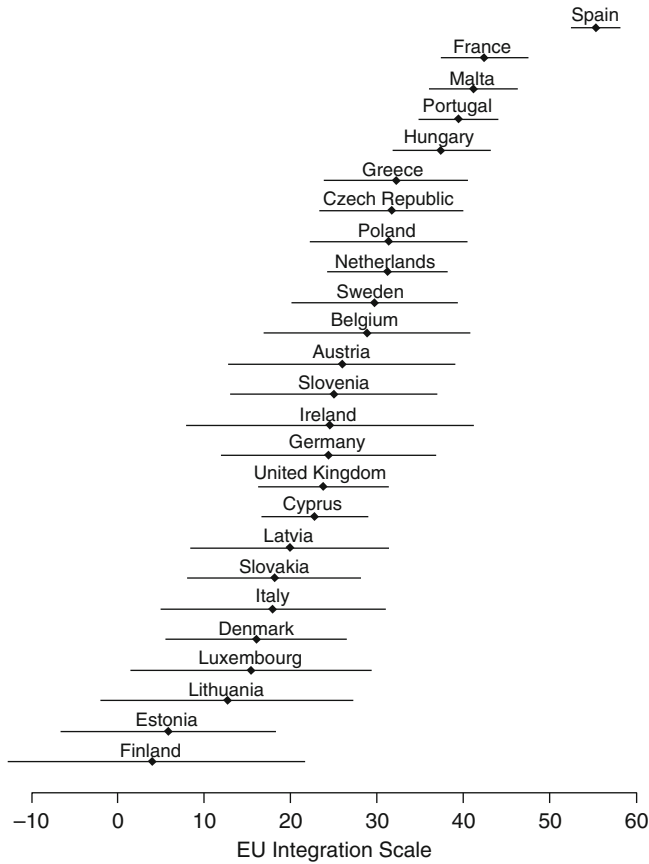
Fig. 3.4 Government positions on the EU integration scale (2004). The error bars indicate 95% confidence intervals

3.4.3.3   Constructing Ideological Policy Indices

The contemporary trend in EU legislative research is to conceive of actors' strategic behaviour as being fundamentally grounded in ideological cleavages (cf. Hagemann and Høyland 2008; Lindberg et al. 2008; Warntjen et al. 2008). To study the effect of partisanship on the Council, the governments' ideological positions are needed. The computation of an ideological index to derive such estimates is elaborated in the following paragraphs.

To estimate ideological positions from manifesto data, the CMP project developed the RILE index. It is composed of twenty-odd CMP issue categories and has enjoyed ample application in top-notch political research.[52]

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[52] Benoit et al. (2009) have found that around 700 studies have been relying on this scale.

CMP scholars hold that RILE is valid in representing ideological positions (cf. Budge et al. 2001; Klingemann et al. 2006). However, it has been subject to increased scrutiny recently. Opponents argue that the positional estimates do not accurately represent the ideological divide between parties. Other ideological estimates derived from expert and mass surveys are supposed to score comparatively better (e.g. Benoit and Laver 2006b; Marks et al. 2007; McDonald and Mendes 2001).

That conclusion is usually based on correlation coefficients and factor analyses. RILE has a lower correlation with expert and mass surveys than the latter have with each other. It also has lower loadings on dimensions where alternative measures score highly. However, this does not imply that RILE does represent left-right positions worse. It only suggests that it measures (partially) something different. The reason may be that in contrast to expert- or mass surveys, the RILE index is a direct measure of preference.

Despite comparatively low congruence with alternative measures, the face-validity of RILE index is indisputably neat (Klingemann et al. 2006). Moreover, manifesto data is proven to validly link-up to left-right changes over time and across countries (Schmitt and van der Eijk 2009).[53] Accordingly, this study will employ Euromanifestos to infer left-right positions of governments.

To improve ideological estimates from hand coded manifestos, Benoit and Laver (2007b) suggest an alternative to RILE: the 'social liberal-conservative' (SLC) scale. In their account, SLC significantly outperforms RILE. As the suitability of both measures for Euromanifesto research has not been reported in previous studies, the following paragraphs provide an evaluation to identify which ideological index is more suited for this research.

Encouragingly, the EMP coding scheme allows the construction of both indices with only minor adoptions.[54] The EMP categories comprising the indices are presented in Table 3.9 of the appendix to this chapter. Closer inspection of Table 3.9 reveals that SLC is basically a rump version of RILE, stripped-down from its 'economic' coding categories. When plotting the policy positions derived from the indices (Fig. 3.5), there is a nearly linear relationship that explains about 79% of the variance.[55] When looking at their distributions as depicted by the violin plots in Fig. 3.6, both scales again appear to be quite similar. The most notable difference being that SLC ranges from −40 to 40, whereas RILE only ranges from −30 to 30.

When correlating the SLC and RILE party estimates against expert judgements on parties left-right orientation (Hooghe et al. 2002a, 2010), the results again are

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[53]However, Schmitt and van der Eijk (2009) explicitly reject the RILE index because they argue that it is time- and place invariant.

[54]These adoptions are limited to account for the EMP's division of the CMP coding category 201 (freedom and human rights) into EMP 2011 (Freedom) and 2012 (Human Rights) and adding EMP 6021 (Retaining National Way of Life in the EU) to the broader CMP 601 (Retaining National Way of Life).

[55]The correlation between both scales is highly significant at $r = 0.888$.
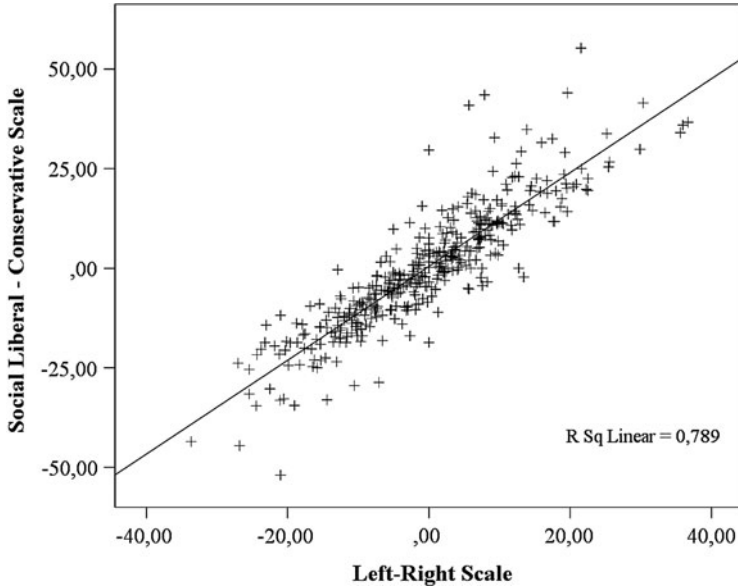
Fig. 3.5 Comparing estimates of two ideological scales. $n = 435$. Data derived from bootstrapped Euromanifestos (1994–2004)
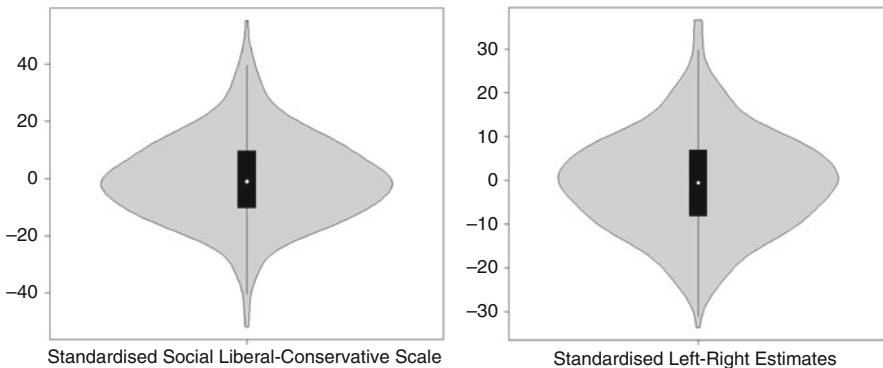
Fig. 3.6 Properties of EMP left-right and social liberal conservative scales

very much alike; 0.526 and 0.585, respectively.[56] RILE only correlates somewhat stronger. When performing the analysis per country, the average correlation coefficient rises to 0.815 (SLC) and 0.854 (RILE), respectively. This implies that both scales work quite well for individual countries, but are only modest indicators

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[56]$n = 224$. Both coefficients are highly significant at the ≤ 0.01 level.

for comparison amongst EU countries. Again, RILE outperforms SLC.[57] Finally, face-validity tests of government left-right positions were performed. Results from these were inconclusive. The results varied only marginally. All results made sense, though. But due to the small variation in the results, it was impossible to establish criteria to judge which index performed better.

Based on this evaluation, and based on the belief that ideological positions are equally informed by social and economic factors, the RILE index is preferred over the SLC. The decisive factor in this choice is SLC's omission of economic variables.

RILE's accuracy in computing governments' ideological positions is presented in Fig. 3.7.[58] The figure shows the spatial distribution of the EU-15 governments between 1998 and 2003 on the left-right policy scale. To illustrate a government's partisan stance, the head of government's European Parliament party affiliation is provided with the country label (cf. Hagemann and Høyland 2008). Figure 3.7 shows a clear division between conservative and social democratic governments. With UMP France, Forza Italy and Haider's Austria populating the 'right' and the Nordic countries the 'left' of the ideological spectrum, the RILE estimates reflect the empirical ideological orientations of these governments during that period (see Albertazzi and McDonnell 2006; Art 2007; Bornschier and Lachat 2009; Strandberg 2006).

3.4.4   Validation of Policy Positions

According to Krippendorf (2003, p. 313) 'a measurement instrument is considered valid if it measures what it claims to measure.' To validate the scaled and bootstrapped positional estimates, all scores were standardised on a −100 to +100 scale.[59] −100 denotes the most extreme opposition to a policy while +100

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[57]For Germany, the correlation for SLC and experts' left-right judgements is 0.941 and RILE is 0.949. The worst country case is the Netherlands, where the coefficients are 0.498 and 0.694, respectively.

[58]A graph depicting the governments positions on RILE in the EU-25 can be found in the chapter's appendix, Fig. 3.11. After enlargement, there has been an overall move towards more 'rightist' positions. The estimates for the Central and Eastern European states exhibit particularly large confidence intervals, suggesting that there is considerable variation in their actual ideological positions. Moreover, whereas in the EU-15 ideological preferences were neatly aligned to the European Parliament party group affiliation of the heads of government, this pattern has changed somewhat for the period between 2004 and 2007. A possible explanation might be that domestic coalition partners have increased their relative power, as for instance in the grand coalitions in Germany (2005) and Austria (2007).

[59]To construct a standardised policy scale for all actors across policy domains and time, the maximum positive and negative position that the most extremist actor in the dataset can theoretically take was computed. It was therefore assumed that the actor with the most quasi-sentences in her manifesto has devoted all of these to either the left or right position of a policy index. This actor is Belgium's AGALEV, with the 1999 manifesto composed of 2,832 quasi-sentences. One can locate the party's extreme positions at −8.64 and +8.64, respectively. These then constitute the reference
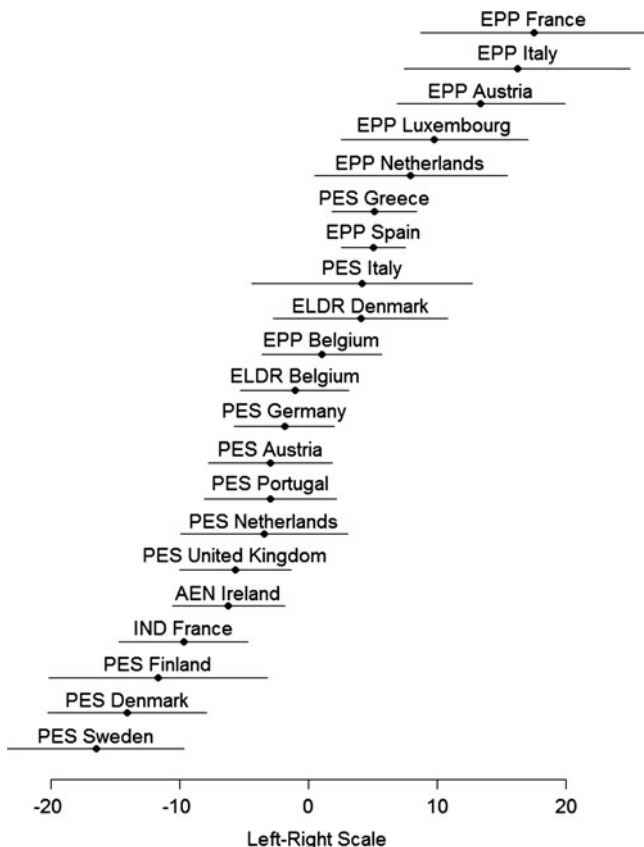
Fig. 3.7 Left-Right position of governments in the EU-15.
Note: The error bars indicate 95% confidence intervals. Period ranges from 1998 to 2003, and government estimates are the average over that period

equals unequivocal support. Accordingly, zero is similar to neutrality or even indifference.

3.4.4.1 Assessing the Measures' Correlative Validity

The correlative validity of a new measurement requires not only a good correlation of the results with established measures of the trait it aims to measure, but also low

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estimates to standardise all other actor positions to -100 (dissent) and $+100$ (consent) policy scales. These positions P_m are computed as $= \log\frac{P_x + \alpha}{P_y + \alpha}$ where P_x and P_y denote AGALEV's extreme position on either of the sides and a α smooths the estimates. The extreme ends are basically theoretical. The actual range of policy scores is 104.16 on average, with the extreme empirical positions ranging from around -50 to $+50$, where 0 denotes ambiguity about an issue.

or zero correlation with measures of traits the measure wants to distinguish itself from. These two forms of correlative validity are called 'convergent validity' and 'discriminant validity', respectively.[60] The following focusses on the convergent validity for the EMP's positional estimates only. However, during the course of validating saliency, Sect. 3.5.1 also elaborates that the positional estimates have a high discriminant validity.

To assess convergent validity, the study's policy domains are correlated with expert judgements compiled by the Chapel Hill expert survey (CH) (Hooghe et al. 2010; Steenbergen and Marks 2007). The CH project collected most EU member states' domestic parties' policy positions towards several EU policy fields.[61] From the CH data, five fields were identified that pertain approximately to the same policy dimension used in this study: Common Agricultural Policy (CAP), Common Market, EU Integration, Enlargement and increased competences to the European Parliament (EP). Because increasing the n limits the effects outliers have on the correlation coefficients, and thus to enhance the explanatory power of the validity test, estimates for both the EU-15 and EU-25 were included.

Table 3.5 reports the correlation of the Council policy domains with expert evaluations. All but the European Parliament dimension show a good convergent validity.[62] Perhaps most encouragingly, the European Integration scale correlates very highly with the expert judgements. The European Integration scale might therefore confidently be used to assess the integrationist preferences of domestic parties for periods where the CH data lack coverage information. Note moreover that correlating expert judgements against manifesto estimates is unlikely to produce very high correlation coefficients. First, a manifesto reports parties' ideal positions while an expert is more likely to report parties' observed policy behaviour. Second, while expert surveys are a cheap and straightforward way to generate positional data on party policy positions, they can sometimes be misleading as they were computed as the mean of several experts. For instance, in the study of Benoit and Laver (2006b), the variance between expert's estimates was nearly as large as the actual policy range available to measure the position.[63] Thus data quality fundamentally depends on the knowledge of experts and their level of agreement.

To make more sense of correlations, therefore, they should be corrected for attenuation. Correlation coefficients are weakened by measurement error. Correcting for

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[60]See Krippendorf (2003, pp. 333–336) for a detailed account of these two measures of validity.

[61]With the exception of Luxembourg, Malta, Cyrus and Estonia.

[62]In a few cases no position for a party could be computed as the policy categories were empty. In these cases, those parties were assigned a neutral position (0). With regard to the European Parliament policy dimensions, this occurred rather often for non-government parties ($n = 31$). These parties, however, were not neutral according to the Chapel Hill data. This in turn does explain the moderate correlation between the two variables. However, as the positions for all government parties were known, positions of non-pivotal parties' position on the EP dimension were computed by means of extrapolation.

[63]See Table 3.8 in the appendix to this chapter for an illustration of the possible variance problem in an expert survey.

Table 3.5 Convergent validity: Validating EMP positions against the Chapel Hill expert survey

Policy Field	n	CAP	Common market	Enlargement	EU integration	EP
				Chapel Hill expert survey		
Common Agricultural Policy	114	0.644**				
Common Market	114		0.657**			
EU Enlargement	114			0.628**		
European Integration	213				0.747**	
European Parliament	213					0.523**

Note: **: Correlation is significant at the 0.01 level (two-tailed). For EP and EU Integration, the estimates of the 1999 and 2004 European Election manifestos were correlated with the 1999 (Steenbergen and Marks 2007) and 2006 (Hooghe et al. 2010) Chapel Hill expert surveys. For CAP, Enlargement and Common Market, the estimates of the 1999 European Election Manifestos were correlated with the 2002 (Hooghe et al. 2010) (CAP, Enlargement) and 1999 expert survey (Common Market). When estimating Lin's concordance correlation coefficient, CAP has a value of 0.16 (SE:0.03), Common Market 0.23 (SE:0.02), Enlargement 0.17 (SE:0.03), Integration 0.27 (SE:0.03) and European Parliament 0.11 (SE:0.02)

this yields the correlation if the variables would have been measured with perfect reliability.[64] There are reliability estimates for all three Chapel Hill surveys, with an average standard deviation of roughly 0.14 over time and across issues (see Hooghe et al. 2010; Steenbergen and Marks 2007).[65] The standard deviations of this study's scales range from 0.08 (Parliament) to 0.11 (CAP).[66] When correcting for attenuation, the correlation coefficients therefore substantively increase by about 0.1.[67] Moreover, while the test variables in Table 3.5 have not been measured for exactly the same years and considering that parties do change their positions over time (McDonald and Mendes 2001), the 'real' convergent validity should even more exceed the correlation coefficients reported above.

3.4.4.2   Assessing the Measures' Face Validity

However, although the party positions' validity has been established, there is no guarantee that these necessarily translate into valid government estimates. To verify

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[64]The correlation between two variables X and Y with correlation r_{xy}, and a known reliability for each variable, r_{xx} and r_{yy}, the correlation between X and Y corrected for attenuation is $r_{x'y'} = \frac{r_{xy}}{\sqrt{r_{xx}r_{yy}}}$.

[65]On average the variation of experts is nearly one unit on a 7-point scale.

[66]The standard deviations for the all policy dimensions are the following: Common Agricultural Policy: 0.11; Common Market: 0.09; Enlargement; 0.09; European Integration:0.10; European Parliament: 0.08.

[67]The correlation coefficients after correcting for attenuation for all policy dimensions from Table 3.5 are the following: Common Agricultural Policy: 0.74; Common Market: 0.74; Enlargement: 0.71; European Integration: 0.85; European Parliament: 0.61.

the aggregate validity of the government estimates, the positions face validity, or in CMP jargon 'the extent to which it generates results that make sense' (Volkens 2001, p. 39), need to be checked as well. In doing so, two separate face-validity tests are conducted. The first assesses countries' internal face validity. This concerns issues such as the extent to which positional changes over time are coherent with changes in government and the impact of external events (e.g. Eastern enlargement). The second series of face-validity tests looks at the validity of inter-government positions. In other words, in any given year and policy domain, does the position of government x with regard to governments y and z accurately reflect literature's expectations? These tests are offered below.

The results of the internal validity tests are promising. For instance, in cases where a conservative government succeeded a social-democratic one, positional shifts in the data are in reasonable accordance with the ideological transformation of government. In this scenario, the data consistently report an increasing support for the Common Agricultural Policy. Overall, positional shifts due to changes in government ideology are observable across all countries and time.

Moreover, the tests have shown that the data are even capable of reflecting positional changes within governments. An example is for instance the social-democratic government of Chancellor Schröder that ruled Germany from 1998 to mid-2005. This government gradually shifted from social-democratic to neo-liberal policy-making, manifested for instance in its 'Agenda 2010' (cf. Egle and Zohlnhöfer 2007). This shift obviously also impacted upon the EU policy level. As illustrated in Fig. 3.8, the German government's inclination to limit EU welfare and social security policies increases from 1998 to 1999 and then remains fairly constant for 3 years. It eventually experiences a significant increase in 2004. The
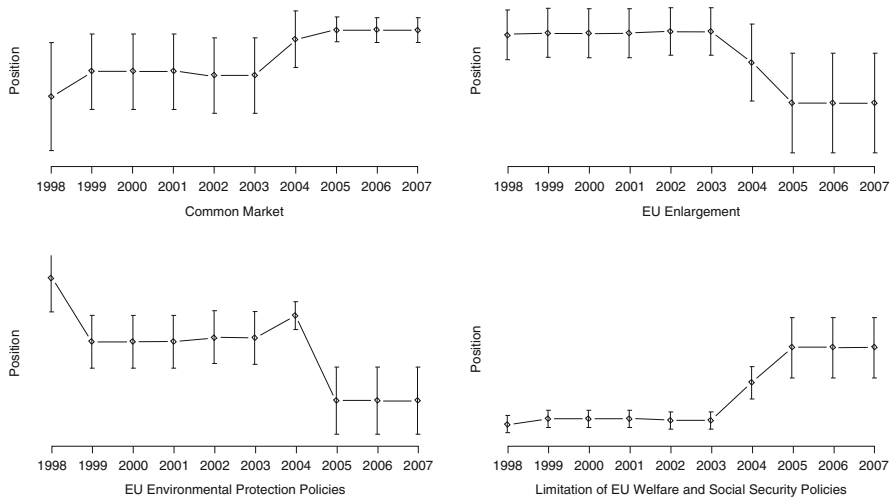
Fig. 3.8 Positional changes of German governments with 95 % confidence intervals computed (1998–2007)

confidence intervals show that the second increase cannot be attributed to noise in the data. Overall, the four time-series for Germany in Fig. 3.8 demonstrate clearly the internal face validity. In all graphs, the change from social-democratic to a coalition government of Christian Democrats and Social Democrats in 2005 is in accordance with theoretical and empirical expectations.

The validity tests of government positions on individual policy domains per year yield remarkable results, too. Overall, the proximity of actor positions is in congruence with the EU literatures' expectations and evidence. An example is given by the dendrogram in Fig. 3.9. It represents a hierarchical cluster analysis
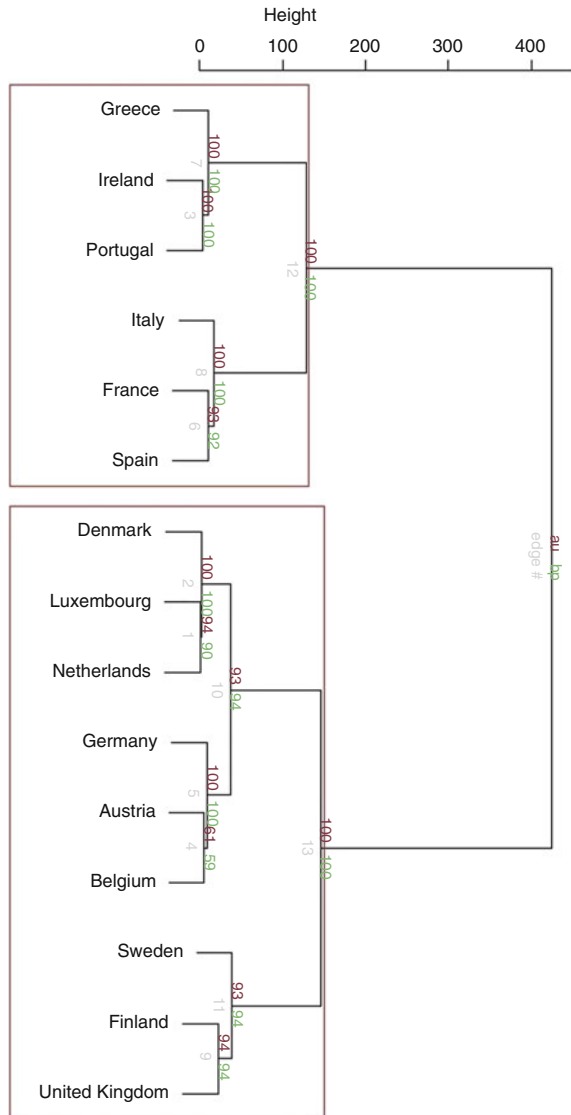
Fig. 3.9 Cluster dendrogram for government positions on the Common Agricultural Policy in 1998.
Note: Squared Euclidean Distance; Ward's Linkage; *p*-values (in %): 'au' = approximately unbiased; 'bp' = bootstrap probability. Bootstrap probability is computed from 10,000 bootstrap iterations

of 15 governments' positions towards the Common Agricultural Policy in 1998. If
the cut-off point is set at around 50 on the dissimilarity axis, two distinct clusters of
countries become visible. The left cluster is composed of states that are net-receivers
of the CAP policy scheme in 1998. The cluster at the right comprises the net-
contributors to the CAP. The clusters reflect accurately the alignments of countries
at that time (cf. Ackrill 2000; Franchino and Rahming 2003; Garzon 2007; Rieger
2000). Moreover, as both clusters have an 'Approximately Unbiased' (au) p-value of
≥ 0.95, the hypothesis that 'the cluster does not exist' is rejected with a significance
level of 0.05. In other words, both highlighted clusters are not caused by sampling
error, but will remain stable if the number of observations is increased.[68]

3.5 Estimating Salience from Electoral Platforms

The previous sections elaborated how valid and reliable government positions in
EU politics can be extracted from European election manifestos. In what follows,
a technique for deriving at the salience that governments attach to their positions is
introduced. In party politics, salience can be used to explain how parties compete
(e.g. Rabinowitz and MacDonald 1989; RePass 1971). In this study of collective
decision-making, however, salience is used to explain how governments make
concessions that allow for log-rolling and vote-trading.

    As for positions, this study argues that salience can be estimated from election
platforms. To estimate the extent to which an actor 'cares' about her position on
an EU policy domain, one needs to acknowledge that a party operates under severe
budget constraints when writing the manifesto. Ultimately a party has only a finite
number of words available to express its political stance. In proportional terms, the
total budget available therefore is one. Moreover, it might only take a few words to
make a clear positional statement about a policy domain. But to show the voter that
the party does not only have a position on that issue, but that it particularly cares
about it, requires to devote a larger proportion of the budget to it than to other policy
domains. Thus, the logic underlying the measurement of salience here is that the
bigger the share of the manifesto's total budget being allocated to a particular policy
domain, the more salience an actor attaches to it and vice versa. This rationale is
similar to the original saliency approach to party competition (see Robertson 1976).
However, when computing the salience S of any policy domain d, the approaches
differ fundamentally.

$$\text{Saliency } S_d = \frac{\text{Positive Mentions}_d + \text{Negative Mentions}_d}{N} \qquad (3.5)$$

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[68]The 'approximately unbiased' and 'bootstrap probability' p-values of the cluster are calcu-
lated with the package 'pvclust' (Suzuki and Shimodaira 2009) for the statistical package R
(R Development Core Team 2008).
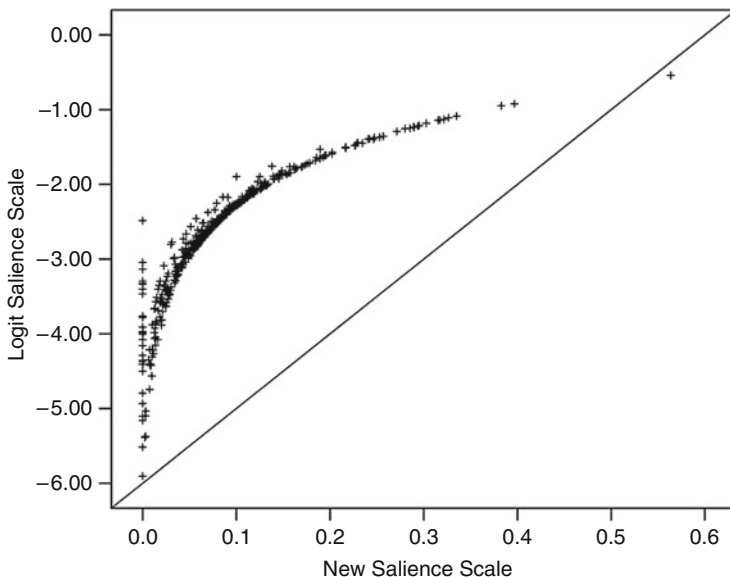
Fig. 3.10 Comparison of two salience scales

Instead of subtracting positive and negative mentions of d, these are summed and then divided by the total number of sentences N to yield a proportion. This alternative method is in congruence with the budgetary constraint assumption of salience as elaborated above. Subtracting the dimensions such as proposed by advocates of the saliency approach would yield sub-optimal positional estimates, not salience. As for positions, simulation of stochastic processes is employed to yield uncertainty estimates for each point estimate.

In contrast to the computation of the policy positions, the logit transformation is not used for the calculation of salience, however.[69] Taking the log would result in very low variation of high salience scores compared to this study's approach to estimate salience. This effect is shown in Fig. 3.10. Compared to the study's salience scores, the logistic salience scores deflate high levels of salience while lower levels of salience are weighted unproportionally strong.

Previous studies of Council decision-making emphasise that it is the extremity of salience that impacts largely on decision-making (see e.g. Arregui and Thomson 2009). A low variation of high salience scores by using the logit transformation may thus result in erroneous model specifications.[70]

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[69]Because positions and the salience of these positions to governments are theoretically and empirically distinct, their measures are therefore not methodologically incompatible in this study.

[70]The precise impact on the predictive accuracy should be subjected to future empirical testing, however.

3.5.1 Validation of Salience

Estimating salience according to the rationale outlined above derives a good portion of its validity from being grounded in budgetary theory of salience. But to establish that the resulting salience scores are not just conflated with positional estimates, an exploratory factor analysis has been employed to assess the measures' discriminant validity (see Krippendorf 2003). Table 3.6 shows the results of a Principal Component Analysis with a default eigenvalue cut-off of 1.0. The three scaling methods to extract positions introduced earlier all load extremely well on one-dimension, while the salience measure does not at all. If the model's original assumptions are relaxed and allow to compute two-dimensions, the salience scores load nearly perfectly on the second dimension, while the positional estimates show low negative loadings. However, while this analysis does not prove that the salience estimates are correct, it shows convincingly that the salience scores measure a different dimension than the positional estimates.

The question whether the salience scores behave correctly therefore still remains. Salience and positions are theoretically and empirically distinct from each other in this study. A government may have an extreme position but attach only moderate salience to it. Although this assumption might seem paradox, Thomson and Stokman (2006, p. 43) show that in Council politics extreme positions are only weak to moderately positively correlated with salience. In a third of all cases, there was even a negative correlation between the extremity of governments' positions and the levels of salience they attach to it. As Table 3.7 shows, this is also found in the relation between governments' positions on the ten policy domains and the respective saliences. A rank-order correlation between the distance of a government's position to the mean and median position on a domain and the level salience demonstrates this. Whilst half of the domains show a modest positive relationship between extremity and salience, in the other half there are even negative correlations. The latter indicates that more extreme actors attach lower salience to

Table 3.6 Discriminant validity: Exploratory factor analysis

Measure	One factor Dimension 1	Two factors (imposed) Dimension 1	Dimension 2
Logit Scale	0.97	0.96	−0.11
Ratio Scale	0.97	0.97	−0.11
Proportional Scale	0.92	0.92	−0.04
Salience	−0.26	−0.09	0.99
Eigenvalues	2.79	2.73	1.02
Explained Variance (cum.)	0.70	0.68	0.94

Note: Extraction Method: Principal Component Analysis; Rotation: Varimax Rotation with Kaiser Normalisation. When using Horn's Test of Principal Components with 5,000 iterations and the 95th percentile value for estimating bias, the suggested component is 1 with an adjusted eigenvalue of 2.74 and an estimated bias of 0.05

Table 3.7 Rank order correlation: Extreme policy position and salience

Policy dimension	N	Mean	Median
Common Agricultural Policy	190	0.185*	0.213**
Centralisation	190	0.059	0.171**
Common Market	190	0.085	0.107
Enlargement	190	−0.031	0.006
Environment	190	−0.098	−0.102
European Integration	190	0.062	0.063
European Parliament	190	−0.375**	−0.451**
Monetary Policy	190	0.061	−0.025
Research & Development	190	−0.050	−0.094
Welfare and Security	190	−0.009	−0.205**

Note: * = Correlation is significant at the 0.05 level (2-tailed) ** = Correlation is significant at the 0.01 level (2-tailed). Extremity of position operationalised as the distance to the mean and median position, respectively

these policy domains. In summary, this suggests that the salience measure reflects what in other Council studies has been measured as salience.

3.6   Conclusion

With the dataset that has been created with the procedures outlined in this and the previous chapters, it is possible for the first time to analyse policy dynamics in the Council of the European Union across multiple policy fields over a whole decade. The analytical possibilities it opens up encompass the analysis of actor alignments, the architecture of the Council's political space and actor's success in achieving desired policy outcomes. As the dataset moreover includes estimates for the major European Parliaments party groups, analyses of inter-institutional dynamics between the two law-making institutions are well within reach.[71]

Certainly, this study cannot claim to be definitive as far as estimating government policy positions in the EU is concerned. Encouragingly, however, it has demonstrated that it is possible to derive at reliable and valid government estimates from written manifestos of political parties. The same holds true for salience.

This concludes this relatively technical chapter and completes the conceptual part of the study. Having introduced the research design and major theoretical and methodological decisions in operationalisation and measurement, the following chapters turn to the empirical analysis of politics in the Council of the European Union. This starts with an investigation into the Council's political space.

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[71] Yet far beyond the scope of this study.

Appendix

Table 3.8 Variance in positional estimates of expert surveys

	N	Min.	Max.	Mean	Var.
FDP	94	14.0	20.0	18.7	3.2
CDU	95	5.0	20.0	14.4	6.6
Grüne	97	3.0	16.0	11.0	11.9
SPD	96	2.00	18.00	9.3	13.3
PDS	92	1.00	10.00	3.0	3.3

Note: Data from Benoit and Laver (2006b). Policy Dimension 'Taxes vs. Spending.' on a scale of 0–20
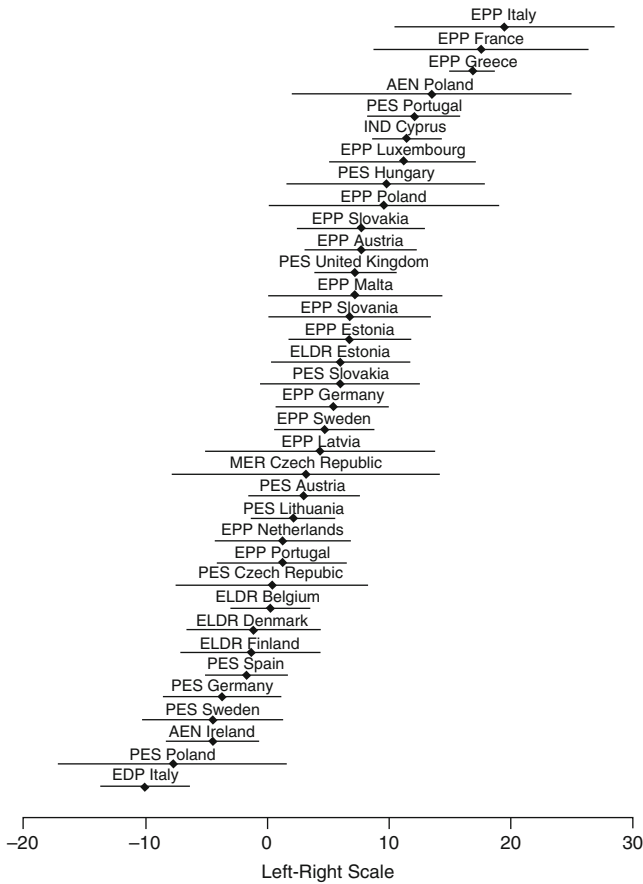
Fig. 3.11 Left-Right position of governments in the EU-25.
Note: The error bars indicate 95% confidence intervals. Period ranges from 2004 to 2007

Table 3.9 Additive ideological scales for the EU Council of Ministers

Policy dimension	'Left' position	'Right' position	Source
Social Liberal-Conservative	103 (Anti-Imperialism) 105 (Military: Negative) 106 (Peace) 107 (Internationalism: Positive) 202 (Democracy) 701 (Labour Groups:Positive)	104 (Military: Positive) 203 (Constitutionalism: Positive) 305 (Political Authority) 601 (National Way of Life: Positive) 603 (Traditional Morality: Positive) 605 (Law and Order) 606 (Social Harmony) 6021 (Retaining the National Way of Life in Europe, the EC/EU)	Benoit and Laver (2007) [amended]
Left-Right	103 (Anti-Imperialism) 105 (Military: Negative) 106 (Peace) 107 (Internationalism: Positive) 202 (Democracy) 403 (Market Regulation) 404 (Economic Planning) 406 (Protectionism: Positive) 412 (Controlled Economy) 413 (Nationalization) 504 (Welfare State Expansion) 506 (Education Expansion) 701 (Labour Groups: Positive)	104 (Military: Positive) 2011 (Freedom) 2012 (Human Rights) 203 (Constitutionalism: Positive) 305 (Political Authority) 401 (Free Enterprise) 402 (Incentives) 407 (Protectionism: Negative) 414 (Economic Orthodoxy) 505 (Welfare State Limitation) 601 (National Way of Life: Positive) 6021 (Retaining the National Way of Life in Europe, the EC/EU) 603 (Traditional Morality: Positive) 605 (Law and Order) 606 (Social Harmony)	Laver and Budge (1992) [amended]

Table 3.10 Composition of governments in the EU (1998–2007)

Country		1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Austria	Parties	SPÖ/ÖVP	ÖVP/FPÖ	ÖVP/FPÖ	ÖVP/FPÖ	ÖVP/FPÖ	ÖVP/FPÖ	ÖVP/FPÖ	ÖVP/FPÖ	SPÖ/ÖVP	SPÖ/ÖVP
	Seats	65/53	52/52	52/52	52/52	79/18	79/18	79/18	79/18	68/66	68/66
	Election		X[Sep]			X[Nov]				X[Oct]	
Belgium	Parties	CVP/PSC/SP/PS	VLD/PS/SP/PRL/Agalev Ecolo	VLD/PS/SP/PRL/Agalev Ecolo	VLD/PS/SP/PRL/Agalev Ecolo	VLD/PS/SP/PRL/Agalev Ecolo	VLD/MR/SP.A/PS	VLD/MR/SP.A/PS	VLD/MR/SP.A/PS	VLD/MR/SP.A/PS	CD&V/Open VLD/MR(18)/PS/cdH
	Seats	29/12/20/21	23/19/14/18/9/11	23/19/14/18/9/11	23/19/14/18/9/11	23/19/14/18/9/11	25/25	25/25	25/25	25/25	30/18/23/20/10
	Election		X[June]				X[May]				X[June]
Cyprus	Parties							AKEL/DIKO	AKEL/DIKO	AKEL/DIKO	AKEL/DIKO
	Seats							20/09	20/09	18/11	18/11
	Election								X[Feb]		
Czech Republic	Parties							CSSD/Koalice	CSSD/Koalice	ODS/KDU-CSL/SV	ODS/KDU-CSL/SV
	Seats							70/31	70/31	81/13/6	81/13/6
	Election								X[Jun]		
Denmark	Parties	SD/RV		SD/RV	V/KF	V/KF	V/KF	V/KF	V/KF	V/KF	V/KF
	Seats	63/7		63/7	56/16	56/16	56/16	56/16	52/18	52/18	52/18
	Election	X[Mar]			X[Nov]				X[Feb]		
Estonia	Parties							ResP/ER/RPU	ResP/ER/RPU	ResP/ER/RPU	ER/[Resp/[IPPO]]/ESDP
	Seats							28/19/13	28/19/13	28/19/13	31/19/10
	Election										X[Mar]
Finland	Parties	SSDP/KK/RKP-SFP/VLG	SSDP/KK/VLG/VLL/RKP-SFP	SSDP/KK/VLG/VLL/RKP-SFP	SSDP/KK/VLG/VLL/RKP-SFP	SSDP/KK/VLG/VLL/RKP-SFP	SSDP/SK/RKP-SFP	SSDP/SK/RKP-SFP	SSDP/SK/RKP-SFP	SSDP/SK/RKP-SFP	SK/KK/VLG/RKP-SFP
	Seats	63/39/12/22	51/46/11/20/12	51/46/11/20/12	51/46/11/20/12	51/46/11/20/12	53/55/8	53/55/8	53/55/8	53/55/8	51/50/15/9
	Election		X[Mar]				X[Mar]				X[Mar]

(*continued*)

Table 3.10 (continued)

Country		1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
France	Parties	PS/PCF/ LV/[LRP]	PS/PCF/ LV/[LRP]	PS/PCF/ LV/[LRP]	PS/PCF/ LV/[LRP]	UMP	UMP	UMP	UMP	UMP	UMP
	Seats	246/37/8	246/37/8	246/37/8	246/37/8	365	365	365	365	365	357
	Election				France	X[Jun]					X[Jun]
Germany	Parties	SPD/90/G	SPD/90/G	SPD/90/G	SPD/90/G	SPD/90/G	SPD/90/G	SPD/90/G	CDU/CSU/SPD	CDU/CSU/SPD	CDU/CSU/SPD
	Seats	298/47	298/47	298/47	298/47	251/55	251/55	251/55	226/222	226/222	226/222
	Election	X[Sep]				X[Sep]			X[Sep]		
Greece	Parties	PASOK	PASOK	PASOK	PASOK	PASOK	PASOK	ND	ND	ND	ND
	Seats	162	162	158	158	158	158	158	165	165	165
	Election			X[Apr]				X[Mar]			X[Oct]
Hungary	Parties							MSzP/SzDsZ	MSzP/SzDsZ	MSzP/SzDsZ	MSzP/SzDsZ
	Seats							178/19	178/19	186/18	186/18
	Election									X[Apr]	
Ireland	Parties	FF/PD	FF/PD	FF/PD	FF/PD	FF/PD	FF/PD	FF/PD	FF/PD	FF/PD	FF/PD/Green
	Seats	77/4	77/4	77/4	77/4	81/8	81/8	81/8	81/8	81/8	77/26
	Election					X[June]					X[May]
Italy	Parties	PDS/PPI/ [Democrats]/ RI/Greens/ [SI]/[UD]	PDS/PPI/ [Democrats]/ RI/Greens/ [SI]/[UD]	PDS/PPI/ [Democrats]/ RI/Greens/ [SI]/[UD]	FI/AN/LN/ LN/ Biancofiore/ NPSI	FI/AN/ LN/ Biancofiore/ NPSI	FI/AN/LN/ LN/ Biancofiore/ NPSI	FI/AN/LN/ LN/ Biancofiore/ NPSI	FI/AN/LN/ LN/ Biancofiore/ NPSI	[PDS/Margarita]/ /PDCI/Greens PSI/RC/ [UDEUR]/[IoV]!	[PDS/Margarita]/ /PDCI/Greens PSI/RC/ [UDEUR]/[IoV]!
	Seats	137/67/	137/67/	137/67/	99/30/	99/30/	99/30/	99/30/	99/30/	[220]/16/15/	[220]/16/15/4
	Election	Y[Oct]			X[May]					X[Apr]	
Latvia	Parties							JL/ZZS/LPP/ TB-LNNK	JL/ZZS/LPP/ TB-LNNK	JL/ZZS/ TB-LNNK	JL/ZZS/ TB-LNNK
	Seats							26/12/10/7	26/12/10/7/3	23/18/8	23/18/8
	Election									X[Oct]	

Lithuania	Parties							[DPI/TS/ SDPL/NS	[DPI/TS/ SDPL/NS	[DPI/TS/ SDPL/NS	[DPI/TS/ SDPL/NS
	Seats							25/20/11	25/20/11	25/20/11	25/20/11
	Election									X[Oct]	
Luxembourg	Parties	PCS/CSV/ POSL/LSAP	PCS/CSV/ PD	PCS/CSV/ PD	PCS/CSV/ PD	PCS/CSV/ PD	PCS/CSV/ PD	PCS/CSV/ POSL/LSAP	PCS/CSV/ POSL/LSAP	PCS/CSV/ POSL/LSAP	PCS/CSV/ POSL/LSAP
	Seats	21/17	19/15	19/15	19/15	19/15	19/15	24/14	24/14	24/14	24/14
	Election	X[May]	X[Jun]					X[Jun]			
Malta	Parties							PN	PN	PN	PN
	Seats							35	35	35	35
	Election							X[Sep]			
Netherlands	Parties	PvdA/VVD/ /D66	PvdA/VVD/ /D66	PvdA/VVD/ /D66	PvdA/VVD/ /D66	CDA/LPF/ VVD	CDA/LPF/ VVD	CDA/LPF/ VVD	CDA/LPF/ VVD	CDA/VVD POSL/LSAP	CDA/PvdA/ CU
	Seats	45/38/14	45/38/14	45/38/14	45/38/14	43/26/24	43/26/24	43/26/24	43/26/24	44/27	41/33/6
	Election	X[May]				X[May]	X[Jan]		X[Sep]	X[Nov]	Y[Feb]
Poland	Parties							SLD-UP Coalition	PiS	PiS/SRP/ LPR	PO/PSL
	Seats							216	155	155/56/34	209/31
	Election							Y[Feb]	X[Sep]	Y[May]	X[Oct]
Portugal	Parties	PSP	PSP	PSP	PSP	PSD/PP	PSD/PP	PSD/PP	PSP	PSP	PSP
	Seats	112	115	115	115	105/14	105/14	105/14	121	121	121
	Election		X[Oct]			X[Mar]			X[Feb]		
Slovakia	Parties							SDKU/CU/ SMK-MKP/ ANO	SDKU/CU/ SMK-MKP/ ANO	SMER/SNS/ ANO	SMER/SNS/ ANO
	Seats							28/20/15	28/20/15	50/20/15	50/20/15
	Election									X[June]	

Table 3.10 (continued)

Country		1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Slovenia	Parties							SDSS/Nsi/SLS/Desus	SDSS/Nsi/SLS/Desus	SDSS/Nsi/SLS/Desus	SDSS/Nsi/SLS/Desus
	Seats							29/9/7/4	29/9/7/4	29/9/7/4	29/9/7/4
	Election							X[Oct]			
Spain	Parties	PP/PNV-EA/CiU/CC	PP/PNV-EA/CiU/CC	PP	PP	PP	PP	PSOE/(PSC)*	PSOE/(PSC)*	PSOE/(PSC)*	PSOE/(PSC)*
	Seats	156/5/16/4	156/5/16/4	185	185	185	185	164	164	164	164
	Election			X[Mar]				X[Mar]			
Sweden	Parties	SdaP	SdaP	SdaP	SdaP	SdaP	SdaP	SdaP	SdaP	MSP/CP/FP/KdS	MSP/CP/FP/KdS
	Seats	131	131	131	131	144	144	144	144	93/27/22/17	93/27/22/17
	Election	X[Sep]				X[Sep]				X[Sep]	
United Kingdom	Parties	Labour	Labour	Labour	Labour	Labour	Labour	Labour	Labour	Labour	Labour
	Seats	419	419	419	412	412	412	412	355	355	355
	Election				X[Jun]				X[May]		

Note: X[Year] = Election; Y[Year] = Reshuffle of Coalition Government; * = Data available only in original EMP data; [Party] = Party not included in EMP; [Party/Party] = Merger not accounted for in EMP; ! = Seats of Italian Chamber of Deputies. * = Catalan Sister Party of PSOE. Party Names taken from the EMP

Chapter 4
The Dimensionality and Nature of Conflict[1]

4.1 The Council's Political Space

What is the essence of political conflict in the European Union? For the classic theories of European integration the answer is simple. Political cleavages are structured along an independence-integration divide (Haas 1958; Hoffmann 1966; Moravcsik 1998).[2] With the EU's discretion to regulate social and economic policies steadily increasing, this perspective has been challenged, however. More recent accounts speculate that the transfer of these competences over issues that traditionally fuelled left-right conflict at the domestic level, has added a left-right ideological dimension to the EU political space (Hix 1999; Hix and Lord 1997).

This two-dimensional perspective is questioned in turn when examining conflict within the EU's law-making institutions. There is ample evidence that the dominant divide in the European Parliament is mainly based on left-right ideology (see Gabel and Hix 2002; Hix et al. 2006, 2007; McElroy and Benoit 2007; Ringe 2005; Schmitt and Thomassen 1999).[3] Legislative activity in the EP may be considered uni-dimensional because most parties have a strong integrationist stance, with anti-integrationist parties being too small to give the integration dimension significance,

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[1] A modified version of this chapter has been published in *European Union Politics* (Veen 2011a). The rigorous critique and suggestions made by the editor and four anonymous referees are gratefully acknowledged.

[2] The perspectives of (Liberal)-Intergovernmentalism and (Neo)-Functionalism seek both to explain the gradual transfer from sovereignty of nation states to a supranational institution, the European Union. However, whereas Liberal Intergovernmentalism focusses 'laserlike' on the grand EU treaties (Tsebelis 2002, p. 250), Neo-Functionalists acknowledge the policy process as a catalyst of EU integration. This is reflected in the understanding of the EU institutions' role. Liberal Intergovernmentalists consider them as shaped through treaty negotiations and primarily existing to facilitate inter-state cooperation. Neo-Functionalism in turn understands institutions as actors in their own right that actively affect the course of EU integration.

[3] This also holds for domestic party competition on European issues (see Hooghe et al. 2002b; Pennings 2002; van der Eijk and Franklin 2004).

and the institutionalisation of supranational party groups enforcing ideological cohesion.[4] The limited insights for the European Commission suggest that its internal conflicts are based on nationality (Egeberg 2006; Thomson 2008a; Wonka 2008). Some argue, however, that there may be a sectoral rather than national cleavage instead (Hooghe 2001; Hug 2003).[5] However, there is no convincing evidence for a left-right divide in the College of Commissioners (Wonka 2008).[6] Finally, in regard of the European Council,[7] there is also disagreement about the character of its internal conflicts and competition. In their analysis of Council summits and the determinants of summit decisions, Manow et al. (2008) claim that an ideological divide structures the European Council's political space. This contrasts with Tallberg and Johansson (2008), who argue that cleavages emerge from policy-specific issues rather than from the summits' ideological composition. Saam and Sumpter (2009) finally claim that neither dimensions determined by power, salience, ideological preference nor neighbourhood divide actors at Council summits. Instead, the cleavages appear to occur between ex ante transnational coordination networks. Unfortunately, however, the authors do not provide information about determinants of these ex ante networks.

Conflict dimensions in the EU Council of Ministers appear to be even less clear-cut. In addition to scholars claiming that conflicts are determined by attitudes towards either EU integration (e.g Garrett and Tsebelis 1996; Hug and König 2002; Mattila 2004) or ideology (Hagemann and Høyland 2008; Hix 1999), others maintain that conflict arises from divergent socio-economic preferences (Mattila 2009; Selck 2004; Thomson 2009; Zimmer et al. 2005). The latter manifests itself

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[4] 'Normal politics' in the European Parliament have been observed through the analysis of roll-call votes. Carrubba et al. (2006) point out that using roll-calls to measure party behaviour in the European Parliament might suffer from selection bias, however: roll-calls are instruments to increase cohesion as deviationists can be detected easily. Hence, roll-calls taken in legislatures should by nature exhibit certain degrees of cohesion. Now, not all votes in the EP are automatically recorded. Parties can asked for them to be recorded. In fact, the authors claim that not more than only half of all decisions of the EP are recorded. Another problem is that each vote in the roll-call analysis is usually counted equally. However, parties often cast a lot of votes on aspects of a proposal before the proposal as a whole is being voted upon (Carrubba et al. 2009). This again may bias the conclusions regarding party political behaviour in the EP.

[5] However, as Commissioners are drawn from different countries and manage different sectoral portfolios, the distinction between national divisions and sectoral divisions can thus be made in theory, yet the almost perfect multi-collinearity between these two makes it almost impossible to separate them analytically.

[6] This opposes earlier studies on the Commission that generally placed emphasis on the ideological composition of the College of Commissioners in explaining positions and conflict (Crombez 1997a; Hix and Lord 1997; Ross 1995; Steunenberg 1997). At the level of the Commission's officials, the only ideological divide discovered so far relates to the officials' views on European capitalism (Hooghe 2000).

[7] The European Council is the institution responsible for defining the general political direction and priorities of the Union. It comprises the heads of state or government of EU member states, along with its President and the President of the Commission (See e.g. Nugent 2006, pp. 219–239, for details).

in geographical clusters of states that disagree about redistributive policies (Zimmer et al. 2005).[8] An example is the disagreement between net-contributors and net-recipients of the EU-budget. Decisions in the domain of the EU's regional cohesion policy are also usually structured along this divide (Behrens and Smyrl 1999; Hooghe 1996; Hooghe and Kaeting 1994; Marks 1992; Pollack 1995).

Studies, moreover, disagree about the number of dimensions in Council politics. Drüner (2007, p. 77), for instance, finds that the Council's legislative decisions are 'usually one- or at most two-dimensional.'[9] Selck (2004, pp. 210–211), however, claims that two-dimensions seem to be insufficient to model the Council's political space, and Zimmer et al. (2005) find that three-dimensions appear to depict the political space better than two.[10] An argument to assume a multi-dimensional space in Council politics is that coalition formation appears to follow an ad hoc rather than static pattern (cf. Thomson 2009; Thomson et al. 2004), with alignments changing frequently (see also Chap. 5.) Some of these coalitions could hardly exist in a uni-dimensional space, even when considering variation in the salience ordering of actors (but see Sect. 4.2).

Current investigations assessing the impact of the first round of EU Eastern enlargement on political contestation within the Council do not clarify the state of affairs, either. While some argue that enlargement did not alter conflict structures significantly (Mattila 2009; Thomson 2009), others speculate that the 'bases on which coalitions [...] being formed have changed' (Hagemann 2008, p. 57).

A pressing problem is that these conflicting expectations lead to different conclusions about and interpretations of Council decision-making. This not only impedes scholars' theoretical understanding of the processes shaping policy outcomes, but may inform incorrect model specifications, too. In an attempt to resolve some of the disagreements, this chapter addresses four salient issues that arise from the current state of literature on Council politics. First, it (re)-assesses the dimensionality of the Council's political space. In other words, it investigates the number of dimensions structuring political conflict. Second, it seeks to identify the substantive nature of these dimensions. Third, it analyses actor positions within the political space. Finally, by focussing on annual intervals between 1998 and 2007, it presents

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[8]According to Thomson et al. (2004), the geographic divide can also comprise choices between free market policies and regulatory alternatives.

[9]Mattila (2009) acknowledges that the political space comprises two-dimensions. He does not link them to substantive policy, however. The first dimension 'reflects the North-South cleavage [...] however, the second dimension [...] shows the cleavage between the new and old states' (ibid, p. 855). In this respect, Mattila shows how actors are aligned, but not the factors that have led to the cleavage.

[10]Most theoretical models of Council decision-making assume a uni-dimensional space for analytical purposes, but do not empirically test whether this assumption is justified. An exemption is the regulation model of Tsebelis and Garrett (2000), who explicitly conceive of the conflict space to be equivalent to a uni-dimensional ideological dimension. They expect mainly conflicts about the level of regulation between the left and the right, because European elections are dominated by national issues and the Council also consists of representatives of the parties forming the national governments.

an analysis covering the Eastern enlargement's impact on the Council's conflict structure.

Substantively, this chapter analyses government policy platforms for all member state governments between 1998 and 2007. The policy platforms comprise 125 issue categories which comprehensively cover all aspects of European policy; encompassing all three EU pillars as well as conventional socio-economic issues. Instead of looking at the ten policy domains introduced in the previous chapters, this chapter considers government positions at the most aggregate level. This is necessary to develop an understanding of the Council's political space. In his seminal article theorising the shape of the EU political space, Hix (1999, p. 71) stresses the importance of this research agenda, arguing that the dimensionality and the location of actors within the space is 'as much a constraint on political action as institutional rules of the game.' Without this understanding, therefore, further investigations into Council decision-making in this study are prone to be incomplete or even erroneous.

Multidimensional scaling (MDS) is employed to analyse the dimensionality of the Council's political space. The dimensions' substantive meanings are identified by regressing 125 content categories used for coding the manifestos over the coordinates of each MDS solution.

The analysis suggests that across the period of investigation, two – rather than more than that or just a single – dimensions appear to structure the political space. Most of the variance is explained by the integration dimension. The second dimension is the 'policy' dimension, determined by mainly redistributive conflicts. Although there is evidence for an ideological divide in two of the 10 years under investigation, the overall results do not confirm the existence of a latent left-right dimension. Enlargement did not significantly alter the dimensions of conflict. The distribution of actors in the Council's political space follows a geographical pattern. Whereas in the EU-15 there is evidence for a North-Centre-South divide, the EU-25 exhibits an East-West cleavage. The latter largely corroborates results from other Council studies. Conceivably, the integrationist and the redistributive dimensions, which are nearly orthogonally aligned, may thus facilitate side-payments of the rich to the less developed members, in exchange for support of more pro-integrationist policies.

The investigation into the Council's political space is organised as follows: Sect. 4.2 offers a theoretical discussion of three competing perspectives on conflict in the Council. Section 4.3 then explains how aggregate government positions are estimated and how they differ from the policy domain estimates introduced in the previous chapter. The chapter then elaborates upon the use of multidimensional scaling and multiple regression analysis for identifying conflict dimensions. Particular emphasis is placed on discussing the appropriate distance measure for MDS. The fourth section then presents the results of the analysis. The conclusion puts the findings into a wider perspective and paves the way for the fifth chapter, which analyses actor alignments in the Council at the policy domain level.

4.2   Integration, Redistributive Clashes or Ideology? On Conflict in the Council

Why should we care about a political space? Because its architecture – the dimensionality, the policy nature of these dimensions and the location of actors on these dimensions – reflects the character of political conflict and collaboration, because it determines likely and unlikely outcomes of decision making, and because it helps the analyst to interpret and explain political competition and outcomes (Gabel and Hix 2002; van der Eijk 2001).[11] For the Council, scholars consistently produced competing insights about the number and properties of the dimensionality of the political space.

This section provides a theoretical discussion of political conflict in the Council based on the insights and findings from past and current studies. In doing so, the discussion puts the competing explanatory models, i.e. 'deepening integration', 'reshuffling money' and 'partisan preferences' into perspective, while discussing their validity and applicability to the Council. The conclusion is that the partisan hypothesis appears to lack unequivocal theoretical support when considering politics in the Council. This finding is partly supported by the empirical literature. In contrast, the integrationist and redistributive dimensions seem to fit better into our understanding of the Council's political space.

4.2.1   Three Perspectives on Political Conflict

The hypothesis that ideology and partisanship structure the EU's political space enjoys ever increasing popularity (e.g. Lindberg et al. 2008; Schmitt and Thomassen 1999). Informed by an analysis of recorded votes in the Council, both Hagemann and Høyland (2008) and Mattila (2004) argue that party group affiliation determines the lines of the Council's intra-institutional conflict, too.

The theoretical foundation of this claim is grounded in the Lipset/Rokkan model of political cleavages (Lipset and Rokkan 1967). In short, the party systems of the mid-twentieth century reflected conflict between social groups that had its origins in

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[11]Investigations into the shape of the European political space evolved persistently with the study of EU integration maturing. After a rather state-centric debate amongst the classic theories of integration, the focus has gradually been widened to an intra-state perspective where the European political space is partially perceived as an extension of domestic politics. Likewise, actors now include parties and interest groups, citizens and the EU's law-making institutions, to name only a few. As indicated above, hypotheses about the architecture of the space differ in terms of the number of conflict dimensions, as well as the meaning of those dimensions (see Marks and Steenbergen 2004). Yet, the conclusion from these studies is unequivocal: there is no such thing as a unified 'European' political space. Rather, the architecture of the space varies across actors, levels and domains (Marks and Steenbergen 2002).

the period before universal suffrage.[12] Despite the original conflicts gradually losing their salience, these dimensions remained of importance in partisan, electoral and parliamentary politics of democratic regimes (Bartolini and Mair 1990; Budge et al. 2001; MacDonald et al. 1991).[13]

Hix (2008a, p. 1255) points out that the EU has evolved from an International Organisation into a political system and that following Cox and McCubbins' (1993) partisan theory of legislative politics, parties are relevant to 'co-ordinate actors' behaviour on a range of complex (multidimensional) policy issues in a repeated game inside institutions,' e.g. the Council.[14]

This can be complemented with a Schattschneiderian take on political competition. Arguing that politics is in essence an exchange of conflict and cooperation, a game of division and unification, Schattschneider (1960) maintains that cleavages in domestic politics are usually reduced to a partisan divide. For Schattschneider, there are billions of political conflicts, but only a few are significant. The significance is informed by the degree of intensity. The most intense conflicts then dominate politics. Similarly to the Lipset/Rokkan model, issues between social groups are the most intense and contentious in domestic politics. Naturally, the representation of interest of these groups is manifested in political parties. With significant powers and roles of the nation state having been transferred to the European Union, one may expect that the Council's political space should therefore also increasingly exhibit a partisan cleavage.

Opponents of this perspective may argue, however, that the Lipset/Rokkan model and Schattschneider's concept both rest on a fundamental prerequisite: the institutionalisation of partisanship. 'What happens in politics *depends on the way in which people are divided* into factions, parties, [...], etc' (Schattschneider 1960, p. 62, original emphasis). An institutionalisation in the partisan sense, however, is effectively missing in the Council. There are no formal arrangements that allocate governments into ideologically defined parties or factions. Without factions, however, there are neither means to enhance 'party' cohesion in the Council nor to discipline dissenters. As yet, the existence of informal mechanisms serving as possible proxies has not been demonstrated, either. Moreover, critics may argue that the evident socio-economic distances between member states, which is surely

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[12]Lipset and Rokkan (1967) identified four macro-social conflicts that became politicised and formed the basis for political cleavages in Western Europe: centre vs. periphery, state vs. church, rural vs. urban industry and workers vs. owners.

[13]According to Hix et al. (2007), the corrosion was triggered by the emergence of green parties capturing 'post-materialist' values (cf. Inglehart 1977) and the rise of extremist parties of the far right to accommodate a deteriorating working class (see also Kitschelt 1995). Moreover, with social cleavages deteriorating, increased electoral volatility has been a consequence (Dalton et al. 1984).

[14]Hix (1994, 1999) notes, moreover, that the EU has evolved from an International Organisation into a political system, and as EU integration is a unanimous voluntary agreement between nation states, it is reasonable to expect conflict to be cross territorial and ideological. Similarly, it is unlikely to occur between territorial units. At least not in the 'day-to-day legislative business of the EU' (Hix et al. 2007, p. 66).

even more problematic in an enlarged European Union, makes it rather unlikely that partisanship alone can mobilise support.

Theoretically, therefore, the expectation of an important partisan divide in the Council is problematic. This tentative conclusion, however, only holds for the Council, and is certainly not generalisable to the other EU institutions.[15]

Apart from theory, however, the empirical evidence also fails to support notions of partisan politics in Council decision-making. Substantively, only studies based on the analysis of Council roll-call votes find evidence for a partisan cleavage (e.g. Hagemann and Høyland 2008; Mattila 2004).[16] Using expert interviews, Thomson et al. (2004, p. 253) reveal that coalitions amongst governments correspond with the partisan divide on five out of 174 controversial issues only. This is supported by Zimmer et al. (2005, p. 414), who show that this dimension only offers 'very weak support to the hypothesis that party lines or ideology determine the preference structure in the Council.'

This leaves the integration and redistribution perspectives. The assumption that an integration-independence cleavage structures Council decision-making has been maintained predominantly with regard to the negotiation and ratification of the EU's intergovernmental treaties (Bräuninger et al. 2001; Hug and König 2002). This dimension divides the supranationalists and nationalists amongst the governments. In policy terms, it implies that policy conflict arises around matters such as the delegation of competences to the supranational level or the desirable level of harmonisation of regulatory measures. The issue of sovereignty is not restricted to the community pillar. It also encompasses matters surrounding the Common Foreign and Security Policy or Justice and Home Affairs. Arguably, the history of EU integration has been characterised by the gradual transfer of national sovereignty to the European Union. The Council, either alone or in conjunction with the European Parliament, has been deciding upon these issues on a day-to-day basis.

Nevertheless, most studies suggest that the integration dimension is only of minor importance in shaping the architecture of the Council's political space. Mattila (2004), for instance, claims that countries with pro-integration preferences are less likely to vote against the majority. Rather, the dimension appears to have significance among the EU institutions. Selck (2004, p. 209) and Thomson (2009, p. 767) indicate that the Commission, the EP and the Council are roughly ordered on an integration dimension in the EU's political space,[17] with the Commission and the Parliament occupying a more supranationalist position than the member

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[15]Exemptions certainly constitute legislative issues that can be 'captured' by parties to pursue electoral interests, in other words legislation that stimulates sufficient domestic attention and contestation. Here, ideology has a comparatively larger influence on the policy outcome, as shown by Miklin (2009) in his analysis of the services directive.

[16]As discussed in Chap. 2, the results from Council roll-call studies may be informed by selection bias, however; due to pre-voting coalition building, in merely 20% of all decisions member states vote explicitly against a proposal (Mattila 2009).

[17]This is depicted in early models of EU legislative decision-making. These are based on a uni-dimensional integration cleavage (Garrett and Tsebelis 1996; Tsebelis 1994; Tsebelis and Garrett 2000).

states (Schulz and König 2000; Tsebelis 1994; Tsebelis and Garrett 2000; Tsebelis and Kreppel 1998).[18] Although Thomson et al. (2004, p. 256) argue that such ordering may rather pertain to a dimension that is phrased in terms of policy change, Thomson (2009, p. 767) shows that 'in general the positions taken by both the Commission and the EP are predictably pro-harmonisation [...], in this respect, the integration-independence dimension does capture an important element of the EU's political space.'

According to most scholars, the dominant dimension in Council politics has a redistributive character (e.g. Lane and Mattila 1998; Selck 2004; Zimmer et al. 2005). This anticipates conflict over the extent to which the Council enacts economic and social policies that reallocate wealth. For Thomson et al. (2004, p. 255), however, such dimension cannot only be viewed in terms of redistribution, but also to comprise issues concerning choices between regulatory and market-based solutions to policy questions. The line of conflict correlates usually with a geographic divide between countries (e.g. Beyers and Dierickx 1998; Elgström et al. 2001). In the EU-15, this is mainly between Northern and Southern members. The recent accession is argued to not have significantly altered this cleavage. Instead, it added an Eastern cluster of states to the existing divide (Mattila 2008, 2009). Whereas the weaker economies demand regulation and redistribution, the stronger economies advocate liberalisation and cutting subsidies to other members. For Zimmer et al. (2005), the cleavage can therefore also be interpreted as a conflict between net-receivers and net-contributors to the EU-budget (cf. Behrens and Smyrl 1999; Hooghe 1996; Hooghe and Kaeting 1994; Marks 1992; Pollack 1995).

This pressing evidence notwithstanding, these conclusions require qualification. One must bear in mind that the data employed by many studies stems from the 'Decision-Making in the European Union' (DEU) dataset (Stokman and Thomson 2004a; Thomson et al. 2006). This dataset is restricted to policy issues discussed under the EU's Community Pillar and therefore may only provide an indication of the political space within this pillar. Also, the inclusion of other institutional actors in the analyses such as the European Parliament and the Commission may have affected the analyses of the dimensionality of Council decision-making; while the inclusion of the reference point in Thomson et al. (2004) may have led to an overestimation and/or possible misclassification of dimensions.[19] A second caveat

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[18]Although the supranationalist stance of the Parliament has been unquestioned, this stance appears to weaken when highly salient national issues are at stake (Hix et al. 2007); moreover, the Commission's position on the integration dimension appears to be more volatile than generally acknowledged. Both Crombez (1997b) and Hug (2003) show that its positions are not automatically more pro-integrationist than the Council's, but depend strongly on the policy issue under discussion. This corroborates the earlier work of Hooghe (1999a,b, 2001) on European Commission officials, where she finds that their positions towards EU integration are not automatically strongly 'supranationalist,' but determined by the policy field they are involved in.

[19]In the DEU data, the reference point is frequently on one end of the policy scale while the actors' ideal points are distributed over the rest of the scale, often grouped far away from the reference point. When using multidimensional scaling to analyse these data, the results are potentially distorted because the analysis of the distances between the member states are influenced by their distances to the status quo. Specifically, a 'horseshoe' effect can emerge, where due to the distances

must be made with regard to the definitional distinction between the redistributive and the integration dimension. Zimmer et al. (2005, p. 407) maintain that apart from delegation of competences, the latter also includes 'the harmonisation of regulatory measures.' Hix (1999, p. 72) defines integration as a territorial cleavage involving economic interests. The conceptual borders between the two-dimensions appear therefore to be fuzzy. Consider also the delicacy of classifying many of the 175 policy issues in the DEU dataset into deepening or redistributive category. At the very least, these concerns allow for the possibility that the integration dimension has slipped under the radar due to definitional oddities and data constraints.

To conclude this section, some words need to be devoted to understand why most scholars maintain that the Council's decision-making process is at least two-dimensional.

A single conflict dimension somewhat curtails leeway for compromises and vote-trades between actors, as positions are relatively static. Variance in coalition patterns are then mainly determined by the location of the status quo and the salience ordering of the actors. But conceivably, cooperation between particularly distant actors is difficult.[20] In a domestic parliamentarian context, a single conflict dimension separating parties is usually not a problem, because the government possesses votes required to pass legislation, and the need for collaboration between all actors is therefore limited.[21]

In the Council, however, where there is no institutionalisation of actor alignments, and coalitions are observed to change constantly while decision-making is informed by consensus and rapprochement,[22] it is difficult to conceive that these patterns of collaboration can be facilitated by a uni-dimensional space only.

The logic of multi-dimensionality in EU politics is explained in Hix and Lord (1997), one of the first systematic accounts suggesting the need for a the EU political space to be two-dimensional. The study comprehensively examines the role of parties in influencing the course of European integration. To model the process of coalition-formation and policy-making, the authors position all EU party families in a two-dimensional political space. This space is defined by two orthogonal conflict dimensions. The first is a left-right divide and the second an integration-sovereignty divide. Hix and Lord (1997, p. 53) argue that due to the

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of the governments to the status quo, which can be relatively equal, the space is inflated and actors are located in a horseshoe-like pattern around the status quo.

[20]See e.g. Arrow (1951), McKelvey and Schofield (1986), Black (1958) and Riker (1980) for a discussion of the relationship between stable decision-making outcomes and the dimensionality of political spaces.

[21]The issue gets more complicated with tolerated minority governments. There, the government lacks overall control and is dependent on parties tolerating its rule. This has implications for the legislative term: uncertainty in policy making, loss of support by parties supporting the minority government or more discretion of the bureaucracy, to name only a few (cf. Blowers 1977; Strøm 1990).

[22]In their analysis of cooperation patterns in Council working groups, Elgström et al. (2001, p. 115) find that about 90% of all committees are inspired by a 'spirit of consensus.'

existence of these two-dimensions, new alliances are enabled, annulling traditional domestic alignments. This defines new ways parties 'relate to each other when pursuing their political goals in EU politics' (p. 54). It is the existence of the integration dimension that 'seriously undermines the coherence of the traditional party families' (ibid). The additional conflict dimension hence introduces a new cleavage to the left-right continuum, breaking ideological alignments and giving rise to deliberations and coalitions impossible within a uni-dimensional ideological domestic context. Translated to the Council, a two-dimensional space would similarly undermine coherence of groups of countries, facilitating the trade-off of votes through negotiation channels hardly existing if the 'games governments play' were limited to a single conflict dimension.

4.3   Methodological Considerations

The selection of positional data indubitably impacts on the number and properties of conflict dimensions that will be found. If estimates are gathered for the community pillar only or are censored as is the case when focusing exclusively on recorded votes, results may be distorted.

To test previous findings and possibly extend our insights while addressing this possible bias, this chapter departs slightly from the estimation exercise described in the previous chapter: the government policy platforms based on Euromanifestos are not scaled into policy domains. Instead, their full information is used to locate and identify the dimensionality of the Council's political space.[23] The reason being that this chapter does not investigate the determinants of actor alignments in the Council, but the architecture of the political space. Including the full 125 issue categories, comprising all three EU policy pillars and general attitudes towards political issues, therefore allows for an analysis of the Council's political space without potentially biasing the findings a priori by relying only on the study's ten Council policy domains.

To this end, party manifestos are aggregated into positional policy platforms of governments. Similar to the approach introduced in Chap. 2, a government policy platform X_g is hereby computed as the sum of each coalition party's i out of n policy position p weighted by its power in government (Kim and Fording 2001, p. 161).

$$\text{Government Platform } X_g = \sum_{i=1}^{n} p \frac{\text{Power in Government}_i}{\text{Total Power in Government}} \qquad (4.1)$$

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[23]The counts of the 125 issue categories were transformed into proportions to account for variation in length of the government policy platforms. After that, the category reporting the uncoded sentences was dropped as well. This decreased the mean content of each policy platform to 99.67% with a standard deviation of 0.66. Government policy platforms were not standardised to one after this, because one can assume that if the coders did code correctly, no code applied to these uncoded sentences. Standardising the policy platforms to one would have inflated the other coding categories and potentially distort the empirical emphasis governments put on policy issues.

4.3.1   Multidimensional Scaling

To analyse the latent structure of conflict in the Council, scholars have relied on factor analytical techniques (e.g. Selck 2004), correspondence analysis (e.g. Zimmer et al. 2005) and multidimensional scaling (e.g. König and Pöter 2001; Mattila and Lane 2001; Thomson 2009; Thomson et al. 2004). All serve the purpose of producing 'maps of conflict' in an inductive fashion. The use of factor analysis in this study is rejected due to data constraints. The data constitute a consonance (or proximity) relation between government platforms and issue categories (van der Brug 1996, p. 50). Factor analysis has proven to produce deceptive results with proximity data. Its application should be limited to dominance (or order) relations (see Coombs and Kao 1960; Ross and Cliff 1964). Correspondence analysis is not used because it can only employ the χ^2-distance as a similarity measure. This, however, cannot be theoretically related to substantive assumptions about distances between Council members. Multidimensional scaling is used as it is not restricted to non-negative data and can process different types of data such as frequencies, rankings or correlations (Borg and Groenen 2005). It does produce unbiased results with proximity data. Moreover, it can optimally transform data and even has a higher proportion of explained inertia with χ^2-distances when compared to correspondence analysis (Gifi 1990).

This chapter therefore employs multidimensional scaling techniques. In its simplest form, multidimensional scaling is a geometric mapping technique for data to fit the observed (dis)similarities among a set of objects to their distances in the resulting configuration. Put differently, MDS attempts to find the structure in a set of proximity measures between objects. This is accomplished by assigning observations to specific locations in a conceptual low-dimensional space such that the distances between points in the space match the given (dis)similarities as closely as possible. A distinction can be made between metric (linear relation between observed (dis)similarities and distances in the configuration) and non-metric multidimensional scaling (monotonic relationships).

As the computed estimates of uncertainty for the government policy platforms suggest that there is considerable uncertainty, a nonmetric MDS is performed with observations untied (cf. Cox and Cox 2000).[24] For this, the PROXSCAL (PROXimity SCALing) algorithm for non-metric data was chosen.[25] This algorithm seeks to identify a least squares representation of a set of objects. Due to the large

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[24]Metric MDS is very sensitive to measurement error. Shepard diagrams computed for each MDS solution in this chapter indicate that the ordinal transformation is suited best for the present type of data as opposed to metric and monotone spline transformation. The transformation (original vs. transformed proximities) exhibits a decent step-function or ordinal transformation. As the step-function consists of multiple small steps, the ordinal MDS appears to use the full information available in the data (Groenen and van de Velden 2004).

[25]To identify the global minimum and to avoid local minima (see Borg and Groenen 2005; Heiser and Groenen 1997), 100 multiple random starts for each solution were specified.

number of objects in the set (governments*year), a representation per year has been chosen. The number of governments is sufficient to theoretically yield three statistically stable dimensions for the EU-15 and five for the EU-25. Following the discussion of the architecture of the political space in Sect. 4.2, this should be more than adequate.[26]

4.3.1.1   A Distance Measure: On the Impossibility of Separability in EU Politics

The government policy platforms comprise off the relative emphasis for issues and policies in Euromanifestos coded into 125 categories. The hypothesis is that the 'closer' governments are in spatial terms, the more emphasis they will place on the same categories. Assuming that the set of 125 categories contain all topics of policy concern to member state governments, the distance between government platforms should be measured including all variables. The metric chosen here is the Euclidean metric.

The choice for this metric requires qualification as some scholars argue that it 'should *not* be used in models of real political decision-making' (Benoit and Laver 2006b, p. 33, original emphasis, see also Van der Brug, 1997). The main criticism relating to the Euclidean metric is that 'individual preferences over policy are treated as if they were primitive and unconstrained preferences' (Milyo 2000a, p. 274). Hence, one assumes that an actor's preferences are single-peaked, non-separable and exogenously determined while independent of other endogenous preferences. Utility thus declines monotonically in distance from the ideal point. Although belonging to the core foundations of rational-choice theory, in particular the assumption of separability is questioned in the context of spatial analysis of political dimensions.[27] If one assumes separability of issues, the use of the city-block metric makes more sense.[28]

However, political conflict is in fact non-separable. To validate this claim, one must again resort to a Schattschneiderian perspective on politics. Schattschneider (1960) conceives of politics as a mixture of conflict and cooperation. Moreover, for him politics evolve along factional lines. Between these factions is conflict, structured by political cleavages. If new dimensions of conflict are introduced, then the dividing lines are no longer between factions, but cross-cutting. This may result in 'a radical shift of alignment, [...] at a cost of change in the relations and priorities' of the faction members (Schattschneider 1960, p. 65). As every new conflict dimension produces new allocations of powers threatening a party's

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[26]As a rule of thumb, the number of objects required for a statistically stable MDS configuration is the desired dimensionality multiplied by four.

[27]For the mathematical proof, see Milyo (2000b, p. 181).

[28]Formally, the 'Manhattan' distance is the metric of the Euclidean plane defined by $d((x_1 + y_1), (x_2 + y_2)) = \sum_{i=1}^{n} |x_i - y_i|$ or $|x_1 - y_1| + |x_2 - y_2|$ for points $P_1(x1, y1)$ and $P_2(x2, y2)$. The distance between points P_1 and P_2 is therefore the sum of the differences of their corresponding components along horizontal and vertical segments.

integrity, the faction leader will always try to reduce dimensionality of conflict. Linking contentious issues prevents rebellion and increases cohesion. Accordingly, the issues in the remaining conflict dimensions will therefore be interdependent, and hence non-separable. If they were separable, the result could potentially lead to policy deadlock, because log-rolling and institutional- or political memory would be difficult to maintain. The assumption of non-separability is thus non-political from this perspective.[29]

In the Council of Ministers, with its several thematic sub councils, the assumption of separability may be more relevant than in a domestic party context (cf. Nugent 2006, p. 419). However, the instability of coalition alignments (Thomson 2009; Thomson et al. 2004), a decision-making process comprising nested games (Jordan 2001; Tsebelis 1990) and log-rolling being part of Council deliberations (Crombez 2000b), all hint towards conflict dimensions in the Council being non-separable. Treating the components as strictly integral, any study should therefore employ the Euclidean metric or an alternative metric with similar properties.

The latter can be for instance the Mahalanobis metric (Mahalanobis 1936). It reduces the additivity of distances across sub dimensions to the extent that they are correlated. If issue categories in the government policy platforms are orthogonal, then the metric functions as Euclidean. If they are correlated, then the contribution of separate dimensions is accordingly reduced. With 125 issue categories in the government policy platforms, this metric is ideal. However, the metric requires to compute the inverse of the covariance matrix. This is not possible with the present data due to the large number of empty and nearly empty issue categories. The covariance matrix always is computationally close to singular.[30]

For this reason the Euclidean distance has been chosen. It not only adheres to the vital notion of non-separability but also relates 'closely to our intuitive understanding of distances' (van der Brug 2001, p. 130). The formula for deriving distances between government policy platforms is

$$d(a,b) = \sqrt{\sum_{i=1}^{n} |a_i - b_i|^2} \qquad (4.2)$$

where $d(a,b)$ is the difference between policy platforms a and b; a_i is the proportion of coded sentences in policy platform a, dedicated to category i, while b_i is the proportion of coded sentences in policy platform b, dedicated to category i; and i is

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[29]Indeed, despite reducing the dimensionality of conflict, there are still discordant elements in any faction. These, however, 'are restrained by the fact that the prize of unity is victory' (Schattschneider 1960, p. 67).

[30]This problem remains when aggregating the 125 into 73 'root' variables. Even reducing this number further by dropping variables containing only few observations, the singularity problem persists. Only after erasing more than 30% of a policy platform's overall number of sentences, the computation of the Mahalanobis distance was successful. Obviously, this is unsatisfactorily for answering this chapter's research question.

the index of issue categories. Because each of the 125 issue categories represent a
proportion of sentences of each government, the sum of all categories equals 100%,
or one. Therefore, the maximum distance between two policy platforms is one, and
the minimum distance is zero.[31]

4.3.1.2 Outlier Treatment and Dimensional Interpretation

In this study, dimensionality is conceived of as the number of coordinate axes
needed to locate a point in space. A dimension is similar to a factor in factor
analysis. Whereas dimensional interpretation often involves a single interpretation
for each dimension in space, dimensionality is not necessarily the number of
relevant characteristics involved (Kruskal and Wish 1978, p. 49). A two dimensional
space can have several interpretable directions, or characteristics. The number of
characteristics can also be less than the dimensionality of the space. In a four-
dimensional space, one may only be able to interpret two- or three-dimensions.

Dimensionality is estimated in terms of the goodness-of-fit of the MDS configu-
ration. The first step was the visual inspection of the scree plots. The scree plot plots
the stress, the overall measure of how the distances in the configuration ordinally
fit the data, as a function of dimensionality. The key is to look for an identifiable
'elbow' in the slope of the resulting line; that is to choose the number of dimensions
where a bend in the curve occurs. In cases where the elbow could not be identified,
a Shepard diagram was consulted to judge which dimensionality provides the best
fit of outliers against transformed proximities.[32]

Finally, multidimensional plots were drawn to assess whether there is an equal
spatial distribution of actors across all dimensions or whether a single government
accounts for a particular dimension only. In the latter cases, the raw data were
consulted to identify the cause. In the three cases where countries caused such
a problem (France (2002), Greece (2000) and Cyprus (2004)), the inspection of
the data revealed that nearly 40% of all emphasis was placed on only one of
the 125 issue categories.[33] This translated into a government being placed in an

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[31]Performing the analysis with the City-Block metric, however, the resulting MDS configurations
are very similar to that using the Euclidean metric. This may imply that politics in the Council
are neither separable or non-separable, but can be conceived of as an continuum. The degree of
separability may therefore be informed by the extent to which policy fields can be linked to allow
for log-rolling or vote trading. For EU treaty negotiations, Finke (2009) shows that the degree of
(non)-separability does not only vary by policy field, but also across states. Though beyond the
scope of this study, this issue should be on the research agenda for Council studies.

[32]In nonmetric MDS, the ideal location for the points in a Shepard diagram is a monotonically
increasing line describing the so-called disparities, or optimally scaled proximities. In an MDS
solution with a good fit, the outliers are close to this monotonically increasing line.

[33]France experienced a significant increase in emphasis in 'Constitutionalism in Europe' (203)
with UMP in office (ca. 25% of manuscript). Greece placed great emphasis on Strong European
Governance (305) (ca. 38%), even after ND succeeded PASOK. The Cyprus' government devoted
ca. 40% to category 305. This disproportional issue emphasis may be possibly explained by two
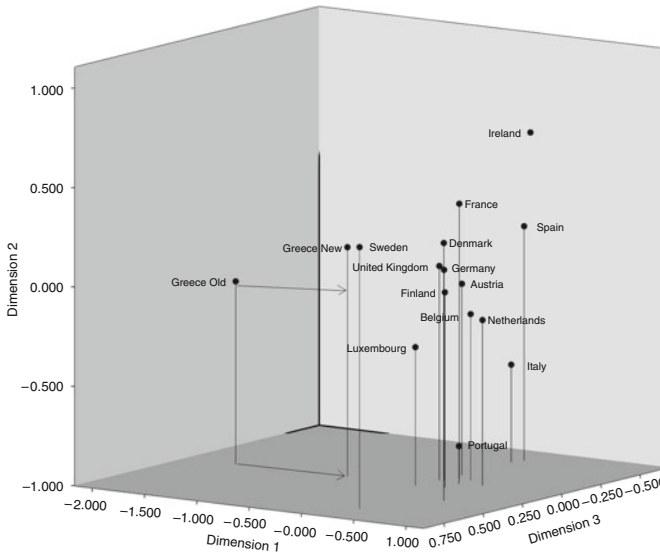
Fig. 4.1 Spatial position of Greece before and after outlier treatment (2000)

extreme position in the MDS configuration. To smooth this effect, the emphasis on these categories was reduced accordingly. However, to maintain the relative positions of actors vis-à-vis, these reductions were made in tiny steps only. While the relative spatial distribution is preserved, this treatment ensures that any unnecessary additional dimension is removed. Figure 4.1 illustrates this for the Greek government in 2000. After treatment, Greece's distance on the x-axis relative to other actors decreases significantly. However, it continues to be the country with the most leftward position on that axis.

Figure 4.8 in this chapter's appendix shows the screeplots for each analysis between 1998 and 2007 after outliers have been treated. In three cases the decision whether to plot two- or three-dimensions is unclear. After inspection of the Shepard diagrams (not reported here), it becomes clear that only the year 2004 requires a three-dimensional space. The years 2002 and 2005 can be represented adequately with a two-dimensional configuration.[34]

This leads to the interpretation of dimensions. As humans tend to 'find patterns where they do not exist' (Kruskal and Wish 1978, p. 36), multiple linear regression

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factors. First, sometimes a party must unproportionally cover an issue to address the clientel that is pivotal in the next election. Second, there may be country-specific factors such as the autonomy of governance in Cyprus stressed by all parties in each campaign that can lead to disproportional issue emphasis.

[34] Yet, stress (an inverse fit measure) is only a technical indicator that should always be interpreted together with the outliers in the data (Borg 2000). In the present case, the fit of the models is good (see Table 5.4.)

is used to diagnose the substantive meaning of the dimensions. In doing so, the procedure outlined in Kruskal and Wish (1978, pp. 35–43) was followed. To illustrate this procedure, one supposes that there are vectors assumed to have a systematic relationship with the objects in a MDS configuration. By regressing each of these vectors over the coordinates of the MDS solution, one can therefore interpret the conflict dimensions' substance and direction. The regression analysis also yields information about the amount of variance each vector accounts for. In accordance with other manifesto research employing this technique (see van der Brug 1996, 2001), the independent variables represent the 125 issue categories on which the government policy platforms are based. Covering a period of 10 years, 1,250 multiple regression analyses are required to identify the substantive character of the conflict dimensions in the Council. The beta coefficients are then taken to calculate the slope of each dimension.[35] Above some of the government positions were smoothed. This helps to reduce bias in the regression analysis, which is prone to influence by outliers. However, each significant regression result was double-checked for outliers and, where necessary, excluded from the interpretation of dimensions.

4.4   Dimensions and Nature of Conflict

Having discussed the theoretical expectations and the research design, this section presents the analysis of the Council's political space. The results of the ten MDS solutions subjected to multiple regression analysis are reported in Table 4.1. Only the vectors that have the most systematic relationship with the configuration are reported. Selection criteria are a p-value of ≤ 0.001 and an explained variance of ≥ 0.60. This r^2 is at the lowest level for a meaningful interpretation of the dimensions. However, Kruskal and Wish (1978) note that a minimal requirement for a meaningful interpretation is that the analysis should be significant at the 0.1 level or lower. This is satisfied for all results reported.

Table 4.1 moreover provides goodness-of-fit measures for each individual MDS configuration. The Dispersion-Accounted-For (DAF) and Tucker's coefficient of congruence (TCC) are goodness of fit measures where higher is better fit. On average the solutions account for 98% of the variance. The raw stress coefficient is a measure of misfit where lower is better fit. All solutions have a stress of around 0.02, which is generally considered excellent fit (compare Kruskal 1964).

Some general inferences can be made from Table 5.4. The architecture of the Council's political space may be explained best by a two-dimensional representation. This contrasts with Selck (2004) and Zimmer et al. (2005), who expect more than two-dimensions. The present findings are in agreement with the Hix-Lord model (1997), however, which explicitly assumes a two-dimensional space in EU politics. Encouragingly, there is indeed no evidence for a uni-dimensional space.

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[35]One technique to compute the lines' angles is to take the inverse cosine of the coefficient.

Table 4.1 Regression analysis of government policy platforms over ordinal MDS solutions

Year	Dimension label	Coordinates			R^2	Goodness of fit of MDS solution		
		1st Dim	2nd Dim	3rd Dim		Stress	DAF	Tucker's coefficient
	Deepening the EU (108)	−0.886	−0.288	N.A	0.87	0.011	0.988	0.994
	Strong European Governance (305)	−0.338	0.859	N.A	0.85			
1998	Market Regulation (403)	0.778	0.062	N.A	0.61			
	Deepening the EU (108)	−0.776	−0.543	N.A	0.90	0.017	0.984	0.992
1999	Economic Planning (404)	−0.338	0.331	N.A	0.66			
	Deepening the EU (108)	0.898	−0.194	N.A	0.85	0.019	0.981	0.990
2000	EC/EU Structural Fund (4041)	−0.006	0.958	N.A	0.65			
	Deepening the EU (108)	−0.737	−0.555	N.A	0.85	0.015	0.985	0.992
	Democratic EU (202)	−0.673	0.446	N.A	0.65			
2001	Labour Groups:Negative (411)	−0.044	−0.206	N.A	0.80			
	Deepening the EU (108)	0.222	0.826	N.A	0.73	0.016	0.984	0.992
	Market Regulation (403)	0.001	−0.860	N.A	0.74			
	Environmental Protection (501)	−0.792	−0.452	N.A	0.83			
2002	Common Agricultural Policy (7031)	0.814	−0.244	N.A	0.72			
	Deepening the EU (108)	0.268	−0.800	N.A	0.71	0.016	0.984	0.991
	Market Regulation (403)	0.008	0.862	N.A	0.74			
	Environmental Protection (501)	−0.775	0.438	N.A	0.79			
2003	Common Agricultural Policy (7031)	0.819	−0.249	N.A	0.73			

(*continued*)

Table 4.1 (continued)

Year	Dimension label	Coordinates			R^2	Goodness of fit of MDS solution		
		1st Dim	2nd Dim	3rd Dim		Stress	DAF	Tucker's coefficient
	Internationalism (107)	−0.256	−0.095	−0.733	0.61	0.012	0.987	0.994
	Democratic EU (202)	−0.647	0.508	−0.283	0.76			
	Strong European Governance (305)	0.584	0.689	0.012	0.82			
2004	Social Justice (503)	−0.585	0.599	−0.019	0.70	0.026	0.974	0.987
	Strong European Governance (305)	−0.717	−0.575	N.A	0.85			
2005	Environmental Protection (501)	0.699	−0.496	N.A	0.73	0.023	0.977	0.988
	Deepening the EU (108)	0.510	−0.582	N.A	0.60			
	Strong European Governance (305)	0.934	−0.047	N.A	0.88			
2006	Environmental Protection (501)	−0.266	−0.759	N.A	0.65	0.026	0.973	0.987
	Strong European Governance (305)	−0.918	−0.094	N.A	0.85			
2007	Environmental Protection (501)	0.149	0.795	N.A	0.66			

Note: Coordinates are normalised regression coefficients. Table only includes vectors where $R^2 \geq 0.60$ and $p \leq 0.001$. Regression coefficients reported are not disproportionally influenced by outliers. Numbers in parentheses refer to the original EMP coding category

In this respect, it is noteworthy that during the accession year 2004, the political space experienced an expansion to three conflict dimensions. Although bordering upon speculation, this may be more than a mere statistical artefact. As the new member states needed to adopt and socialise to formal and informal rules of Council deliberations, a three-dimensional space may have been needed to facilitate the prevention of gridlock. This assumption is congruent with the overall finding that legislative output in the Council has not been affected by enlargement (see e.g. Best and Settembri 2008a). The third dimension appears to be an ideological one ('Social Justice,' see Table 5.4). A graphical representation of this particular year can be found in Fig. 4.9 of the chapter's appendix. Yet, the fact that dimensionality has been reduced to two after the first year of enlargement is congruent with the rational-choice paradigm. As transaction costs increase significantly with the number of dimensions in the decision-making process (Hinich and Munger 1994), limiting the dimensionality of Council politics is in the interest of all actors involved.

This leads to the issue of the substantive nature of the conflict dimensions. With only 29 out of 1,250 multiple regressions satisfying the selection criteria, only few meaningful dimensional interpretations are compatible with the data.[36] It is noteworthy that for each year under investigation, either the variable 'Deepening the EU' or 'Strong European Union' correlate strongly with the solutions' coordinates.[37] These vectors are therefore an indicator that an integration dimension structures conflict in the Council's political space. This is an important finding. First, it supports the study's theoretical assumptions about Council deliberations. Second, it questions previous studies that maintain that integration is meaningful *among* the EU's law-making bodies, yet not *within* the Council.

Less pronounced, yet also consistent over time, a second dimension constituting 'policy' cleavages in the Council can be identified, too. The correlation with the coordinates is not as strong as that of the integration dimension. However, the variables 'Market Regulation', 'Economic Planning', 'EU/EC Structural Funds', 'Common Agricultural Policy' and 'Environmental Protection' all seem to corroborate the literatures' prevailing hypothesis that it is predominantly the direct or indirect redistribution of goods that divides member states. Regarding the definition of redistribution, one may conceive of regulation of the market through economic planning or environmental protection as an indirect means of redistribution in the EU. Since member states exhibit significant socio-economic differences, regulatory measures can directly impact upon a countries' competitiveness, result-

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[36]The number of meaningful dimensional interpretations is low since only a few vectors are powerful enough to establish a relationship with the positions of actors on a dimension. This is an inherent feature of MDS analysis. From a political science perspective these results make sense since governments would always try to reduce dimensionality of conflict.

[37]The variable 'Strong European Governance' is derived from the EMP category 'political authority.' For the EU level, the coding book describes this category as 'Favourable mentions of strong government in Europe, the EC/EU (f.i. the Commission), including government stability [...]' (Braun et al. 2004). This is the reason why this category was re-labelled in this study.

ing in a reallocation of wealth with different means. This may explain why less-developed member states demand comparatively more regulatory measures (Thomson 2009).

These two conflict dimensions are in line with the findings of Carrubba (1997), who alleges that the redistributive dimension in essence constitutes side-payments of the rich to the less developed member states in exchange for support for more pro-integration policies. This points towards the corroboration of the study's assumption that the two conflict dimensions in the Council define a two-dimensional plane which provides scope for bargaining situations impossible in either of the two-dimensions alone (see Sect. 4.3.) It seems that a second dimension is indeed necessary to moderate between the specific preferences towards the course of EU integration across the (groups of) member states.[38]

Overall, there is no convincing evidence to assume a left-right cleavage in the Council. For two years only, ideological interpretations were statistically significant; 'Labour Groups: Negative' in 2001 and 'Social Justice' in 2004. Yet these findings are insufficient to suspect a manifest left-right cleavage. This conclusion is in line with the theoretical discussion in Sect. 4.2. Mobilisation of support, it seems, may best be explained by socio-economic factors in Council collective decision-making.

The integration and redistribution dimensions are in most cases in nearly perfect orthogonal alignment (compare also Figs. 4.2, 4.3 and 4.4). Theoretically this makes sense. The more dimensions become parallel, the more the policy space is gradually reduced to a single line as opposed to a Cartesian plane. As discussed earlier, this would reduce the scope for cooperation in the Council and limit the number of possible coalitions considerably; a finding not supported by our empirical understanding of the Council where coalitions shift actively (Hayes-Renshaw and Wallace 2006).

4.4.1 The Spatial Dimension of Conflict

Many Council studies emphasise spatial proximity of socio-economical similar countries. In the EU-15, one speculates that this had led to a North-Centre-South divide.[39] As a result of Eastern enlargement, scholars largely believe that the North-South divide prevails, but is being supplemented by an additional Eastern cluster (see Mattila 2009).

Figure 4.2 shows the positions of EU-15 governments in a two-dimensional space in 2000. Three groups of governments become visible. In the upper-left corner there are Spain, Greece, Italy and Ireland. These countries are advocates of an extension of the EU structural funds. In the centre of the configuration are countries often

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[38]Whether this is in congruence with Hosli (1996, p. 260), who argues that net contributors aim to keep the expenses for subsidies at the lowest possible level, should be subject to future research.

[39]Ireland is often counted as a non-geographic member of the southern countries.
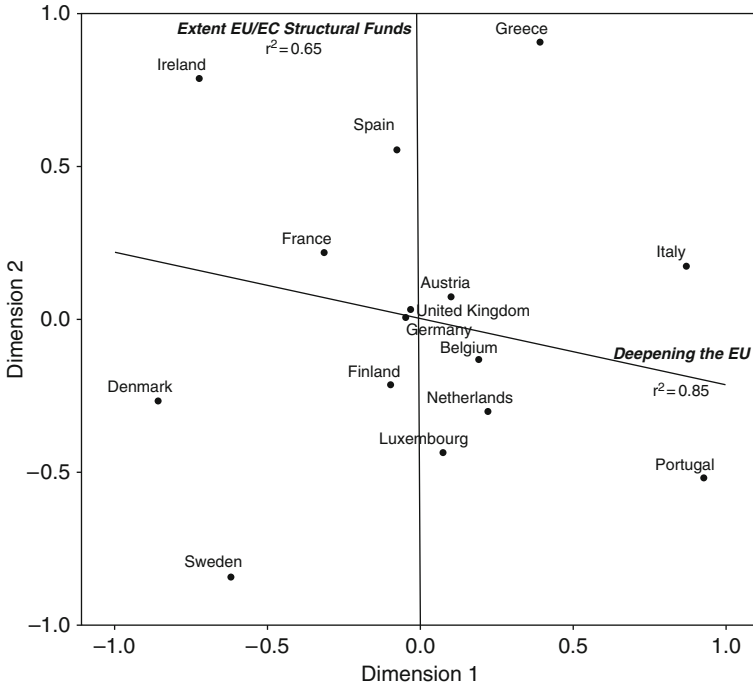
Fig. 4.2 Two-dimensional MDS solution for EU-15 governments (2000)
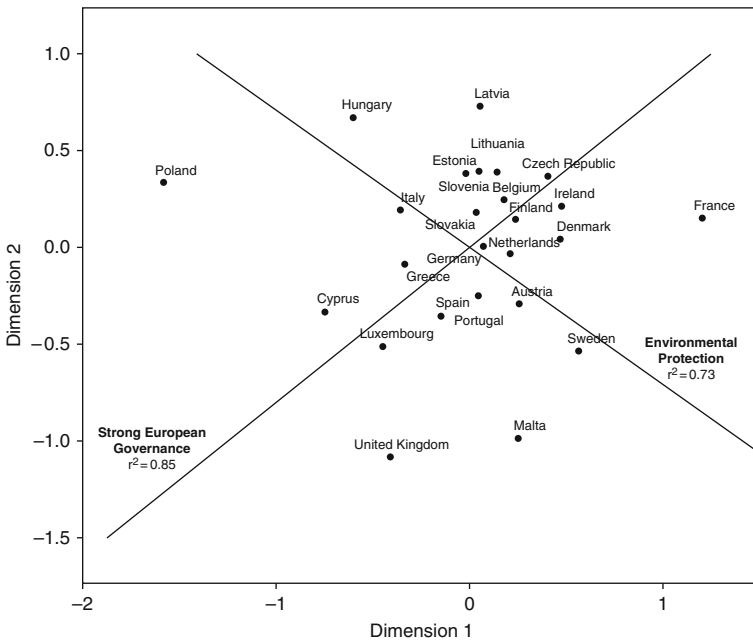
Fig. 4.3 Two-dimensional MDS solution for EU-25 governments (2005)
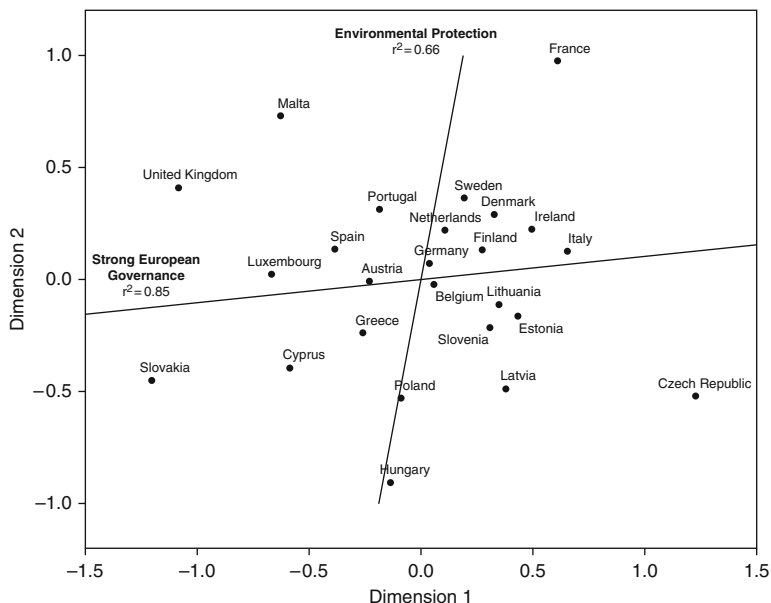
Fig. 4.4 Two-dimensional MDS solution for EU-25 governments (2007)

associated with 'core-Europe.' In the lower-left corner one finds the Euro-sceptic Northern countries Denmark and Sweden. To a certain degree, Finland can also be associated with this group. This plot does of course not provide a perfect geographic representation of the EU. Portugal and France appear to diverge from the group of states they are usually associated with. Nevertheless, this spatial representation does rather confirm than reject the hypothesis that there has been a geographic divide in the EU-15 Council. This North-South pattern remains visible throughout all MDS solutions from 1998 to 2003, that yet cannot be reported here for obvious reasons. Another important finding is the pivotal position of Germany and the United Kingdom.[40] It appears that they function as facilitators between the 'North' and the 'South.' A similar conclusion has been reached by Naurin and Lindahl (2008), analysing EU countries' networking capabilities in the Council.[41]

Figures 4.3 and 4.4 illustrate the positions of the EU-25 in 2005 and 2007. Considering the 'old' EU governments first, in general one cannot infer a clear geographical pattern in the configurations that reflect the North-South divide which

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[40]Germany and the United Kingdom's position in the centre of the MDS solution is not the result of a high stress value. On the contrary, while the mean stress is at 0.0189, the UK has a stress of 0.0060 and Germany 0.0033. This low stress value suggests that their pivotal positions are therefore genuine.

[41]Similar conclusions have also been reached by studies based on elite questionnaires (e.g. Beyers and Dierickx 1998; Elgström et al. 2001).

previously existed in the EU-15. A geographical divide only emerges if the full EU-25 are taken into account. In 2005, the former Central and Eastern European countries (CEECs) – save Poland – are located in the upper quarter of the political space. Their shared hesitance to agree with stronger European governance and to harmonise environmental policies is reflected in this plot. However, the spatial divide between governments is less clear cut than prior to Eastern enlargement. This picture changes over time. For the MDS configuration in 2007, there is a slightly more pronounced East-West cleavage between governments, with all CEECs located in the lower half of the plot.[42] Again, although far from being perfect, this does hint towards the assumption that the EU Eastern enlargement resulted in a shift from a North-South to an East-West divide. In this respect, one may speculate that the CEECs could have emancipated themselves over time from the old member states. At the very least, the tentative results illustrate that fuzzy geographical borders seem to have been replaced with a clearer division between East and West.

If one assumes that this clearer division has been the result of increased political contestation, then Mattila (2009) may provide some evidence to support this. He finds that the share of acts decided by consensus in the first 12 months after enlargement was 94%, while it dropped to 87% by 2005. Similarly, Hagemann (2008) shows that the number of times a decision was contested through a formal statement in the official Council documentation rose by 50% from 2004 to 2006. It will be an interesting question for future roll-call studies whether this pattern of increasing contestation has persisted in the EU-25 after 2006.

With regard to an increase of contestation in the Council, the study's policy-domain data do indeed suggest that the first years of enlargement not only lead to a diversification, but also to an intensification of political conflict. Figures 4.5, 4.6 and 4.7 provide an illustration of the development of conflict, measured as the Council's policy range over time.[43]

Political conflict in Fig. 4.5 has been operationalised as the range between the two extreme positions per policy domain. Given a uni-dimensional policy scale, the conflict intensity C on policy field x in year y is computed as conflict intensity $C_{xy} = \max_{xy} - \min|_{xy}$. As the data comprise ten policy domains, the boxplots are constructed from these ten maximum ranges. To get a robust estimate of range,

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[42]The UK's position is not highly accurate. Although Labour after enlargement placed three times more emphasis on Deepening the Union (108) and Strong European Governance (305), its place in the MDS plot might not capture well the empirical behaviour of the UK government. The stress-value for the UK is 0.067. This means that the position is, however, statistically genuine and not caused by noise.

[43]The boxplots show six statistics: minimum, first quartile, median, third quartile, maximum and outliers. The median divides the sample. The box of each plot is a rectangle enclosing the middle half of the sample, with an end at the first and third quartile. The length of the box is thus the interquartile range of the sample. The first quartile has 25% of the sample values below it and 75% above. The reverse holds for the third quartile. The range is a measure of the spread or kurtosis of the sample. It measures variability or dispersion. The whiskers extent from the two ends of the box until they reach the sample maximum and minimum. Every point beyond is considered an outlier and characterised with a circle or a star.
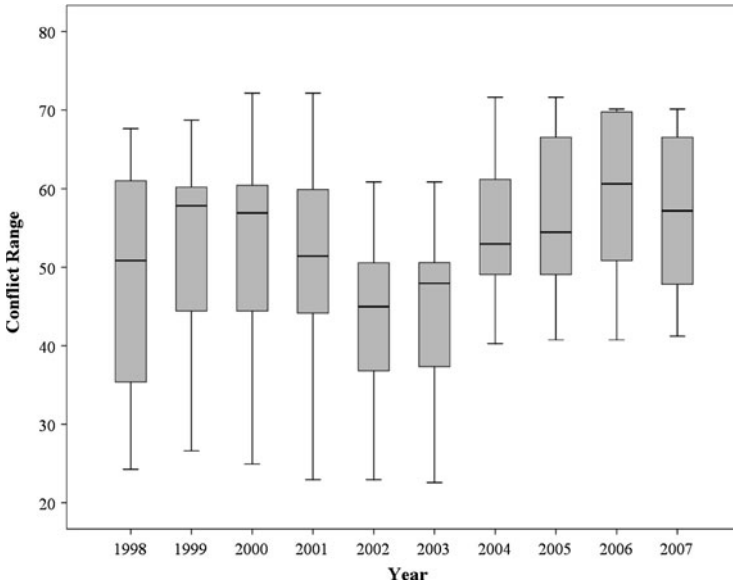
Fig. 4.5   Political conflict in the Council: Maximum policy range (1998–2007)
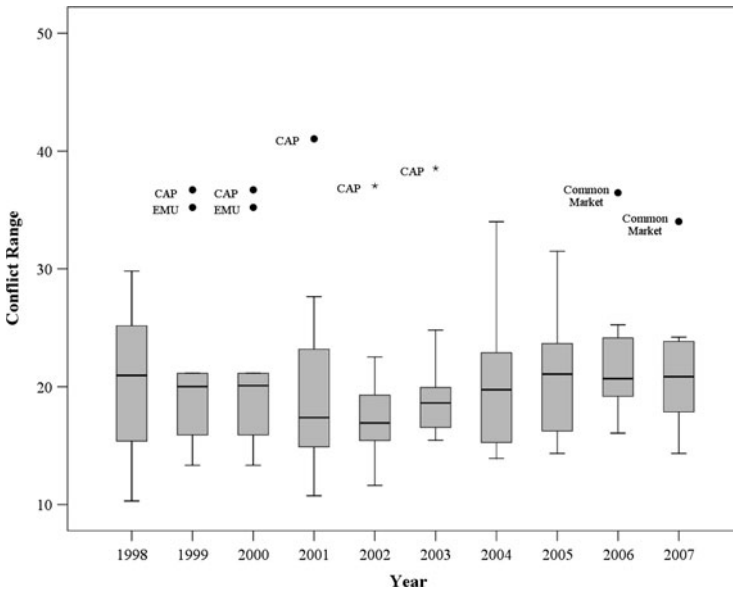
Fig. 4.6   Political conflict in the Council: Interquartile policy range (1998–2007)
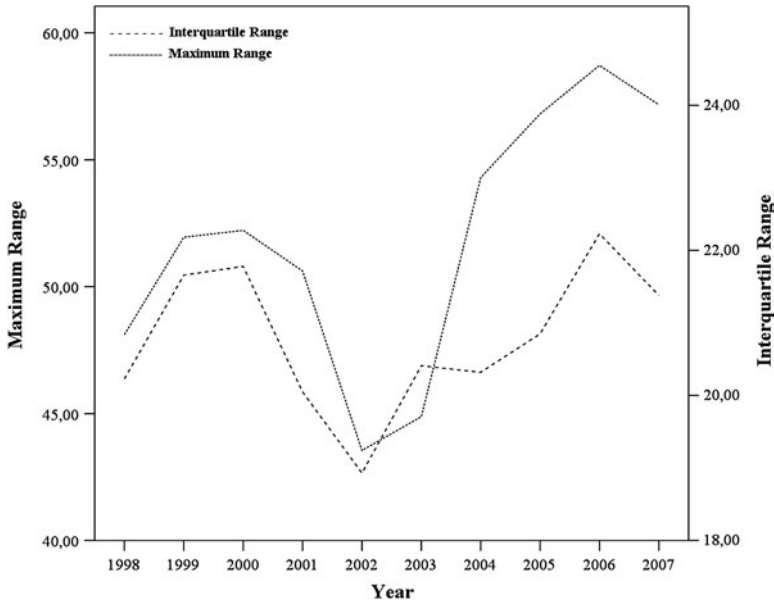
Fig. 4.7 Policy range in the Council: Interquartile and maximum range (1998–2007)

conflict in Fig. 4.6 was measured using the interquartile range per policy field. Apart from its robustness, this measure of conflict range provides an intuition to what extent the positions around the median developed over time. All graphs indicate that enlargement had an impact on political conflict. Although the maximum range did not experience an increase, the minimum range did. This is particularly visible in Fig. 4.5, where the minimum range increased from roughly 20 before enlargement to 40 after enlargement. Yet, there is no clear trend of increasing conflict from 2006 onwards.

This excursus notwithstanding, the finding of a spatial manifestation of growing East-West conflict is particularly interesting since other studies find that enlargement resulted in only a weak geographical North-South-East divide (e.g. Hagemann 2008; Mattila 2009). Only Thomson (2009, pp. 766–767) states that there is a clear positional cleavage between old and new member states. Based on these competing insights, future research is needed to clarify the extent to which there exists a cleavage between Council members at the political space in the post-enlargement period, and what precisely informs this divide.

To conclude, considering both the findings from the statistical analysis and the visual inspection of the MDS configurations, it appears that the Council's political space, with the integrationist and 'policy' dimension, facilitates side-payments of the rich to the less developed members, in exchange for support for more pro-integrationist policies. The location of the actors both before and after enlargement, is certainly suggestive for the presence of such a relationship.

4.5 Conclusion

This chapter presented an analysis of the Council's political space. The findings are significant in four ways. First, they corroborate the assumption that a geographic rather than ideological divide structures conflict in the Council. Second, this is yet another study stressing that the much-feared Eastern enlargement did not significantly alter political conflict in this institution. Indeed, while there has been a shift from a North-South to an East-West divide, the dimensionality and character of conflict has remained relatively stable. Third, the chapter shows that the Council's political space comprises two conflict dimensions. Fourth, and perhaps most importantly, the substantive interpretation suggests that these dimensions can best be described by an integration and a 'policy' dimension. Whereas the latter is found in most major studies on the Council, the significance of the former has been underestimated so far.

Earlier it was stressed that understanding the political space's architecture is required to correctly specify Council decision-making. Based on the analysis, a model of the political space can be proposed that assumes that decision-making is a struggle between groups of actors aligned according to two conflict dimensions. These enable log-rolling between these groups, constituting trade-offs between integrationist and redistributive preferences. While earlier studies formulated and found similar mechanisms (e.g. Carruba 1997; Hosli 1996), the remainder of this study will explicitly test whether the behaviour of governments in the Council is in accordance with this model.[44]

In doing so, the focus will firstly be on the determinants and structure of actor alignments. Arguably, the alignments identified in this chapter's analysis require further investigation. Although one may suspect that the level of aggregation did reduce noise and therefore yielded some clear pattern of spatial distribution, it is nevertheless striking that the pattern discovered so closely resembles a geographical divide between the EU countries. It is even more striking since the majority of studies focussing on actor alignments and coalitions in the Council identify this pattern, too.

From this, two important questions emerge. First, to what extent does the geographical pattern still prevail if one reduces the level of aggregation, i.e. if one focusses on a policy domain – or even policy issue – level of analysis? Second, there must be an arguably more sound explanation for the geographical divide then simply the countries' position on the globe. Some scholars speculate that it is the shared culture that shapes these regions, while others suspect that geographical patterns coincide with socio-economic clusters.

Consequently, the next chapter focusses on coalition behaviour in the Council of Ministers. Reducing the level of aggregation, the chapter asks to what extent alignments between governments are stable at the policy domain level. Moreover,

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[44]Another possible avenue of research here is to assess whether the model captures log-rolling among legislative proposals included in the DEU dataset.

it investigates the extent to which coalitions at this level are informed by latent dimensions such as geography or partisanship. Finally, it analyses to what extent the patterns fit the model proposed in this chapter. These questions are particularly salient as qualitative accounts of Council decision making argue that there are no consistent patterns at all in actor alignments. Dinan (1999, p. 253) formulates this succinctly, arguing that 'such is the nature of Community Affairs, however, that coalitions change dramatically according to the item under discussion.' A deeper investigation into the stability and determinants of actor alignments in the Council is therefore very important and much needed.

Appendix
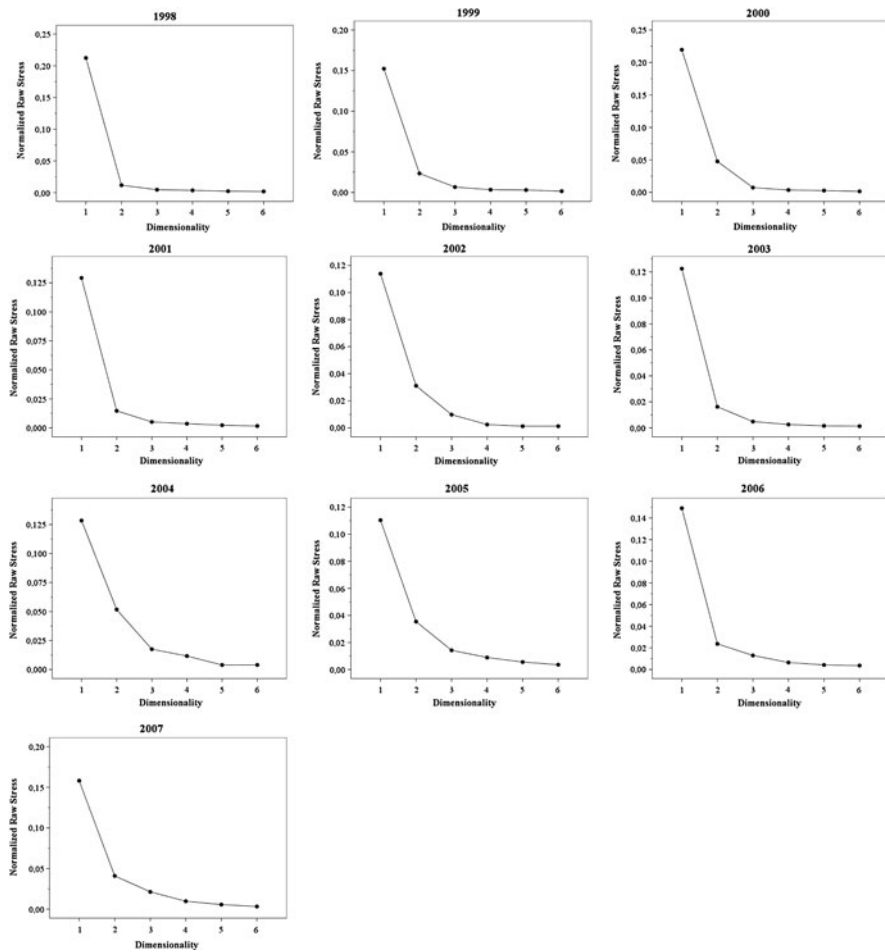
Fig. 4.8 Screeplots for MDS configurations 1998–2007
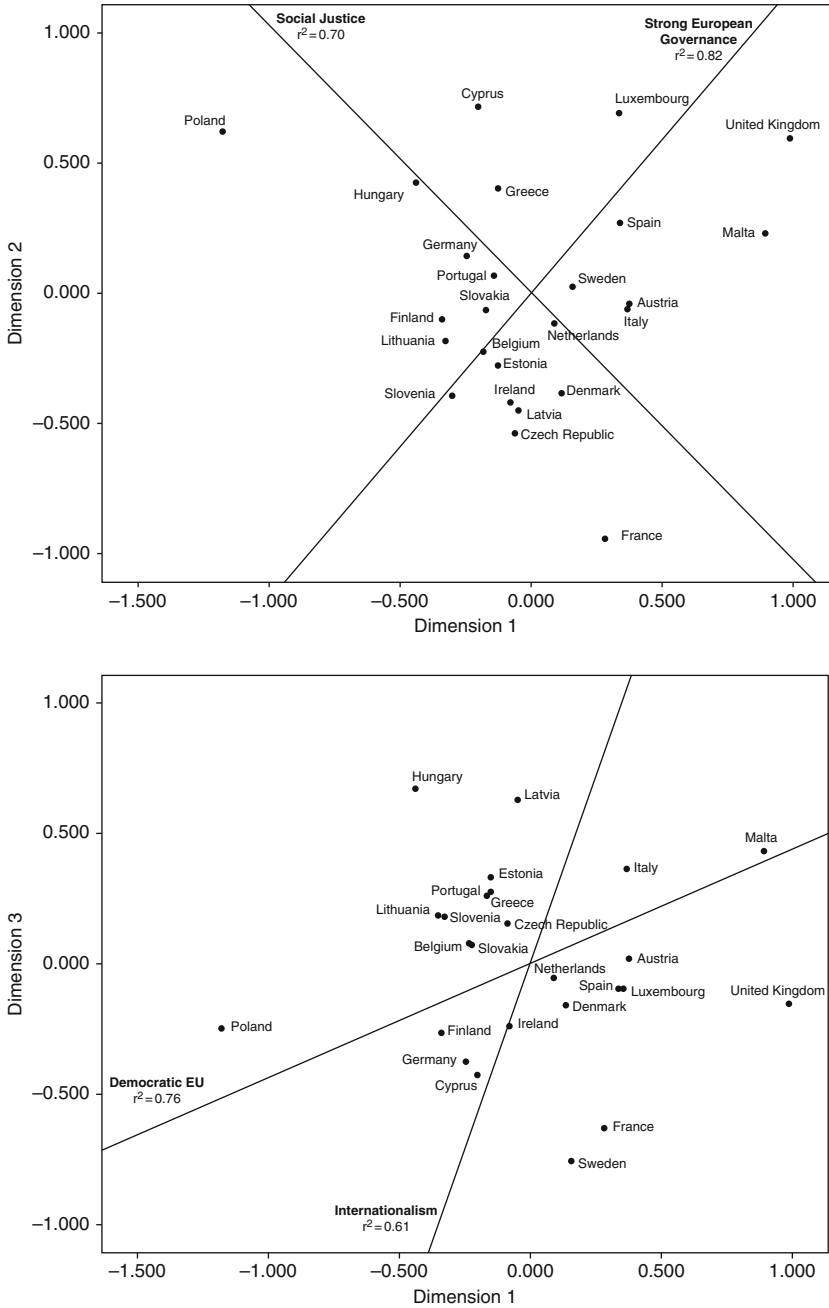
Fig. 4.9 Three-dimensional MDS configuration for the EU-25 governments (2004)

Chapter 5
Coalitions in the Council: On Stability and Determinants

5.1 The Wondrous Study of Coalitions in the Council

There are phenomena that cannot be measured directly. For instance, the temperature of stars can only be determined by the strength of different absorption lines in the stars' spectrum. This relationship between temperature and spectral characteristics is known as Wien's law. Another example is coalition behaviour of governments in the Council of the European Union. The secretive nature of deliberations complicates measurement to an extent that scholars have concluded that the 'role of coalition building in EU decision-making is obscure and the evidence of coalition patterns mostly anecdotal' (Elgström et al. 2001, p. 112). To illuminate this opaque process, proxies such as the proximity of actor positions, communication networks and voting patterns, have been proposed in previous research.

This burgeoning literature has produced intriguing controversies. A major controversy concerns the stability of alignments. While some allege that the 'most important finding is the lack of structure in the positions governments take in Council decision-making' (Thomson et al. 2004, p. 257), others argue that 'there might be more structure to the interactions than the ideal picture foresaw' (Naurin and Lindahl 2008, p. 64). This ideal picture relates to the Council as a collective decision-maker, where governments build ad hoc coalitions varying across issues and time. The competing perspective conceives of deliberations as being structured by single or multiple cleavages, which would make some coalitions more, and others less probable.

Yet it is not only the stability of alignments that leaves scholars in disagreement. Another bone of contention relates to the determinants of coalition behaviour. Recently, a number of scholars have argued that this is informed primarily by the partisan positions of governments (e.g. Hagemann and Høyland 2008; Mattila 2004). The majority of studies, however, invokes geographical proximity as the main determinant. In the EU-15, for instance, the Northern countries were assumed to cooperate more often with their direct neighbours than with the Southern members and vice versa. Explanations for this phenomenon range from cultural affinity

(Elgström et al. 2001) over economic cleavages (Zimmer et al. 2005) to shared traditions in regard of the state's role in solving societal problems (Thomson et al. 2004).

Although the evidence for coalition behaviour can no longer be regarded as merely anecdotal, the extent of controversy among studies leaves the role of coalitions in the Council still obscure. However, in contrast to astronomy, where Wien's law falsified competing probes that inferred temperature from the colour of stars, this chapter conceives of the different approaches and findings in the Council's coalition literature as complementary rather than contradictory. It therefore refutes Winkler's (1998, p. 399) supposition that 'there is surprisingly little clear evidence of coalition formation in the EU.' Most of the evidence is present; it may need to be re-ordered, however, before it is clearly interpretable.

To this end, a conceptual framework of coalition formation is proposed. This framework distinguishes between coalitions at the bargaining- and voting stages of Council decision-making. Although related, both stages exhibit distinct patterns of coalition behaviour. Also their implications for Council politics are different. Whereas the bargaining stage determines the eventual policy output, it is argued that the voting stage is a public arena where governments can exhibit dissent for strategic reasons. These include for instance gaining credibility before defending Council decisions in national parliaments.

To comprehend stability and determinants of coalitions, this chapter differentiates between three levels at the bargaining stage: the level of the political space, the policy domain and the policy issue. At the level of the political space, actor alignments are relatively stable (cf. Chap. 4), since member states form loose groups of socio-economic clusters. At the intermediate policy domain level, coalition patterns are hypothesised to vary across domains, but to be stable within domains (see Sect. 5.2.3). At the issue level, coalitions are expected to be volatile and generally different from issue to issue, with no systematic determinants detectable.

The literature so far focussed predominantly on the first and third level of analysis. There is little systematic account for the domain level, particularly for patterns of stability. This is where the chapter's empirical part takes stock. In doing so, it uses the proximity between actors in terms of their policy positions to make inferences about their coalition behaviour. First, it examines the stability of actor alignments.[1] The chapter then continues to investigate the determinants of these alignments for each policy domain. Particular emphasis is placed on assessing the impact of Eastern enlargement.

Section 5.2 develops the argument that most findings from prior studies can be developed into a consistent picture of actor alignments in the Council. This leads to the development of a tentative conceptual framework of coalition behaviour in the Council. Assuming that governments are rational actors, constrained by formal and informal institutional rules and the dimensionality of the Council's political space,

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[1]As inferences are made from the relative positions of actors on a given policy scale, the term 'actor alignment' instead of 'coalition formation' is used in the analysis (cf. Thomson et al. 2004).

coalition behaviour across these levels is informed by the repetitive and nested game nature of Council decision-making. The empirical part in Sect. 5.3 then deals with the stability of actor alignments, before turning to the analysis of their determinants.

The analyses corroborate that actor alignments at the domain level are stable within but unstable across policy domains. The Eastern enlargement in 2004 increased stability within domains, but led to a decrease in stability across them. Neither before nor after enlargement could permanent latent structures be detected in the alignment of governments. This indicates that alignments at the domain level may be interest-based rather than determined by stable latent structures such as geography or ideology.

5.2   Coalitions in the Council: A Conceptual Framework

In the early 1970s, Charles O. Jones (1974) called for research that he labelled 'doing before knowing.' The basic argument of 'doing before knowing' is that Political Science should try to escape the 'paradox of conceptualization.' This paradox, originally formulated by Kaplan (1964, p. 53), holds that science needs good theory to derive at proper concepts. Yet, without proper concepts, there can be no theory. Resolving the paradox requires a gradual *process of approximation*: the better our concepts, the better the theory one can formulate with them, and in turn, the better the concepts available for the next, improved theory (Kaplan 1964, p. 216). As Political Science is a rather pubescent science that has no 'good theory', nor 'a disciplinary matrix' or ' paradigm,' concept development in the profession permits a 'great deal of improvising, exploration and justification' (Jones 1974, p. 217). A guideline for the process of approximation is 'doing before knowing.' In essence, it is an exercise in concept development and modification; needed as scholars go along trying to resolve the paradox – 'or [having not] even approached it as yet' (ibid, my insertion).

'Doing before knowing' requires the development of a set of interrelated concepts. These are less than a theory, but more than the sum of the concepts alone. They serve as a guide for our data collection efforts. But it also provides guidance and informs choices in the stage of analysis. These interrelated concepts can be used for three types of classification. The first is the *classification for general understanding*. It denotes ordering a universe of discourse with a set of concepts. In doing so, it states the author's understanding of that particular subject matter, and enables discussion with others. The second is the *classification for research expectations*. These are usually derived from the former, or are even identical, and represent a conversion of the general to the subject specific. Unsurprisingly, the third is the *classification of empirical findings*. It serves to interpret, modify and reject scholars' empirical findings.

In what follows, this study develops a conceptual framework, a set of interrelated concepts, conducting all three types of classifications with regard to Council coalition formation. This includes a synthesis of prior studies analysing actor

alignments in the Council, linking and ordering the existing literature's insights and formulating empirical expectations. The framework shall inform and facilitate future debates about coalitions in the Council, curtailing some of the controversy and paving the way for discussions and research more solidly grounded in theory.

The very first systematic attempts to study coalitions in the Council derived their predictions from governments' relative voting power in the Council (e.g. Brams and Affuso 1985; Herne and Nurmi 1993; Hosli 1996, 1999; Johnston 1995; Raunio and Wiberg 1998; Widgrén 1994). Based on the voting power indices introduced in Chap. 3, Sect. 3.3, this literature assumes that governments with more votes are more likely to be on the winning side than those with fewer. However, despite having contributed invaluably to the study of Council decision-making at a theoretical level, in regard to coalition formation this literature's neglect of the empirical political processes in the Council makes it unsuited for valid inferences.

For instance, voting power indices neglect positions and preferences of governments. It is doubtful whether actors would engage into a coalition when their positions are conflicting, however. This idea is formulated in Axelrod's concept of 'connected minimum winning coalition' which assumes that the proximity of actor positions is a precondition for coalition formation (Axelrod 1970). With regard to EU politics, Hix (2005, p. 87) formulates a similar argument, arguing that coalitions in the Council 'are likely to form between governments with similar policy goals.'

Granted, log-rolling can result in situations where there is no proximity of positions and yet a coalition is formed. However, even such situations are guided by a political rationale, manifested in a 'swap' of positions on particular issues. The voting-power approach is completely oblivious to any such motivation, however.

Moreover, voting power studies overlook that Council decision-making does not follow stubbornly the voting rules as laid out in the treaties. In Chap. 2 it was shown that there is a culture of rapprochement and consensus, not only when it comes to voting at the level of ministers. These informal rules therefore undermine the relevance and applicability of formal voting power to study coalitions in the Council. Likewise, as will be discussed in more detail in the following chapter, the zero-sum conceptualisation of this literature does not resemble the Council's decision-making practise. Assuming that 'players form winning coalitions [...] [that] are assigned the total value of the game [...] while the losing coalitions get nothing' (Lane and Mæland 2000, p. 35), is a far cry from the political games played in the Council, where positive-sum games prevail (see Chap. 6).

While acknowledging this literature's contribution to Council studies, one may argue that the level of abstraction forestalls valid inferences about coalition formation. Therefore, voting power studies are left aside in the conceptual framework.

In many studies, scholars have made no explicit differentiation between the bargaining and voting stage in their discussions and analyses of Council coalition behaviour. Coalition patterns inferred from both stages are treated as if they were

conditioned by the same processes and determinants.[2] This may mislead inferences, however, as the voting stage is not necessarily the continuation of the bargaining stage with different means. When it comes to the formation of coalitions, there is no clear evidence that coalitions formed at the bargaining stage will generally be continued at the voting stage. Neither must the determinants of coalitions be necessarily the same (compare Sects. 5.2.1, 5.2.2). To understand this argument, the differences between the two stages are examined in the following paragraphs.

The bargaining stage is where the actual decision-making takes place. Representatives of the member states bargain over the legislative proposals submitted by the European Commission. It is important to acknowledge that the bargaining stage does usually pre-determine the final policy output. Governments agree about a law before it is passed onto the ministers' agenda for discussion and adoption.

When it comes to voting at the ministerial level, chance of adoption are high. In this respect, voting in the Council is different to most other legislative institutions: whereas in the latter cases the voting stage is an integral part of the process, in the Council it appears predominantly a formality. Most contentious pieces of legislation, on which the governments were unable to reach an agreement, are either deferred or returned to the European Commission at earlier stages of Council decision-making. Put differently, only very few pieces of legislation that would entail the possibility of a blocking minority are submitted to the ministers.

One may thus debate to what extent coalitions remain stable across these two stages. Indeed, in some cases coalitions may be linked. One or several 'losers' use the voting stage as a forum to publicly announce their unease with the decisions reached at the bargaining stage. According to Heisenberg (2005, p. 73), votes 'should be viewed as signalling devices to the other Member States to alert them to the strongly held alternative preferences.'

However, this must not always be the case. It is conceivable that even upright proponents of a joint decision show explicit dissent at the voting stage. This argument contradicts previous interpretations, as scholars usually conceive of dissent as sincere and governments as honest towards their constituencies. However, the voting stage can be utilised as a 'show'-stage by governments. It is the only arena of Council decision-making where the veil of secrecy is lifted to an extent that at least votes are made public. The relative insignificance for the actual outcome and its 'transparent' character therefore makes it ideally suited for cheap political posturing.[3]

To safeguard political interests both at the domestic and European Union level, governments may feel the need to deceive their constituencies. For instance, when

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[2]Methodologically, whereas coalitions at the bargaining stage are usually derived from analysing the preference configuration of actors or communication patterns, coalitions at the voting stage are mostly inferred from actual voting data.

[3]However, one should expect to see some variation in the kind of governments that resort to cheap posturing. Otherwise the integrity of the Council as a joint-decision maker may be damaged permanently.

the domestic legislature threatens to scrutinise the decision reached, a 'no' at the voting stage may seriously enhance the credibility of the government, making it easier to defend in parliament. This resounds in descriptions by Hayes-Renshaw et al. (2006, p. 177), who maintain that 'one important feature of recorded dissent seems rather to be linked to domestic political cultures and perhaps specifically to the need to defend positions in national parliaments.'

Other contexts in which such posturing may be attractive are upcoming domestic elections. Bismarck's cynical observation that 'people never lie so much as after a hunt, during a war or before an election,' has not lost any of its validity (e.g. Callander and Wilkie 2007; Hall Jamieson 1993). In the EU, one would expect particularly right-wing governments to show explicit dissent with Council decisions during the election campaign (see Aspinwall 2002; Hix and Lord 1997).[4] Such patterns are even evident in the Council (e.g. Hagemann 2008; Hagemann and Høyland 2008; Mattila 2004). Whether deceiving the public would do the democratic scoring of the EU any good, should be discussed somewhere else. But to put it with the misanthropist Noam Chomsky: 'there is good reason why the propaganda system works that way. It recognizes that the public will not support the actual policies. Therefore it is important to prevent any knowledge or understanding of them.'

Based on this discussion, this study argues that differentiating analytically between coalition patterns at both stages helps to comprehend the dynamics of decision-making and dissent.[5] Doing otherwise could lead to misconceptualisation and biased inferences. A comparison that acknowledges their contextual circumstances in turn might deepen our understanding of coalition behaviour. The following subsections now discuss studies of the voting and the bargaining stage. To illustrate the richness of this predominantly quantitative literature, Table 5.1 presents the most important studies and their methods and findings.

5.2.1   Coalitions at the Voting Stage

At the voting stage, the Council is a consensus machine. Around 80% of the proposals are passed unanimously (Mattila 2004, 2009). In nearly 50% of the

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[4]Since neither the general electorate nor the elites hold integrationist preferences that are ordered from the left to the right (Katz and Weßels 1999; van der Eijk and Franklin 2007), it is questionable to what extent these actions yield an increase in support for the governments.

[5]Another argument to differentiate between the two stages is that active participation in the bargaining stage is useful for all actors in order to guarantee that a decision will be as close as possible to the desired position. But only after that decision has been arrived at can any individual government decide whether or not it is too far from its own position to support it. And even if one anticipates that the eventual decision will be one that one does not like, then still there is value in preventing it being even less desirable than it has to be. Unless, of course, governments were to be motivated by expectations that performing badly in the Council will eventually be in their advantage, but such thinking is usually not compatible with a governmental position.

Table 5.1 Quantitative research on actor alignments in the EU Council of Ministers

Study	Data source	Period	Level	Determinants of alignment		Stability	Method	Scope
				Pre-enlargement	Post-enlargement			
Aspinwall (2007)	Roll-Calls	1994–1999	Aggregate	Ideology	N/A	+	Regression	Voting Stage, DV: 'YES' at Voting Stage
Beyers & Dierckx (1998)	Questionnaire	1993	Aggregate	Geography, Size	N/A	+	Principal Component Analysis	Bargaining Stage, DV: Communication Networks
Elgström et al. (2001)	Questionnaire	1998	Aggregate	Geography	N/A	+/−	Univariate Analysis	Bargaining Stage, DV: Communication Networks
Hagemann (2008)	Roll-Calls	1999–2006	Aggregate	Ideology	No clear pattern	+	Optimal Classification Scaling	Voting Stage, DV: Dissent
Hagemann & Høyland (2008)	Roll-Calls	1999–2007	Aggregate	Ideology	Ideology	+	Roll-Call Model	Voting Stage, DV: Dissent
Hayes-Renshaw et al. (2006)	Roll-Calls	1994–2004	Aggregate, Domain Level	Policy specific	N/A	+/−	Cluster Analysis	Voting Stage, DV: Dissent
Heisenberg (2005)	Roll-Calls	1994–2002	Aggregate	Size	N/A	+	Univariate Analysis	Voting Stage, DV: Dissent
Kaeding & Selck (2005)	DEU	1999–2000	Aggregate	Geography	N/A	+	Principal Component Analysis	Contested legislation, Bargaining Stage, DV: Policy Positions

(continued)

Table 5.1 (continued)

Study	Data source	Period	Level	Determinants of alignment		Stability	Method	Scope
				Pre-enlargement	Post-enlargement			
König and Pöter (2001)	Council Documentation	1989–1991	Issue Level	Issue specific	N/A	–	Multidimensional Scaling	Bargaining Stage, DV: Parliamentary Influence
Mattila (2004)	Roll-Calls	1995–2000	Aggregate	Size, Ideology	N/A	+	Poison Regression	Voting Stage, DV: Dissent
Mattila (2009)	Roll-Calls	2004–2006	Aggregate	N/A	Geography	+	Roll-Call Model, Regression	Voting Stage, DV: Dissent
Mattila and Lane (2001)	Roll-Calls	1994–1998	Aggregate	Redistribution	N/A	+	Multidimensional Scaling	Voting Stage, DV: Dissent
Naurin & Lindahl (2008)	Interviews	2003,2006	Aggregate	Geography	Geography	+	Multidimensional Scaling, Regression	Bargaining Stage, DV: Cooperation Networks
Thomson (2009)	DEU	1999–2000, 2004–2005	Aggregate, Issue Level	Geography, Issue specific	Geography, Issue specific	–	Multidimensional Scaling, Univariate Analysis	Contested legislation, Bargaining Stage DV: Policy Positions
Thomson et al. (2004)	DEU	1999–2000	Aggregate, Issue Level	Geography, Integration r Issue specific	N/A	–	Multidimensional Scaling, Univariate Analysis	Contested legislation, Bargaining Stage, DV: Policy Positions
Zimmer et al. (2005)	DEU	1999–2000	Aggregate, Domain Level	Geography, Redistribution	N/A	+	Correspondence Analysis	Contested legislation, Bargaining Stage, DV: Policy Positions

Note: Mattila (2008) has been excluded as it shows significant overlaps with Mattila (2009). The only distinguishing feature is that the former uses an inferior technique to analyse (the same) lopsided data (Multidimensional Scaling); DV = dependent variable

remaining cases, it is usually a single country that shows explicit dissent (Hayes-Renshaw et al. 2006, p. 175). Intriguingly, this holds also for legislation that does not require unanimity but that can be adopted with qualified majority. Overt acts of dissent at the voting stage are thus very rare, particularly the opposition by multiple countries.

Coalition behaviour at the voting stage is inferred from recorded votes taken in the Council. The literature has produced three major explanations concepts for voting against a policy proposal: geography, population size and ideology.

Mattila and Lane (2001) use multidimensional scaling to identify patterns in coalition behaviour in the voting stage. They argue that there has been a North-South divide in the EU-15. However, not satisfied with a purely geographic explanation, the authors suggest that this pattern can be best explained through budgetary transfers and the extent to which economies are regulated. The financial transfers argument is supported by Mattila (2004). In a similar fashion, Hayes-Renshaw et al. (2006) show that Northern countries (Finland, Sweden, Denmark, the Netherlands) exhibit more often explicit dissent. Another peculiar finding is that the Northern countries not only vote more often against the majority, but they also tend to vote together. According to Mattila (2008), this pattern has not changed significantly with Eastern enlargement. In the EU-25, the Northern countries still are most often in opposition to the majority, especially Sweden and Denmark. Contrary to the general expectation that Eastern enlargement would entail a shift from North-South to East-West patterns in coalition behaviour, Mattila (2008) even identifies a North-South divide from 2004 onwards. Hagemann (2008, p. 55), however, claims that the 'Big Bang' has 'brought about considerable changes in the Council in terms of both the voting behaviour and coalition formation of old and new member states.' She argues that coalition formation after enlargement shows a weak geographical North-South-East divide. This agrees with a recent roll-call study by Mattila (2009), who maintains that the pre-2004 North-South divide has been replaced with a less pronounced North-South-East pattern.

Apart from geography, the probability of voting against the majority is speculated to depend on country size as well. Large countries are significantly more inclined to vote 'no' than are smaller ones (Mattila 2004; Mattila and Lane 2001). Differentiating between 'no'-votes and abstentions, Heisenberg (2005, pp. 74–76) finds that the propensity to vote against a proposal is moderately correlated with population per vote in the Council (correlation coefficient of 0.68). The propensity to abstain is even strongly correlated with size (correlation coefficient of 0.80). Similarly, Heisenberg rejects other explanatory variables such as wealth, net contributor status or the lengths of EU membership.

Finally, there is the ideological explanation to coalition behaviour at the voting stage. While some suppose that there is 'no evidence of traditional left/right cleavages in the patterns of explicit voting' (Hayes-Renshaw et al. 2006, p. 177), a sizeable number of studies have revealed that left- and right-wing governments vote differently. Mattila (2004, p. 47) argues that leftist governments tend to vote less frequently against the majority than right-wing ones. According to him, this pattern reflects the gradual change in the positions of major European parties towards

EU integration, with leftist parties being more pro-integrationist than liberal or conservative parties. This has also been shown by Aspinwall (2007), who argues that partisanship determines coalition formation in the Council, and that support for EU integration decreases from left to right. Based on the assumption that changes in the ideological composition of governments are reflected in their voting behaviour, Hagemann and Høyland (2008, p. 1216) assert that this 'certainly indicates the dynamic, ideological elements to voting in the Council rather than the static, geographically defined interests often suggested in the literature.'[6]

Informed by the discussion in Chap. 4, one may argue that the role of ideology should not be overestimated, however. Contrary to Aspinwall's (2007, p. 218) supposition that 'party ideologies translate to government positions when considering Council decisions,' a judgement informed by the analysis of roll-call votes, it is conceivable that partisanship plays no systematic role in coalition behaviour at the bargaining stage since the most important prerequisite, the institutionalisation of partisanship, appears to be missing. Rather, one could side with Thomson (2009, p. 759), who argues that

> '[...] the left-right dimension may not be as irrelevant to Council politics as the analysis of information on initial policy positions indicates. These different findings suggest that the left-right dimension is relevant to state representatives' overt behaviour, which is subject to outside scrutiny, but not to their policy positions.'

To conclude, at the voting stage, scholars are interested in coalitions as they can tell us a great deal about when and why governments are willing to break with the implicit rule of consensus. However, the voting stage successfully cushions the real degree of contestation, and therefore does not reflect the process of coalition formation necessary to formulate proposals that are to proceed to the voting stage. Having discussed governments' overt coalition behaviour, the following section therefore reviews studies which analyse coalition formation that is usually beyond public scrutiny: the bargaining stage.

5.2.2   Coalitions at the Bargaining Stage

Bargaining coalitions have been studied mostly by interviewing decision-makers directly involved in the Council's deliberations. This section only focusses on large *N* studies, but case studies are discussed in Sect. 5.2.3.

Beyers and Dierickx (1998), Elgström et al. (2001) and Naurin and Lindahl (2008) analyse communication networks in the Council, focussing on cooperation patterns at the working group level of decision-making. Beyers and Dierickx (1998) interviewed about 200 representatives of the Permanent Representations

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[6]To what extent ideology has played a role in the EU-25 remains relatively unclear, however. Voting studies indicate that in the post-enlargement Council, the ideological element has been subordinated to a weak geographic cluster (Hagemann 2008).

and national civil servants seconded to the Permanent Representations. Their analysis suggests that in the EU-12, the preferred communication partners have been the 'Big Three,' i.e. the United Kingdom, France and Germany. Asked about perceived similarities and differences between other countries, the respondents clearly sketched a North-South divide. Especially the 'southern Europeans offer us the best picture of what a clique, [...], can look like' (Beyers and Dierickx 1998, p. 306). In identifying differences between groups of countries, the North-South distinction appeared the only one to yield positive and indeed 'quite respectable' results (Beyers and Dierickx 1998, p. 312).

Conducting interviews with working group staff before and after Eastern enlargement, Naurin and Lindahl (2008) find that in the pre-enlargement phase there has been a North-South divide in cooperation patterns. Similar to Beyers and Dierickx (1998), they also find evidence for the 'Big Three' to act as facilitators between the peripheral clusters of states. Enlargement only marginally affected cooperation between the EU-15. The Eastern countries appear to collaborate more often with the North than with the South. The central network position of France, Germany and United Kingdom still persists in the EU-25, linking the North, South and East.

Based on a questionnaire to which 275 Swedish participants in EU expert- and working groups responded, Elgström et al. (2001) map out coalition patterns as perceived by Swedish civil servants. Circa 80% agree that coalitions based on a North-South distinction occur 'very often' or 'quite often' in the Council. Thirty percent of respondents moreover argue that attitudes towards European integration inform coalitions, too. Asked about Sweden's preferred cooperation partners, the Nordic neighbours and Great Britain receive the highest scores. Runner-ups are the Netherlands and Germany. For the authors, language, history and geography seem to be major causal factors for this. In contrast to the previous two studies, however, the power-based explanation that emphasises coalitions with the large members is not supported. They also reject the interest based hypothesis that coalitions are formed on an issue-specific, short-term basis.

Other research infers coalition patterns from the proximity of actor positions. These studies draw exclusively on the 'Decision-making in the European Union' dataset (Thomson et al. 2006). A common finding is that there is only very weak evidence for a left-right structure in coalition behaviour at the bargaining stage (Thomson 2009; Zimmer et al. 2005). In only 5 of 174 issues under scrutiny, Thomson et al. (2004) are able to identify an ideological cleavage.[7] Another common finding is a strong geographical pattern in the analysis of actor alignments. In the EU-15, again a North-South divide appears to dominate coalition patterns (Kaeding and Selck 2005; Thomson et al. 2004; Zimmer et al. 2005). In the

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[7]Note the disagreement regarding ideology's role among studies of the voting and bargaining stage. Perhaps Thomson's (2009, p. 759) conclusion that 'left-right dimension is relevant to state representatives' overt behaviour, which is subject to outside scrutiny, but not to their policy positions,' supports this study's case for a differentiation between both stages when interpreting research findings.

period after enlargement, a certain North-South-East divide, corresponding with the network analysis of Naurin and Lindahl (2008), replaces the old divide.

Whereas most analysts agree that the length of EU membership only plays an insignificant role, interpretations of the main determinants for the geographical explanation vary. Thomson et al. (2004) propose that free market versus regulatory solutions are the main determinants of actor alignments. Zimmer et al. (2005) argue that the discrepancy between net-contributors and net-beneficiaries structures coalitions. Alignments thus emerge along groups of countries with divergent positions on subsidies and redistributive policies. This has been corroborated by Thomson (2009, p. 777), who shows that both in the EU-15 and EU-25 there is a strong tendency for the north to support lower levels of subsidies, while the South and East support higher levels.

However, the strength of these patterns should not be overestimated. The tentative conclusion of the proximity based studies is that 'actor alignments in the EU, before and after enlargement, display weak structures' (Thomson 2009, p. 775). This in turn disagrees with other research from both the bargaining and the voting stage. To understand why different studies come up with different conclusions, one needs to understand what games are played in the Council. The three-level framework proposed in the next section seeks to provide some insight.

5.2.3   Stability and Determinants Across Levels of Analysis

In contrast to the quantitative literature, the qualitative accounts of coalitions in the Council reach an unequivocal conclusion: the complex and unstable policy environment makes building persistent coalitions 'unpredictable and time-consuming' (Wright 1996, p. 152). Coalitions moreover are 'unstable as a result of different preferences represented' (Hopmann 1998, p. 251). Focussing predominantly on case studies at the bargaining stage, these scholars maintain that the diversity of government positions makes alliances grounded on an ad hoc rather than permanent basis (Hayes-Renshaw and Wallace 2006; Nugent 2006).

Looking at Table 5.1, quantitative studies find that actor alignments at the *political space* are stable and predominantly exhibit a geographic pattern (e.g. Beyers and Dierickx 1998; Elgström et al. 2001; Zimmer et al. 2005). On the *issue level* alignments appear unstable, and no clear patterns structure actor positions (e.g. König and Pöter 2001; Thomson et al. 2004). Evidence from the *domain level* so far indicates that there are clear patterns within domains, but these are inconsistent across domains (Zimmer et al. 2005).

Yet what seems contradictory in the differences in findings between these levels at first sight, may be quite intelligible when put into context. Although explicitly tentative, and acknowledging that this potentially oversimplifies actual coalition behaviour dynamics since decision-makers may not necessarily order their preferences according to levels, this study puts the existing literature's evidence into a three level framework of coalition behaviour (see Fig. 5.1). The three-level
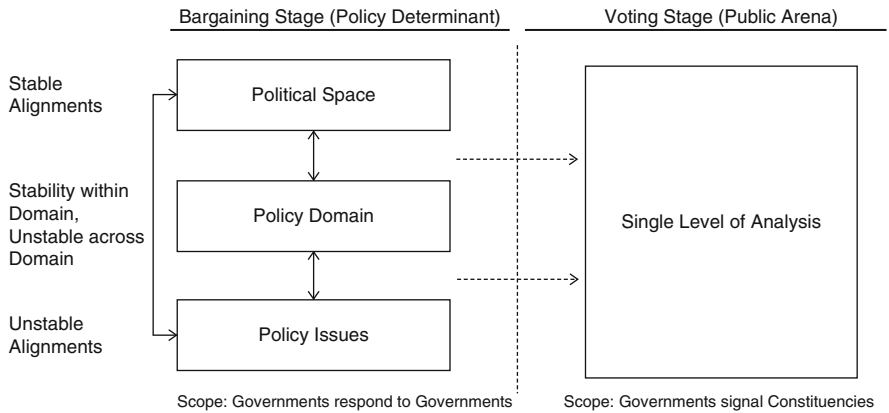
Fig. 5.1 Coalition formation: a conceptual framework

notion is limited to the bargaining stage, however, since coalition behaviour at the voting stage may be predominantly conditioned by factors extraneous to Council decision making, such as governments' reactions to their constituencies or bicameral dynamics with the European Parliament (Hug 2010; Mühlböck 2010), rather than by the interactions between Council members that this study focuses on (cf. Sect. 5.2).

The framework conceives of the three levels as being interrelated. The dynamics of coalition behaviour on one level are influenced by the other levels. When perceiving of Council decision-making as politics between (groups of) governments that show different socio-economic constellations, then fundamental expectations of Council decision-making, i.e. rational actors deliberating under the informal rule of consensus decision-making (e.g. Hayes-Renshaw et al. 2006), can only function if coalition patterns vary across levels of analysis. In other words, coalition behaviour across these levels is informed by the repetitive and nested game nature of Council decision-making, and on each level there are different coalitions that all serve to secure decision-making outcomes in the aggregate that are agreeable to all actors. This interpretation of the function of different alignments at the three levels is supported by the finding that success in achieving desired policy outcomes is relatively balanced amongst Council members (e.g. Arregui and Thomson 2009, see also Chap. 6). The following paragraphs elaborate the expected (inter)dependence of the levels.

The stability of alignments at the *political space* level relates to the two-dimensional Council's political space. The conflict dimensions dividing this space are argued to be an integrationist and redistributive dimension (see Chap. 4). These dimensions facilitate side-payments of the rich to the less developed members, in exchange for support of more pro-integrationist policies (cf. Carrubba 1997). The distinct clusters generally identifiable at this level (e.g. Northern Countries, P.I.I.G.S, CEECs) could stem from their shared socio-economic public policy

preferences, possibly informed shared language and culture (Elgström et al. 2001).[8] The policy-focus at this level is rather long term.

At the *domain level*, it is reasonable to accept that 'there are different coalitions for different issue areas' (Winkler 1998, p. 399). These are interest-based, formulated upon the affinities of governments' interests (Hayes-Renshaw and Wallace 2006, p. 295). Stability of coalitions across domains should therefore be relatively small. Stability within domains are conceived of as relatively high (cf. Zimmer et al. 2005), since governments do not constantly change their policy goals. These may vary over time, however, for instance due to changes in government composition or economic circumstances. In contrast to the *political space* level, the policy horizon is focussed on the intermediate term, and therefore structure in alignments should be far less pronounced than at that level. But the variation in the structure of alignments at the *policy domain* allows the alignments at the *political space* level of decision-making to remain stable.

Finally, alignments at the policy issue level mirror considerations of policy distance on an issue-specific, short-term basis. Coalitions can therefore be expected to be less stable than at the *domain level* (e.g. König and Pöter 2001; Thomson 2009). Particularly the *issue level* illustrates the nested game problem of Council decision-making. To facilitate the objectives of clusters of Council members, compromises must be made. Extensive log-rolling or vote-trading between all governments thus may inform coalition behaviour at that level. The observed lack of stability can be conceived as the framework for realising stability of alignments at the higher levels of analysis, where intermediate- and long-term policy objectives are pursued.

Whereas the *political space* and *issue level* have been studied extensively, the extent to which the expectations regarding stability and determinants at the *policy domain* are supported by empirical evidence has not been tested comprehensively so far. Therefore, the remainder of this chapter will put these hypotheses under empirical scrutiny, drawing inferences on actor alignments from the preference configuration of governments.

5.3   Actor Alignments in the Council

In the analysis two issues are addressed: first, to what extent can one empirically observe the hypothesised stability of actor alignments over time within policy domains and differences of alignments across these domains? Second, are there determinants of actor alignments at the domain level, and if so, how much variance do these explain in the position-taking of governments?

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[8]The cluster dendrogram in Fig. 5.3 of the appendix corresponds closely with groups of countries that have been observed at the bargaining stage by various studies (e.g. Zimmer et al. 2005).

5.3.1   Stability of Actor Alignments

To study the stability of alignments, distance matrices based on the positions of governments were computed for each policy domain and time period, using the Euclidean metric (see Chap. 4 for a discussion of this metric). Distance matrices are a scale insensitive method to calculate distances between actors.

Then Kendall's coefficient of concordance W between the distance matrices was computed and tested through a permutation test. This non-parametric statistic is a tool commonly used in phylogenetic inference, and is a normalization of the statistic of the Friedman test. To check for 'outliers' in the distance matrices, a posteriori permutation tests of the contributions of individual distance matrices to the overall concordance of the group of matrices were carried out.[9] Kendall's W ranges from 0 (no agreement) to 1 (complete agreement).

Table 5.2 shows the results for the analysis of stability of government alignments within the policy domains over time. Separate analyses were conducted for the periods before and after 2004 to account for any effect of enlargement. For each domain, therefore, six respectively four matrices were analysed for their concordance.

Overall, it appears that actor alignments are relatively stable within policy domains over time. Kendall's W ranges from 0.49 to 0.87, indicating that at the domain level there is structure in actor alignments. These empirical patterns are consistent with the expectations formulated in the conceptual framework. The variation in the stability of alignments occurs to changes in policy preferences, informed for instance by changes in government composition. The domain 'European Integration' exhibits the lowest concordance in position-taking over time, while on the domain 'Economic and Monetary Union' the stability of alignments in the highest. Bi-variate analysis suggests that neither the salience of the positions to Council members nor the extremity of positions can explain this variation in the stability across domains.[10]

Interestingly, Kendall's W is larger after than before enlargement. On average, the coefficient of concordance is 0.2 units larger than in the EU-15. A closer inspection of the *a posteriori* permutation tests for the years 1998–2003 reveals that stability of alignments can be separated into three distinct 'periods.' The first is the year 1998, then the periods 1999–2001 and 2002–2003. Stability within these periods is high, but suffers across them. One can only speculate about the factors behind this, but it is conceivable that the bargaining and adoption of the Treaty of Nice, that falls roughly in the 1999–2001 period, and where congruence drops in comparison with the other periods, may have partly informed this observed pattern. A similar effect of

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[9]To compute the coefficient of concordance amongst distance matrices through permutation tests, this study uses the package 'APE: Analyses of Phylogenetics and Evolution' (Paradis et al. 2004) for the statistical environment *R*.

[10]This holds both for the period before and after enlargement. Extremity was measured as the distance between the two extreme positions on a policy domain.

Table 5.2 Stability within policy domains over time

Domain		Kendall's coefficient of concordance, W	Friedman's χ^2 statistic	Permutational probability
	Pre-enlargement	0.664	414.18	$\leq$0.001
CAP	Post-enlargement	0.864	1034.28	$\leq$0.001
	Pre-enlargement	0.532	332.12	$\leq$0.001
CEN	Post-enlargement	0.727	870.46	$\leq$0.001
	Pre-enlargement	0.542	338.46	$\leq$0.001
CM	Post-enlargement	0.798	954.72	$\leq$0.001
	Pre-enlargement	0.489	305.69	$\leq$0.001
EI	Post-enlargement	0.674	806.74	$\leq$0.001
	Pre-enlargement	0.513	320.23	$\leq$0.001
EMU	Post-enlargement	0.766	916.69	$\leq$0.001
	Pre-enlargement	0.555	346.79	$\leq$0.001
ENLA	Post-enlargement	0.827	989.28	$\leq$0.001
	Pre-enlargement	0.515	321.60	$\leq$0.001
ENV	Post-enlargement	0.793	949.03	$\leq$0.001
	Pre-enlargement	0.616	384.80	$\leq$0.001
EP	Post-enlargement	0.805	962.86	$\leq$0.001
	Pre-enlargement	0.808	504.50	$\leq$0.001
RND	Post-enlargement	0.869	1040.50	$\leq$0.001
	Pre-enlargement	0.699	436.27	$\leq$0.001
WSS	Post-enlargement	0.758	907.11	$\leq$0.001

Note: Number of permutations: 9.999. *CAP* = Common Agricultural Policy; *CEN* = Centrali-sation; *CM* = Common Market; *EI* = European Integration; *EMU* = Economic & Monetary Union; *ENLA* = Enlargement; *ENV* = Environment; *EP* = European Parliament; *RND* = Research & Development; *WSS* = Welfare & Social Security

this particular period on the increase of policy conflict within domains was observed in the previous chapter.[11]

The increase in stability after enlargement implies that the inclusion of the Central and Eastern European Countries (CEECs) has resulted into more static alignments of Council members within policy domains than in the EU-15. The *a posteriori* permutation tests do not indicate that there were distinct sub-periods of stability from 2004 to 2007. Actor alignments were highly stable throughout since 2004. But does this imply that enlargement resulted in the addition of a strong and coherent 'Eastern' coalition bloc? The following paragraphs provide an answer.

Table 5.3 reports the analysis of stability of actor alignments across policy domains over time. For each year, ten distance matrices – one per policy domain – were constructed and analysed for their congruence.

Over the whole period of investigation, Kendall's W ranges between 0.1 and 0.2. The stability of actor alignments across policy domains is thus relatively weak. Actor alignments are therefore specific for the respective policy domains. This

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[11]The congruence between 1998 and the 2002–2003 period is comparatively high.

Table 5.3 Stability across policy domains

Year	Kendall's coefficient of concordance, W	Friedman's χ^2 statistic	Permutational probability
1998	0.153	159.52	0.003
1999	0.204	211.84	0.000
2000	0.185	192.05	0.000
2001	0.191	198.71	0.000
2002	0.170	176.84	0.000
2003	0.152	158.65	0.003
2004	0.116	347.25	0.080
2005	0.120	360.81	0.044
2006	0.127	379.97	0.014
2007	0.121	362.55	0.044

Note: Number of permutations: 9.999

corroborates the theoretical expectations. However, as can be seen from Table 5.2, alignments within domains are relatively stable over time.

With regard to Eastern enlargement, the impact of the new member states appears to be far less visible when analysing stability across domains. Although the average Kendall's W decreases from 0.182 to 0.121, this effect is much smaller than the increase in congruence by 0.2 within the domains. In summary, the results show a marked increased stability within policy domains, in combination with a slight decrease of stability across domains. What does this imply in concrete policy terms?

Although the aggregate nature of the data forbids unequivocal inferences, one may assume that the increased stability of alignments after enlargement did not result into positional patterns where the same groups of governments are closely aligned across domains. On the contrary, it may well be that the diversity of alignments across domains has increased. Eastern enlargement in this respect may have not led to a divide between CEECs and other member states. The extent to which this assumption can hold against substantive scrutiny, however, is assessed in the following section.

5.3.2 Determinants of Actor Alignments

The previous analysis showed that actor alignments differed across policy domains but were rather stable within them. The remainder will therefore firstly analyse whether there are indeed no latent factors that structure alignments across policy domains. Second, focussing on individual domains, it is being analysed whether there are domain-specific patterns in position-taking and whether these maintain their importance over time.

The independent variables are derived from the literature on Council coalition formation (see Sect. 5.2). The first variable assumed to have a relationship with alignments in the Council is 'network power' (Naurin and Lindahl 2008), which

measures governments' power in the Council's negotiation networks. As these scores are highly correlated with population, this variable also tests the 'size' hypothesis in coalition behaviour. The second is 'ideology.' The data are based on own calculations that inferred member states' left-right positions from Euromanifestos. Aggregate estimates for the member state governments' ideological stances can be found in Figs. 3.7 and 3.11 in Chap. 3, which also illustrate the estimates' high validity. The third variable is 'longitude.'[12] It tests for the hypothesised geographic North-South pattern. The data has been gathered from the CIA World Factbook. 'Latitude' has a similar objective, testing for the assumed East-West effect in coalition behaviour, also collected from the CIA Factbook. The variable 'country cluster' differentiates between socio-economic clusters of countries. The clusters can be found in Fig. 5.3 of this chapter's appendix, alongside with Table 5.5 that lists the 21 variables used for the cluster analysis.[13] The variable 'EU membership support' represents integrationist attitudes of a country's population. These data were drawn from the Eurobarometer.[14]

To analyse whether a latent factor structures position-taking across the domains, a single distance matrix for each year was computed from the pooled government positions on all ten policy domains. Then multidimensional scaling (MDS) was employed to map the governments onto ten multi-dimensional spaces, one per year. As the computed estimates of uncertainty for these government platforms suggested that there was too much noise in the data to perform a metric MDS, the PROXSCAL algorithm for non-metric data was selected for this task.[15] Scree plots and Shepard diagrams favoured two-dimensional solutions.[16] To interpret structure in government positions, property fitting was employed (see Kruskal and Wish 1978, pp. 35–43). This consists of regressions in which the dependent variables are the coordinates of the MDS solution, and the independent variables are the properties that are assumed to have a relationship with the objects in the MDS solution (see Chap. 4 for details). The independent variables for the property fitting in this analysis were the six variables discussed previously, as well as the positions of governments on each individual policy domain, which were included to account for policy specific patterns in alignments.

The results of this analysis are reported in Table 5.4. Throughout the period of investigation, only policy specific explanations help to explain the positions

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[12]The geographic estimates from the CIA Factbook refer to a country's 'middle' point.

[13]To identify clusters of member states, outcome variables were selected that feature prominently in the discussion of policy regimes as well as antecedent variables identified by the main schools of thought of comparative public policy research (cf. Castles and Obinger 2008).

[14]From each autumn issue of the Eurobarometer between 1998 and 2007, the aggregate responses to the statement 'my country's membership of the European Union is/would be a good thing' were used as a proxy to estimate a country's EU integrationist attitudes.

[15]To avoid suboptimal solutions (owing to so-called local stress minima), 100 different random starts for each solution were specified, and the one with the lowest overall stress was used for the dimensional representation.

[16]The fit of the final solutions is reported in Table 5.4.

Table 5.4 Structure of actor alignments at the policy domain level (1998–2007)

Year	Determinants	Coordinates		R^2	Goodness of fit of MDS solution		
		1st Dim	2nd Dim		Stress	DAF	Tucker's coefficient
1998	Common Agricultural Policy	−0.510	−0.670	0.71	0.023	0.978	0.989
	Centralisation	0.763	−0.506	0.84			
1999	Common Market	−0.914	0.090	0.84	0.019	0.981	0.991
	European Integration	−0.787	−0.295	0.71			
	Monetary Policy	−0.785	0.373	0.76			
2000	Common Market	0.923	0.074	0.87	0.016	0.983	0.992
	European Integration	0.776	−0.302	0.69			
	Monetary Policy	0.794	0.344	0.74			
2001	Common Agricultural Policy	0.297	0.863	0.83	0.012	0.987	0.994
	Common Market	−0.905	−0.119	0.83			
	Enlargement	−0.743	−0.403	0.71			
	European Integration	−0.766	−0.404	0.75			
2002	Common Agricultural Policy	0.528	0.737	0.82	0.015	0.985	0.992
	Common Market	0.616	−0.552	0.68			
2003	Common Agricultural Policy	−0.566	−0.703	0.81	0.016	0.984	0.991
	European Integration	−0.848	0.275	0.79			
2004	Common Agricultural Policy	0.701	0.588	0.84	0.026	0.974	0.989
	Common Market	−0.844	0.433	0.90			
2005	Common Agricultural Policy	0.718	0.477	0.74	0.027	0.973	0.987
	Common Market	0.204	−0.918	0.84			
	Research & Development	0.747	−0.373	0.70			
2006	Common Agricultural Policy	−0.757	−0.331	0.68	0.022	0.978	0.989
	Common Market	0.123	0.932	0.88			
	Research & Development	−0.634	0.563	0.72			
2007	Common Agricultural Policy	−0.855	−0.085	0.85	0.023	0.978	0.989
	Common Market	0.527	−0.770	0.87			

Note: Coordinates are normalised regression coefficients. Table only includes vectors where $R^2 \geq 0.65$ and $p \leq 0.001$

that actors take in the Council when pooling all domains per year. None of the other six independent variables has a significant relationship with the preference configurations of governments. Actor alignments therefore appear to be interest based at the aggregate domain level, and not structured by other factors. This finding therefore supports the previous analysis of the stability of alignments across domains.

However, the analysis of stability within policy domains in Sect. 5.3.1 has shown that there is a relative degree of concordance in the alignments of member states. The question in the final analysis is therefore how important the explanatory variables 'network power,' 'ideology,' 'longitude,' 'latitude,' 'country cluster' and 'EU membership support' are in the position-taking of governments within the individual domains, and whether their explained variance remains stable over time. In doing so, the governments' positions on each domain per year are correlated with the six independent variables introduced earlier.

The explained variance of position-taking of governments per domain is illustrated in Fig. 5.2. First, the results indicate that the importance of the variables in explaining alignments varies considerably across policy domains and time.[17] For instance, with regard to the 'European Integration' domain, membership in socio-economic clusters explains nearly 80% of the variance in position-taking between 1999 and 2001. This pattern could relate to the negotiations of the Nice Treaty that prepared the EU for Eastern enlargement. Since the course of integration was a central topic at these meetings, identifying alignments of countries in heterogeneous socio-economic clusters is reasonable. After enlargement, it seems that particularly North-South positions explain a good proportion of the variance. Clusters and longitude are significantly correlated at 0.77. This could mean that the same determinants structure alignments throughout the period of investigation. Considering that Council decision-making is often conceived of as a trade-off between redistributive and integrationist policies by groups of countries (Carrubba 1997; Zimmer et al. 2005), the importance of this variable in understanding actor alignments on European integration issues seems to confirm previous expectations. It also links back to the findings from the previous chapter.

On all other domains, however, the explained variance of position-taking never exceeds 40. Despite these weaker patterns, some noteworthy inferences can be made nonetheless: country clusters have some importance in the structure of alignments on the 'Common Agricultural Policy,' although surprisingly only for the period before enlargement. While this again appears to confirm previous research (e.g. Carsten D 1999), future research is certainly needed to investigate why country clusters appear to have no importance in the post-enlargement era. Perhaps rather unsurprisingly, partisan positions explain a high number of variance of alignments

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[17]The correlation coefficients for the relationship between the independent variables and the positions of governments on domains, on which the reported estimates of variance are grounded, did not change their direction over time. Therefore, the patterns reported in Fig. 5.2 are unidirectional and therefore stable.
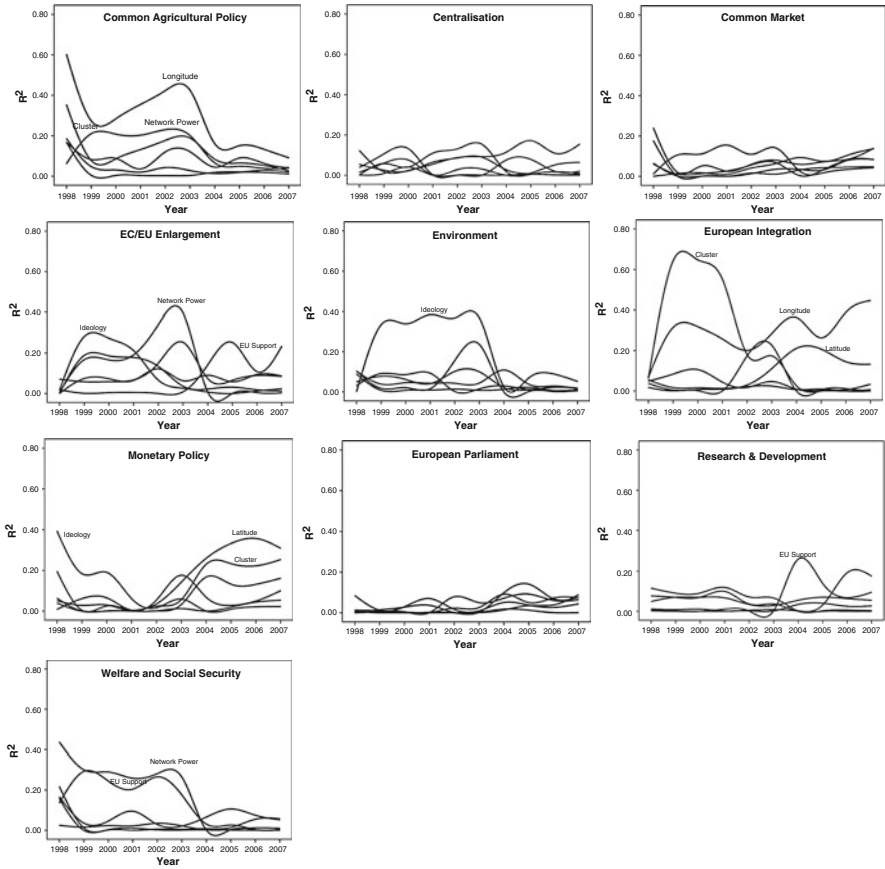
Fig. 5.2 Explained variance of determinants by policy domain (1998–2007)

in 'Environmental politics.' However, there appears to exist no ideological pattern in alignments in the domain of 'Welfare and Social Security.' This is most likely due to the heterogeneity of welfare-state systems in the EU, that may not translate into a linear relationship between ideology and position-taking on welfare policies at the EU level. Moreover on some domains, such as 'Common Market,' 'European Parliament' and 'Centralisation,' no clear structure in actor alignments could be identified at all.

The absence of a dominant determinant – and the variability of determinants within and across domains – allows for the conclusion that alignments at the domain level should be conceived of as predominantly based on short or medium term interest. They do exhibit more structure, and more importantly, stability, than at the policy issue level (e.g. Thomson 2009), yet lack the clear determinants and overall stability that are observeable at the political space level (e.g. Zimmer et al. 2005). Taken together, these patterns fit the assumption of interest-based actors in the

Council that align in socio-economic clusters to achieve long-term policy objectives, but cooperate with varying partners at the domain and issue level (cf. Sect. 5.2.3). In this respect, the model proposed in Chap. 4 appears to be supported by the evidence presented here.

5.4   Conclusion

In this chapter, a conceptual framework to study actor alignments in the Council of the European Union was proposed. Classifying the existing literature with the framework resolved some existing ambiguities. The empirical part then examined coalition patterns using the preference configurations of governments at the 'policy domain' level of the Council's bargaining stage.

The results suggested that the stability of actor alignments within policy domains is relatively high, and that enlargement increased this. However, alignments across policy domains are unstable. Again, enlargement enhanced this. The analysis of the determinants of actor alignments showed that alignments in policy domains are based on short or medium term interests rather than structured by a single latent dimension such as geography or ideology.

The results from the policy domain level fit the expectations as formulated in the conceptual framework. It therefore appears that coalition behaviour in the Council needs to be conceived of as specific to multiple levels of analysis.

Eastern enlargement has had no 'negative' effect on actor alignments at the domain level. On the contrary, the increased stability within and decreased stability across domains may even imply that governments find it easier to find governments close to their own positions in the EU-25 than in the old 'Club of Fifteen.'

In this and the previous chapter, the architecture of the Council's political space and the dynamics of coalition formation at both the level of the political space and the policy domain level were discussed. What yet remains to be done is an analysis of the governments' success in achieving their desired policy outcomes in Council deliberations. Consequently, the following chapter now provides an account of governments' 'bargaining success,' and what determines it.
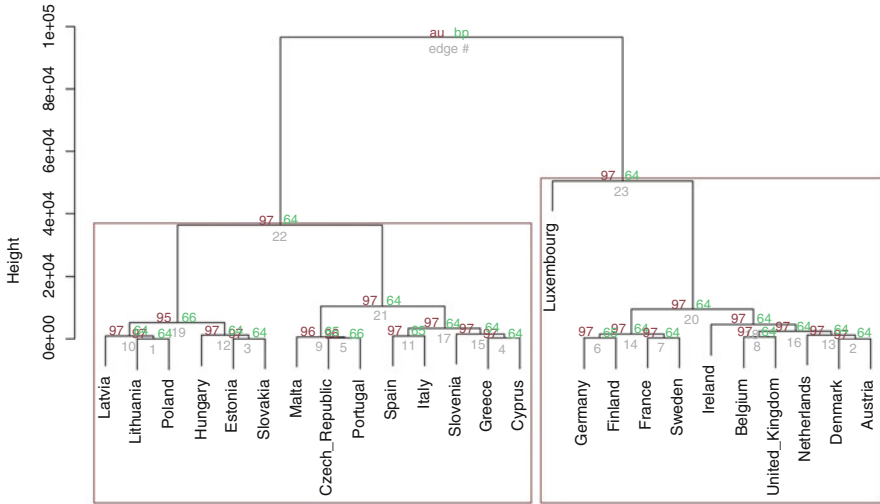
Appendix

Fig. 5.3 Socio-economic clusters of member states in the EU-25.
Note: Squared Euclidean Distance; Ward's Linkage. *p*-values (in %): 'au' = Approximately Unbiased; 'bp' = Bootstrap Probability; Results estimated from 10.000 bootstrap iterations. Period: 2000–2007, based on 21 indicators described in Table 5.5

Table 5.5 Socio-economic clusters in the European Union: indicator variables

	Variable
1	Total Fertility Rate
2	Employment Public Sector (% of inhabitants)
3	Expenditure on R&D (% of GDP)
4	Social Contributions (% of GDP)
5	Direct taxes (% of government revenue)
6	Total Government Expenditure (% of GDP)
7	Annual average Rate of Change in HICPs
8	Unemployment (% of labour force)
9	Expenditure on Education (% of GDP)
10	Public Investment (% of GDP)
11	Male Employment (% of Population)
12	Public Balance (% of GDP)
13	Government consolidated Gross Debt (% of GDP)
14	Social Benefits (% of GDP)
15	Total Tax Revenue (% of GDP)
16	Female Employment (% of Population)
17	Public Expenditure on Labour Market Policies (% of GDP)
18	Growth of real GDP (% change to previous year)
19	GDP at Market Prices PPS per Inhabitant
20	Total Wages and Salaries (% share of total labour costs)
21	Taxes on Production and Imports (% of GDP)

The list of variables is a greatly modified and extended version of a similar analysis used by Castles and Obinger (2008). All data retrieved from Eurostat. Annual estimates for 2000–2007

Chapter 6
Winners and Losers of Decision-Making

Politics is therefore something like choosing a wife,
rather than shopping in a five-and-ten cent store.

E.E. Schattschneider, 'The Semisovereign People'

6.1 Council Decision-Making: A Positive-Sum Game

Asked to provide a characterisation of decision-making in the Council, a senior British diplomat alleged that it 'is in essence an exercise in mutual confidence, in the recognition that 'win one, lose one' is a sounder settlement than sweeping the board against a thoroughly trounced opponent' (Jackson 1981, p. 6). Other practitioners support this claim, maintaining that it is 'generally positive-sum, rarely about distributive bargaining and almost always about integrative bargaining, where accommodation and rapprochement is the rule' (Spence 2004, p. 257).

In other words, there seem to be no clear 'winners' and 'losers' of Council decision-making (Arregui and Thomson 2009; Bailer 2004; Drüner 2007; Thomson et al. 2006). The reason being that unanimity is 'a strong norm in the EU', where the highly iterative nature of day-to-day decision-making, which, combined with a lack of stable patterns of coalition formation, 'strongly facilitates the universally inclusive compromise mode of decision-making' (Schneider et al. 2006, especially pp. 302–08).[1]

From a normative perspective, this observed pattern is vital to keep the Council running. According to Scharpf (1999), it is the perceived fairness in achieving policy outcomes that supports the legitimacy of an institution.

It is reasonable to expect the presence of 'win one, lose one' dynamics, as Council deliberations involve governments in repeated and nested games (see

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[1]This has also been elaborated by various Council case studies (e.g. Aus 2008; Niemann 2008).

Jordan 2001; Sbragia 1993). To achieve most in this complex decision-making environment, the governments must strategically engage in a cobweb of log-rolling, side-payments and package-deals. To secure key national interests, governments may trade-in their positions on particular issues to secure other governments' support in the future. Langenberg's (2004, p. 64) observation that in the Council 'stubbornly defending an isolated position [...] is often costly and ineffective in the end' supports this claim.

However, regardless the theoretical appeal, there is insufficient evidence to accept these hypotheses unconditionally. Although the limited evidence so far suggests that success in achieving desired policy outcomes is indeed balanced across governments, the research demonstrating this draws predominantly from the DEU dataset (e.g. Arregui and Thomson 2009; Bailer 2004; Drüner 2007; Schneider et al. 2006; Thomson et al. 2006). This conclusion may thus only hold for the kind of highly salient and conflicted policy issues represented in these data. Theoretically, however, if governments are able to accommodate each other on these issues, there is no compelling reason to assume they would refrain from doing so in the Council's more mundane 'day-to-day' decision-making process.

But even when acknowledging that governments accommodate one another, what then determines variation in their success in achieving the desired policy outcomes? Put differently, under which conditions are governments able to secure a policy outcome that is close to their ideal point? Is it simply power, luck or rather something in between (cf. Barry 1980)?

Arregui and Thomson (2009) find that the salience of an issue for a government appears to contribute in particular to success in achieving desired policy outcomes. They also show that occupying an extreme policy position in deliberations is an impediment to success. These findings support other research on the Council's decision-making process, which is found to be very collegial, with governments that seek to make issues 'yesable' for all actors involved (Hayes-Renshaw and Wallace 2006, p. 306). But nevertheless, similar to the 'balance' argument, the empirical evidence remains relatively limited.

To shed some light on these conjectures, this chapter's aim is to provide tests of the literature's assumptions. The focus is on the policy domain level of Council decision-making. The chapter encompasses analyses of the 'balance' assumption as well as the determinants of success in achieving desired policy outcomes. 'Success' is defined as the inverse of distance between an actor's position and the policy outcome (see Bailer 2004; Mokken et al. 2000). Particular emphasis is placed on answering Barry's (1980, p. 183) famous question whether 'it is better to be powerful or lucky' in collective decision-making.

The chapter proceeds as follows: Sect. 6.2 argues that there are minor terminological inconsistencies in the literature that may obstruct our understanding of 'who gets what, when and where' in the Council. This relates for instance to the inflationary use of 'bargaining success' in describing the achievement of desired policy outcomes when not taking into account actors' indifference about outcomes. This leads to a discussion of the hypothesised dynamics of Council decision-making (Sect. 6.2.1). Section 6.3 then presents an analysis of member states' performance

in achieving desired policy outcomes as well as an analysis of the determinants of achieving these outcomes. The analyses are divided into the periods before and after enlargement. The conclusion puts the findings into perspective.

Summarising the findings, the literature's expectations of a balanced distribution in achieving desired policy outcomes are largely corroborated. All governments sometimes occupy positions close and sometimes far away from the eventual policy outcome. This holds equally for small and large member states, social-democratic and conservative governments, Northern and Southern countries. Most significantly, the 2004 Eastern enlargement did not change this. There is no unequivocal evidence that the new member states are systematically disadvantaged in Council decision-making. In regard to determinants of decision-making success, salience indeed has a positive impact on securing an outcome close to the most preferred position. Similarly, the more extreme an ideal point, the more difficult it becomes for a government to secure an outcome close to this position. Perhaps the most remarkable finding is that governments comprising far-right parties are systematically less successful in Council decision-making.

6.2   Theoretical Accounts of Council Decision-Making

To some extent decision-making in the Council is conceivably a positive-sum game. No matter whether or not a government is successful in achieving its desired policy outcome, the ensuing result is usually better than what existed prior to the arrangement. The logic underlying this statement is simple: reaching a decision is impossible if there is not a majority of governments who are in favour, which generally implies that they will profit from it.[2]

However, arguably the 'harm' done by an individual decision to a minority may occasionally be larger than the 'gain' obtained by the majority; and if that were to happen repeatedly to rotating minorities in particular, then the accumulated effect could be negative. Yet, this logic ignores that decisions are 'precooked' at earlier stages of decision-making (see Chap. 2). This ensures that decisions become generally agreeable for all governments before submission to the ministers, and that would entail that most likely only decisions are adopted that are anticipated to generate net positive effects. The probability that the accumulated effect of decisions taken in the Council is potentially negative-sum, is therefore relatively small.

Council decision-making thus benefits the 'winners' as well as the 'losers' in absolute terms. The frequently invoked depictions of 'winners' and 'losers' of

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[2]One could even posit that there are not only issue-related legislative gains in Council decision-making. Since the games are played repeatedly, these eventually function as a motor of European integration. This in turn can entail additional economic and membership gains. There are for instance political gains of an EU membership. Due to membership, governments may address many political problems more effectively and efficiently, such as illegal immigration, international crime and terrorism or many environmental problems (Drüner 2007).

Council decision-making (e.g. Drüner 2007; Raunio and Wiberg 1998; Stokman and Thomson 2004b) should hence only be used in relative rather than absolute terms. No matter whether a country is successful in securing a policy outcome close to its ideal position, in absolute terms the 'loser' should eventually gain from the result, too.

Addressing a second terminological inconsistency, the Council literature usually provides accounts of states' 'bargaining success' (e.g. Arregui and Thomson 2009; Bailer 2004). Such terminology is clearly grounded in a zero-sum jargon, and, moreover, implies that actors are concerned about the outcome. In the Council, however, governments are sometimes indifferent towards particular policy issues (see Thomson et al. 2006; Veen 2009a). They may thus simply opt-out from the negotiations because they don't care. This corresponds with the finding by Arregui and Thomson (2009) that governments in some cases have no position on particular policy issues. The term 'bargaining success' therefore ignores the effect of salience on deliberations and resulting policy outcomes.

To avoid such definitional pitfalls, this chapter will not focus on 'bargaining success', but on 'performance in achieving desired policy outcomes.' Because it differentiates between deliberations (indifferent actors participate) and negotiation or bargaining (they do not),[3] this concept applies to both situations of Council decision-making.

6.2.1 'Winning' and 'Losing' in the Council

From the absence of systematic opposition regarding decisions taken in the Council, one can infer that governments must be generally content with the decision-making outcomes. It also follows that 'winning' and 'losing' should therefore be relatively balanced among the actors.

For instance, if a government or a group of governments were systematically disadvantaged in the Council, these would eventually block decision-making. However, there appears to be no grid-lock in the institutional decision-making process (Best and Settembri 2008b; Hagemann and De Clerck Sachsse 2007; Wallace 2007).

At the very least, these disadvantaged governments would voice active dissent at the voting stage. Yet, dissent of governments as measured by the number of explicit votes that are cast against a decision is extremely low; and the distribution of uncontested decisions is also relatively even among the countries, ranging from 96% (Sweden) to 99% (Ireland) (Hagemann 2008; Mattila 2008, p. 30). Therefore, it seems that no government behaves as if it is consistently disadvantaged.

Investigating 'winning' and 'losing' in the Council, Arregui and Thomson (2009) expect the average performance to realise policy positions to be equal

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[3]The terms 'negotiation' and 'bargaining' are used interchangeably in this study. The literature sometimes distinguishes between the two concepts. For Jönsson (2002), negotiation is a sub-discipline of bargaining, whereas Hopmann (1995) maintains that bargaining is a sub-discipline of negotiation. But this is ultimately a question of definition.

amongst governments since coalitions are highly volatile and decisions are usually compromises (see also Achen 2006a).

The insights from the previous two chapters support this logic. Because the Council's political space comprises two independent conflict dimensions, facilitating policy-making between groups of states, this suggests that decision-making is based on rapprochement and conciliation. The dynamics of coalition behaviour should therefore not only be viewed in terms of opportunities to secure short-term and policy-related interests. They may also be seen as opportunities to balance governments' success in achieving desired policy outcomes in the two-dimensional space.

Yet for the dynamics of 'balancing' to function properly, it needs to be established whether for instance balancing through log-rolling or vote-trading can function properly in the Council.

According to Brams (1975, pp. 148–151), there are five conditions that may impede effective log-rolling within an institution: the first is incomplete information and lack of communication. The second is the lack of binding agreements. The third is party discipline and the fourth is the similarity of salience rankings. The final condition is the existence of stable coalitions.

It is unlikely that the first obstacle mentioned by Brams is present in the Council. Information about positions and preferences of governments are generally available, as are established communication channels between governments. The number of actors in the EU-15 and the EU-25 is relatively small; and changes in their positions and preferences tend to occur only gradually over time. Moreover, the extensive use of preparatory bodies (cf. Chap. 2), informal meetings and the work of the Council Presidency in conjuction with its secretariat ensure that governments are well aware of each others' policy positions and the salience of these positions to them.

With respect to Brams' second obstacle, agreements in the Council can be considered as binding and impose therefore no problem to log-rolling. The literature on the transposition of EU directives into domestic law and the compliance with Council decisions shows that governments generally refrain from breaching agreements. Indeed, sometimes directives are only transposed after the deadline ended (see Mastenbroek 2003), but this occurs just in a fraction of cases; and often the reason for late transposition relates to a 'mismatch' with the national legal systems which requires time to resolve (Kaeding 2006; Mastenbroek 2003; Mbaye 2001). Similarly, the literature on compliance emphasises that non-compliance is often unrelated to opposition to a decision but related to administrative shortcomings or interpretation problems (Falkner et al. 2004, 2007; Mendrinou 1996; Thomson et al. 2007). The reason for agreements being binding is that since government representatives meet very frequently over a considerable period of time, 'reneging,' i.e. non-transposition and non-compliance, may easily lead to penalties from other actors that in the long run outweigh any gains received from breaking agreements.[4]

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[4]Mattila (1998) moreover argues that due to a common history of 50 years of deliberations, trust amongst governments is very high and may also facilitate log-rolling (cf. Hayes-Renshaw and

The issue of party discipline, Brams' third obstacle for the existence of log-rolling, is not relevant in the Council because there appears to be no partisan divide amongst the governments. This has been demonstrated in the previous chapters. An empirical finding in support of this expectation has been presented by Arregui and Thomson (2009). They show that no (groups of) governments emerge as clear 'winners' or 'losers' from Council decision-making. Relative gains on one field are compensated by losses on another. If there were indeed stable ideological divisions amongst governments, however, then there would be clear 'winners' and 'losers,' similar to a domestic context with government and opposition dynamics. Moreover, Beyers and Dierickx (1998) conclude that in intra-Council negotiations, governments represent their country's interests, without much influence from their 'European' party group identity (cf. Elgström et al. 2001).

According to Brams' fourth proposition, effective vote-trading can only function if actors attach different levels of salience to their policy positions. The larger these differences, the more there is to gain from vote-trading from the point of a view of a single member country (Mattila 1998). In the Council, the socio-economic heterogeneity and the differences in domestic constraints make governments usually place different importance on policy issues. Empirically, both this study's data and the DEU dataset illustrate that governments have indeed different salience rankings regarding policy issues. Figure 6.1 serves as an illustration of the different levels of governments' salience, based on the study's data. The figure shows that salience scores vary considerably on the policy domain of Welfare and Social Security, ranging from ca. 5 to 80 on a 0–100 scale (saliency data pertaining to other policy domains behave similarly).

Brams' final obstacle, relating to the stability of coalitions, links closely to the condition of party discipline discussed previously. Stable coalitions to some extent can be seen as a kind of 'normal politics,' where groups of actors form rather permanent alliances in their quest to organise support and majorities. If considering only the position of actors in the Council's political space, alignments have been demonstrated to be relatively static (see Chap. 4). However, Chap. 5 has shown that at the policy domain level, these coalitions are already far more volatile. At the policy issue level, alignments are even highly unstable (e.g. Thomson 2009). Across domains and issues, it was established that alliances therefore shift permanently. The last potential obstacle to log-rolling in the Council is therefore of little relevance, too.

Given these arguments, log-rolling seems not to be restricted in Council decision-making. This in turn indicates that the 'balancing' of achieving desired policy outcomes through vote-trading may similarly be without obstacles.

Wallace 2006). This is also because negotiations are more 'personalised' than in other International Organisations, as the governments' officials usually have had the opportunity to interact in earlier positions (Heisenberg 2005, p. 68). The high level of trust and respect can be particularly observed in Coreper, which this study identified as the key broker for issue-linkages and log-rolling in the Council (see Chap. 2).
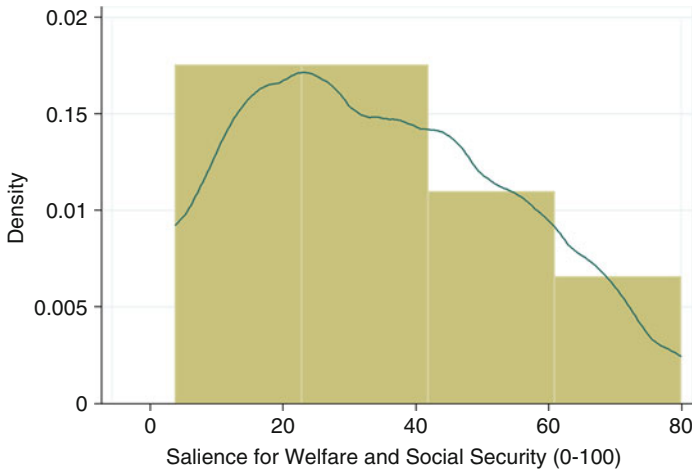
Fig. 6.1 Variability of salience rankings

Based on these perspectives on Council decision-making, two expectations regarding governments' success in achieving desired policy outcomes can be formulated. First, there are only small deviations with regard to member states' overall performance in deliberations. Second, if a balancing mechanism exists in Council decision-making, then a government's losses or gains in a particular year or policy domain are being compensated for on another domain or year.

6.2.1.1 What Determines Success?

Since governments' performances are expected to be relatively balanced, what then influences an actor's propensity to influence a policy outcome in her favour?

From the discussion above, the most obvious determinant may be the salience of a policy domain or issue for an actor. If a government is indifferent about an issue, it will generally refrain from influencing the deliberations.[5] Vice versa, if the issue is of utmost importance, then the government will try its very best to influence the negotiations (see also Achen 2006b). In this respect, Arregui and Thomson (2009) remark correctly that it is the 'relative' salience that determines a government's propensity to exert influence. If all actors would share the same level of salience, then there would be no advantage for any actor.

Another expectation that can be derived from the discussion above is that governments that occupy extreme policy positions will find it harder to secure a policy outcome close to their ideal point than moderate actors. Since the governments strife to reach a compromise solution, where all positions are considered equally,

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[5]A formally indifferent government may participate in the negotiations if it has an IOU outstanding, and then it can 'pay back' by supporting another actor.

the relative success of extremist actors may be lower (Schneider et al. 2006). This expectation has been corroborated by Bailer (2004) as well as Arregui and Thomson (2009), who find that choosing an extreme position is always a disadvantage in negotiations in the Council, where the true positions are known to all actors.[6] Similar to the salience argument, however, it is the relative position that may determine success. If all governments would have a position of 100 on a 0 to 100 policy scale, that would indeed be extreme, but no actor would have taken a position that is relatively extreme to the other actors' positions.

Related to the former point, it is also conceivable that the government which is the median voter on a particular issue will have a higher chance to be close to the decision-making outcome than the other governments. This advantage, however, may be a matter of good fortune rather than successfully exerting influence in Council decision-making.

Chapter 3 discussed formal and informal forms of power that governments may exert in Council deliberations.[7] For instance, it was stated that the government holding the Council Presidency does exert non-symmetric influence on the final decision-making outcome (cf. Schalk et al. 2007; Thomson 2008b). In regard to decision-making success, it is thus reasonable to expect that the country holding the Presidency has a greater chance of securing a decision close to its ideal point than other countries.

Second, there is the formal voting power a government commands under qualified majority rule. From a power-based perspective, governments with more voting power should be more successful in achieving desired policy outcomes than governments with relatively less votes (Thomson and Stokman 2006). Under unanimity, however, the formal voting power for each government is the same and should therefore not affect success in Council deliberations.

The third source of power relates to informal power. Various case studies have stressed the importance of informal factors such as trust, experience, socialisation and reputation as driving factors for successful deliberations (see e.g. Dür et al. 2010; Hayes-Renshaw and Wallace 2006). According to Arregui and Thomson (2009), a valid indicator for the degree of a government's informal power is its network capital as discussed in Chaps. 3 and 5 (Naurin 2007; Naurin and Lindahl 2008). Substantively, a government's network capital refers to the depth and breadth of the cooperation networks in which it is embedded. Again under the condition that power plays a role in Council deliberations, the member states' success should be positively affected by their network power.

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[6]Perfect information forbids that actors can pretend to be more extreme than they actually are, in order to 'pull' the outcome closer to their 'true' position.

[7]Mokken et al. (2000, p. 56–57) are sceptical about the mobilising forces of power in Council decision-making. For them, power alone lacks predictive and explanatory capabilities. This, however, does not mean that is has no impact on the determination of decision-making outcomes (ibid., p. 59). They actually find that more powerful actors are more successful than less powerful ones. Yet, for the authors it is the interplay of power with other factors that shapes decisions in this institution.

Constituting another variant of power, it could also be that governments that hold a pivotal position will have a higher chance to secure an outcome close to their ideal point. Since these governments are decisive in turning a losing coalition into a winning one, they theoretically may exert considerable influence during deliberations.

Neither the study's analyses of the Council's political space nor the analysis of coalition behaviour have yielded substantive evidence that partisan politics play a significant role in Council decision-making (see Chaps. 4 and 5). However, this does not mean that one can rule out the impact of partisan preferences in shaping policy outcomes a priori. Looking at Fig. 6.2, there is a clear social-democratic majority of governments in the Council between 1998 and 2002. This changes to a majority of Liberals and Christian-Democrats from 2003 onwards. Should there indeed by a partisan bias in decision-making outcomes (see e.g. Hagemann and Høyland 2008), than one may expect social-democratic governments to have a relative advantage in Council decision-making in the period that corresponds roughly with the EU-15, and Liberals and Christian-Democrats to be more successful during the EU-25 period that will be analysed.

During the course of this study stable geographic clusters in the Council's political space were identified (see Chap. 4). Although there was no evidence for an aggregate 'cluster' bias in the coalition behaviour at the policy domain level (see Chap. 5), it is nonetheless plausible to expect that membership of a particular cluster can have an effect on the success in achieving desired policy outcomes.
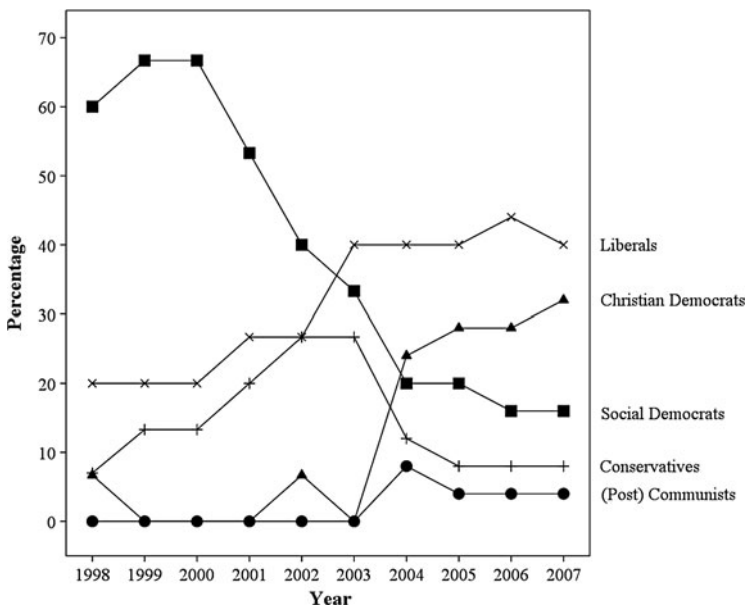

Fig. 6.2 Ideological affiliation of governments in the EU (1998–2007)

In a similar fashion, the length of EU membership could influence the decision outcomes. Since the original member states, France, Italy, Germany and the Benelux have been involved the longest in the evolution of the European Union, their chances to influence decision-making outcomes are higher than that of newer members. This argument not only acknowledges the former governments' likely comparative advantage in experience, but also the fact that the existing formal and informal decision-rules have been shaped by these governments. Thus the longer the membership, the greater the influence on existing rules of the game, and consequently the greater the hypothesised impact on Council decision-making outcomes.

A possible explanatory variable that has not been subjected to previous scrutiny is the effect of right-extremism in the Council. However, it may be reasonable to assume that governments with right-extremist parties are systematically disadvantaged in Council decision-making. For instance, the European heads of government decided to ostracise Austria for the establishment of a governing coalition including Jörg Haider's extremist Freedom Party, imposing a partial freeze in bilateral diplomatic relations by Austria's European Union partners. This may have had an impact on Austria's success in Council decision-making, too. Presumably, possible disadvantages can arise due to problems in negotiating with these governments or even through 'sincere' punishment by other governments.

6.3   Achieving Desired Policy Outcomes

Before turning to the systematic and rigorous analysis of the determinants of achieving desired policy outcomes (see Sect. 6.4), the following paragraphs firstly engage in a relatively informal, visual inspection of the data concerning the distribution of governments' performance in achieved desired policy outcomes.

Unlike other Council research, this study does not analyse governments' performance by determining each actor's mean distance to the outcome and computing confidence intervals for this (see e.g. Arregui and Thomson 2009). Instead, box plots are used. This is a more robust method since confidence intervals are sensitive to sample size. Hence the larger the number of observations, the smaller the confidence intervals become. Boxplots in turn display differences between populations without making any assumption about the underlying statistical distribution. They also allow for comparatively better interpretation of the results, for instance by showing outliers in the data.

6.3.1   Before Enlargement (1998–2003)

Figure 6.3 displays the EU-15 governments' distances to Council policy outcomes between 1998 and 2003 across all ten policy domains. Policy decision outcomes both taken under unanimity and qualified majority voting are considered in this
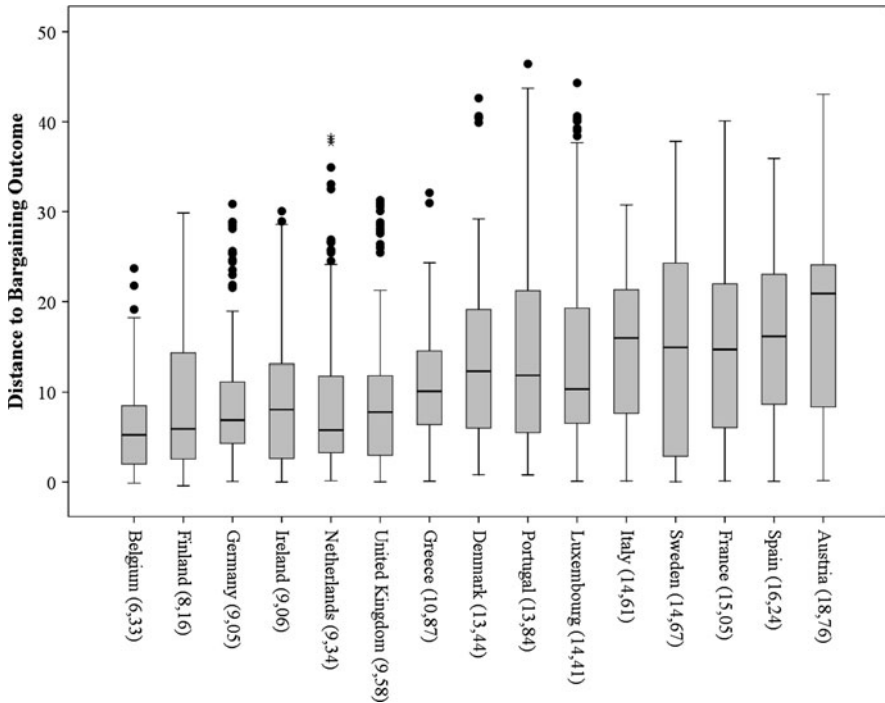
Fig. 6.3 Member States' success in achieving desired policy outcome (1998–2003).
Unanimity and qualified majority voting

representation. Separate accounts for outcomes under unanimity and QMV, respectively, are included in the chapter's appendix, i.e. Figs. 6.8 and 6.9. The governments are ordered on the x-axis according to their mean distance to the policy outcome, increasing from left to right. The mean is reported in parenthesis next to the governments' labels.

From Fig. 6.3 various inferences can be drawn. First, all countries except Italy and Spain show an asymmetry in their performance in achieving desired policy outcomes. Whereas Italy and Spain exhibit a relatively normal distribution, i.e. the mean is similar to the median and the whiskers do have the same length at both sides, the distribution of the remaining 13 governments is positively skewed. In the latter cases, the mass of the distribution is concentrated around small distances to the policy outcomes. Secondly, all governments experience at least once a policy outcome that is more than 30 units distanced from the policy outcome, except for Belgium. This means that if governments lose, then they sometimes lose considerably, considering that the effective scales range from around −50 to 50 (cf. Chap. 3). However, there are only very few extremely large distances for all governments.

The small number of large distances to the policy outcome could indicate that governments are usually accommodated in the Council. Moreover, the fact that nearly all governments show a positively skewed distribution of success supports the hypothesis that decision-making is based on consensus. Otherwise, certain governments would have a positively skewed distribution of success while other governments exhibit negatively skewed distributions.

Perhaps most intriguingly, all governments in this sample have been able to secure outcomes that are very close to their policy position (distance ≤1.0). This shows that all governments belong at some time or another to the absolute 'winners' of Council decision-making in the EU-15. Similarly, for no country the first quartile has a range larger than ten. Put differently, in at least 25% of all decisions, the distance between the policy position and the outcome is quite small. Even more important, all countries save Italy, Sweden, France, Spain and Austria have secured outcomes that are not more than ten points away from their ideal positions in nearly 50% of all decisions.

This leads to a discussion of the 'losers.' Here one can distinguish between the indicators of the mean distance on the one hand and the distribution of maximum distances on the other. In both, there is variation between actors. The mean distance of Austria (18.76) is three times that of Belgium (6.33). Similarly, the maximum distance to the policy outcome ranges from 25 (Belgium) to 44 (Portugal). Obviously, there are governments in the EU-15 whose policy positions are less well reflected in Council decisions than it is the case for others, despite the fact that the overall distribution is relatively balanced.

Figures 6.8 and 6.9 present a more comprehensive view, by showing the distribution of performance separately for unanimity and qualified majority voting.

Considering unanimity voting only (Fig. 6.8), the most striking difference is that although distributions are still predominantly positively skewed, this is far less pronounced than in Fig. 6.3. Consequently, qualified majority voting situations show a larger degree of positive skew (Fig. 6.9). Another peculiarity of QMV is that the maximum distances to the policy outcome are roughly five points larger than under unanimity voting. The reason for the latter could be that if there is the need to drive a hard bargain, governments may use the formal constraints of QMV to find a solution that does not take extreme positions into account to the same extent as under unanimity voting. This could also explain why the positive skew in the distributions is less pronounced under unanimity rule: as each position needs to be considered even more carefully than under QMV, it is harder to find a compromise. Therefore, the distribution is less positively skewed, but on the upside the maximum distances to the policy outcome are smaller than under QMV rule.

However, despite the data largely corroborating the relatively balanced outcomes of collective decision-making in the EU-15, two countries appear to stand somewhat apart. Belgium turns out to be the overall 'winner' of Council decision-making, while Austria seems to be the 'loser,' with an average difference between its own position and decision making outcomes that are nearly three-times as large as Belgium's. Considering that Belgium has comparatively little formal and informal powers at its disposal to influence Council decision-making, it was certainly more

lucky than powerful in these years. Austria, however, seemed to be neither powerful nor lucky. Yet, from 1999 onwards, the Austrian government comprised the far-right party FPÖ. Above it was hypothesised that governments with a far-right party in office may be penalised in office. For this hypothesis, there seems to be a visible corroboration in the data, that will be put, however, under substantive scrutiny below (see Sect. 6.4).

6.3.2   After Enlargement (2004–2007)

A re-occurring question in this study has been to what extent Eastern enlargement impacted upon Council decision-making. The following paragraphs demonstrate that governments' performance in achieving desired policy outcomes has not been seriously affected. Similar to the analysis of the EU-15, Fig. 6.4 firstly reports the distances of the positions of the EU-25 governments to the Council policy outcomes between 2004 and 2007. Separate displays for outcomes under unanimity and QMV are presented in Figs. 6.10 and 6.11 of the chapter's appendix.
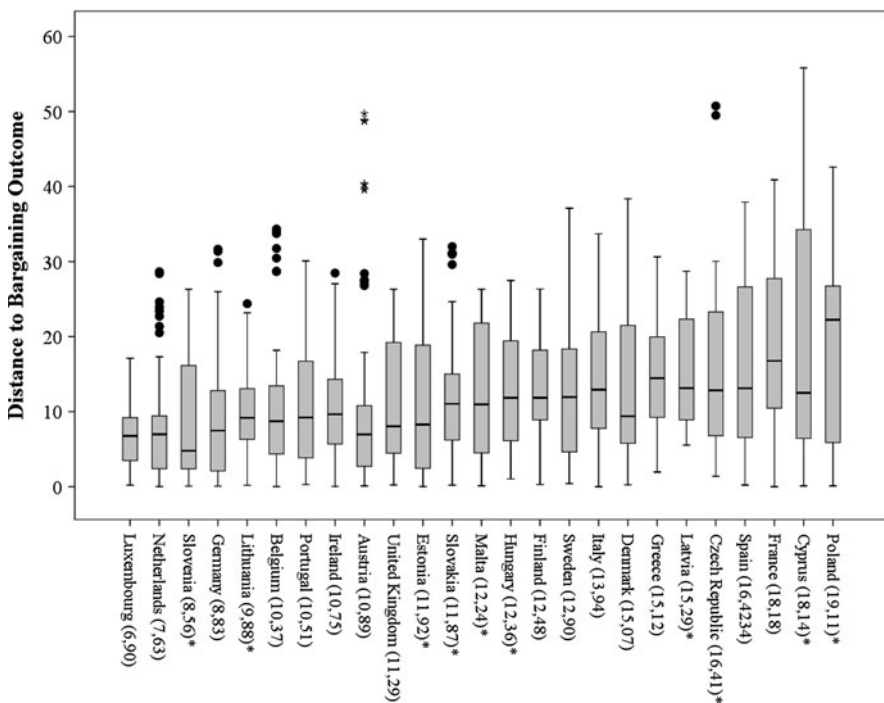

Fig. 6.4 Member States' success in achieving desired policy outcome (2004–2007). Unanimity and qualified majority voting

In the EU-25, distributions of distances are positively skewed for nearly all governments. One country, however, has a negatively skewed distribution: Poland. Yet, similarly to the EU-15, for no single country the first quartile exceeds ten points, meaning that in 25%s of the cases the distance between the policy position and the outcome is small. In contrast to the EU-15, where four countries were unable to secure outcomes that were maximally ten points away from the ideal point in more than 50% of all decisions, in the EU-25 only France and Poland did not achieve this.

If one considers the median distance to the policy outcome for the 25 governments, this value is relatively similar for most governments, ranging from roughly 8 to 15. Poland, however, is again far worse off with a median of 24 and should be considered a special case. Nevertheless, these findings lead to similar conclusions for the EU-25 as for the EU-15. The performance of governments in achieving desired policy outcomes seems relatively balanced.

The vast majority of governments have been able to achieve some policy outcomes similar to their ideal points. Only Hungary, Greece, Latvia and the Czech Republic were either unable to exert enough influence or were missing good fortune. These governments' minimum distances to the outcome is still extremely small, though. These observed minimum values are, moreover, values from the actual distribution of the dependent variable, and not caused by outliers.

Considering unanimity voting only (Fig. 6.10), the most striking difference with Fig. 6.11 is again the degree of positive skew that is far less pronounced under unanimity voting than under qualified majority rule. Enlargement thus changed little in comparison with the pre-enlargement period. The other finding that was identified for the pre-2004 period, which was that maximum distances are usually higher under qualified majority voting, also holds in the EU-25.

A striking contrast between the EU-15 to the EU-25 is that relative 'losses' are far higher than in the EU-15. Whereas the maximum distances to the policy outcome ranged from 25 to 45 points in pre-accession period, in the enlarged Council this ranges from 40 to nearly 60 points. This finding is in congruence with the analyses from the previous two chapters, and it shows the consequences of the more diverse policy positions after enlargement. Nevertheless, when considering the overall distribution of success, these findings do also imply that despite this diversification in positions the overall mechanism of balancing appears to be functioning in the EU-25.

The fact that Poland, which had several government changes that brought different right-wing parties into office, was the worst performer in the period 2004–2007 appears to support the expectation that extremism has a rather debilitating effect on success in collective decision-making (but see Table 6.4 below).

Otherwise, across the whole period of investigation, there seems no other unequivocal bias in the distribution of achieving desired policy outcomes. This supports this study's way of conceiving of the Council as a consensual institution. Based on the visual inspection, neither geography, length of EU membership or country size appear to explain the patterns identified in the Council. Section 6.4 will put these tentative conclusions under substantive test, however, analysing the determinants for success in achieving desired policy outcomes.

6.3.3   Absolute 'Winners' and 'Losers' by Domain and Year

The theoretical section argued that if there is a 'balance' in the nature of Council politics, than it may also be reasonable to expect that each government is sometimes the absolute 'winner' or 'loser' on particular policy domains across time. This equally would act as an additional feature to ensure that none of the governments felt systematically disadvantaged.

To conclude the descriptive part of this chapter's analysis, Tables 6.1 and 6.2 show the absolute 'winners' and 'losers' per policy domain per year. Looking at the distribution of these 'winners' and 'losers' over time and across domains, it can be inferred that all countries are generally among the absolute winners and losers. The only exception is Latvia. This government has not been able to secure its place as the absolute winner of any single decision.

Overall, these are important findings that show that the 'win one, lose one' dynamic not only maintains a relative balance of success in achieving desired policy outcomes, but that it even allows that governments generally 'experience' to be the absolute 'winners' or 'losers.'

In conclusion, the descriptive analysis of achieving desired policy outcomes has demonstrated that to a large extent success is remarkably balanced amongst governments, with all actors participating in the Council deliberations between 1998 and 2007 belonging sometimes to the 'winners' and sometimes to the 'losers' of collective decision-making (see also Bailer 2004, pp. 112–11).

6.4   Determinants of Success in Council Deliberations

The second part of the analysis now evaluates the determinants of success in achieving desired policy outcomes.

6.4.1   The Operationalisation of Variables

The dependent variable in this analysis is the distance between a government's policy position and the policy outcome.[8] The smaller the distance, the greater the governments' success in achieving desired policy outcomes.

The independent variables are derived from the theoretical discussion in Sect. 6.2, and are operationalised as follows:

- To assess the impact of salience on the dependent variable, the measure of salience of a given policy domain for a government as established in Chap. 3 is employed. The governments' relative salience is the distance of a government's

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[8]The policy outcome was computed using the compromise model (see Chap. 2).

Table 6.1 Achieving desired policy outcomes: 'Winners' and 'Losers' by policy domain under QMV (1998–2007)

Year		CAP		CEN		CM		EI		EMU		ENLA		ENV		EP		RnD		WSS	
1998	Best	Bel	2.79	Aus	2.20	Den	1.84	Nl	0.30	Aus	0.30	Fin	1.30	Fra	0.22	Ire	0.00	Aus	0.21	Swe	0.78
	Worst	Swe	35.51	Gre	32.09	Fra	32.12	Den	18.11	Esp	23.31	Lux	28.89	Por	46.23	Swe	28.25	Lux	37.67	Por	12.99
1999	Best	Lux	4.41	Fin	0.93	Nl	2.21	Bel	0.88	Bel	0.22	Swe	1.55	Ire	0.79	Ire	0.69	Bel	0.01	Fra	0.37
	Worst	Nl	32.50	Fra	24.66	Aus	34.75	Aus	40.83	Fra	39.96	Aus	41.03	Ita	23.88	Swe	28.28	Lux	39.20	Lux	24.07
2000	Best	Por	3.97	Gre	1.68	UK	1.44	Bel	1.34	Ire	0.05	Swe	0.29	Fin	0.08	UK	1.40	Bel	0.12	Fra	0.94
	Worst	UK	32.57	Aus	27.30	Esp	27.72	Aus	43.04	Den	39.90	Aus	39.77	Ita	26.85	Esp	20.01	Lux	39.15	Ire	20.28
2001	Best	Lux	4.94	Swe	2.63	Ita	0.69	UK	1.22	Bel	0.35	Lux	0.70	Fin	0.00	Ger	1.50	Bel	0.88	Swe	0.94
	Worst	Nl	33.05	Fra	26.99	Aus	36.41	Esp	32.14	Fra	40.09	Aus	36.49	Ita	27.80	Swe	20.93	Lux	40.01	Den	21.82
2002	Best	Lux	6.78	Esp	1.55	Gre	1.09	Den	0.54	Nl	4.39	Swe	1.17	Ger	0.42	Ire	0.02	Aus	2.90	Swe	0.86
	Worst	Den	28.12	Fra	30.85	Aus	27.10	Esp	29.87	Swe	35.12	Aus	35.21	Aus	25.21	Esp	20.35	Swe	31.60	Aus	23.67
2003	Best	Lux	6.54	Esp	0.44	UK	3.12	Ita	0.13	Nl	1.54	Ire	1.29	Ger	2.38	UK	0.62	Bel	0.38	Swe	0.35
	Worst	UK	27.98	Fra	31.04	Esp	26.04	Esp	31.17	Swe	32.67	Aus	21.28	Den	20.93	Swe	19.23	Lux	39.01	Aus	24.17
2004	Best	Hun	1.03	Lux	0.90	Lit	0.51	Swe	0.57	Nl	0.35	Ger	2.44	Est	0.03	Pol	1.54	Nl	0.19	Fra	0.00
	Worst	Swe	37.12	Fra	31.56	Cyp	55.81	Fim	26.34	Cyp	36.61	Est	31.67	Lat	22.31	Uk	24.05	Cyp	32.53	Den	38.38
2005	Best	Ger	1.09	Aus	0.23	Lit	0.33	Aus	0.10	Aus	0.71	Swe	0.41	Cyp	1.55	Por	0.83	Ita	1.74	Fin	0.58
	Worst	Den	34.78	Fra	36.54	Cyp	55.63	Pol	38.54	Cyp	38.72	Est	28.88	Ger	24.07	Czr	25.78	Pol	37.28	Den	37.34
2006	Best	Ita	0.05	Aus	0.81	Svn	1.54	Est	0.07	Est	2.33	Por	4.45	Swe	1.67	Por	0.28	Est	1.29	Cyp	1.09
	Worst	Bel	33.75	Fra	37.63	Cyp	55.24	Pol	39.51	Cyp	37.15	Gre	24.95	Ger	26.07	UK	26.32	Pol	42.59	Czr	50.74
2007	Best	Ire	0.07	Lux	1.14	Bel	0.97	Por	1.39	Lux	3.79	Pol	0.63	Ire	0.30	Bel	0.22	Est	0.42	Fin	1.16
	Worst	Bel	32.74	Nl	28.38	Czr	37.293	Czr	30.02	Cyp	38.36	Est	31.87	Den	22.35	Fr	24.78	Cyp	36.91	Czr	49.49

Note: *CAP* = Common Agricultural Policy, *CEN* = Centralisation, *CM* = Common Market, *EI* = European Integration, *EMU* = Monetary Policy, *ENLA* = Enlargement, *ENV* = Environmental Policy, *EP* = European Parliament, *RnD* = Research & Development, *WSS* = Welfare State and Social Security Limitation

Table 6.2 Achieving desired policy outcomes: 'Winners' and 'Losers' by policy dimension under unanimity (1998–2007)

Year		CAP	CEN	CM	EI	EMU	ENLA	ENV	EP	RnD	WSS
							Policy field				
1998	Best	Bel 5.10	Por 1.27	UK 2.45	NI 0.23	Bel 0.19	Ita 0.75	Esp 0.08	Ire 0.22	Aus 0.53	NI 0.63
	Worst	Swe 37.82	Gre 30.95	Fra 33.45	Den 18.19	Esp 23.95	Lux 26.06	Por 43.72	Por 28.07	Lux 38.40	UK 14.22
1999	Best	Por 3.63	Swe 1.96	Bel 0.09	Ger 0.14	Ire 0.46	NI 0.78	Esp 0.66	Ire 1.03	Bel 0.09	Fin 0.14
	Worst	NI 37.99	Fra 27.66	Aus 31.51	Aus 38.33	Fra 37.75	Aus 42.12	Ita 29.36	Swe 20.61	Swe 27.47	Lux 20.92
2000	Best	Por 3.29	Swe 1.74	NI 0.14	UK 0.32	NI 1.42	NI 0.78	Bel 0.78	Ger 1.15	Bel 1.12	Swe 0.08
	Worst	NI 38.32	Fra 27.88	Esp 31.54	Aus 38.45	Den 40.62	Aus 42.12	Ita 29.36	Esp 20.74	Lux 40.28	Lux 20.69
2001	Best	Lux 6.81	Swe 1.80	UK 0.90	Gre 0.07	Ire 1.06	Lux 0.09	Ire 0.07	Ire 0.56	Bel 0.58	Swe 0.08
	Worst	NI 34.91	Fra 28.52	Aus 33.88	Aus 38.12	Fra 28.35	Aus 37.10	Ita 24.82	Swe 20.15	Lux 40.07	Den 20.74
2002	Best	Lux 7.76	Den 1.13	Ita 1.28	Ger 1.26	Bel 0.70	Swe 0.04	Fin 0.11	Aus 0.15	Bel 1.04	Fra 0.72
	Worst	Den 29.19	Fra 38.06	Esp 28.96	Esp 35.40	Swe 31.65	Aus 23.99	Aus 29.51	Esp 20.02	Lux 40.31	Aus 23.08
2003	Best	Lux 7.47	Den 0.82	Ita 0.24	Ger 1.78	Ire 0.65	Ire 0.74	Ire 1.14	Aus 0.21	Aus 0.86	Fin 0.31
	Worst	UK 28.51	Fra 38.75	Esp 27.97	Esp 35.92	Fin 26.93	Aus 23.30	Ita 26.47	Swe 19.66	Lux 40.61	Aus 23.45
2004	Best	Hun 1.07	Aus 0.49	Lit 0.38	Bel 0.98	UK 0.24	Ger 0.13	Mal 3.10	Pol 1.17	NI 0.05	Fra 0.85
	Worst	Den 38.01	Fra 37.28	Cyp 54.58	Esp 27.45	Cyp 35.64	Est 29.11	Lat 25.45	UK 23.63	Pol 24.07	Den 37.27
2005	Best	Svn 0.10	Ita 0.76	Lit 0.07	Ger 0.50	Aus 0.10	Ska 0.19	Est 1.76	Por 2.11	NI 1.28	Svn 0.52
	Worst	Den 36.08	Fra 39.45	Cyp 55.13	Pol 38.13	Cyp 38.11	Est 27.76	Ger 29.87	Fra 24.30	Pol 37.55	Den 36.60
2006	Best	Ita 0.53	Den 0.26	Lit 1.37	Aus 0.16	Est 1.08	Por 4.96	Mal 2.67	Por 1.36	Mal 0.62	NI 0.58
	Worst	Bel 34.33	Fra 40.86	Cyp 54.07	Pol 38.50	Cyp 35.91	Est 29.55	Ger 31.66	Czr 25.25	Pol 39.57	Czr 48.08
2007	Best	Ire 0.04	Aus 0.12	Bel 0.03	Cyp 0.10	Est 0.14	Pol 1.18	Est 2.09	Bel 0.58	Mal 0.13	NI 0.26
	Worst	Bel 33.96	Fra 38.22	Cyp 54.17	Esp 29.26	Cyp 35.06	Est 32.98	Ger 31.37	Mal 25.15	Cyp 34.26	Czr 47.66

Note: CAP = Common Agricultural Policy, CEN = Centralisation, CM = Common Market, EI = European Integration, EMU = Monetary Policy, ENLA = Enlargement, ENV = Environmental Policy, EP = European Parliament, RnD = Research & Development, WSS = Welfare State and Social Security Limitation

salience score to the median salience on a given domain. The variable comes with an estimate of uncertainty. The mean standard deviation is 4.88 on a 0 to 100 scale.

- The governments' formal voting power is based on the Shapley-Shubik scores that were computed in Chap. 3. The individual score for each government before and after enlargement can be found in Table 3.3.
- The extremity of actors' positions is operationalised as the absolute distance of a government's ideal position to the position of the median voter on any given policy domain.
- The governments' ideological scores were derived from the estimates provided by the left-right scale developed in Chap. 3. Also for this variable, estimates of measurement error were provided. The mean standard deviation is 2.88 on a −100 to 100 scale.
- Right radicalism was extracted from the EMP dataset's own party classification. Where a party belonging to a government was labelled 'nationalist,' this was taken as a proxy for right radicalism in government. However, since the EMP's classification not always can be considered accurate, the Austrian FPÖ for instance was classified as a liberal party, the literature on right radical parties in Europe was also consulted to make an informed judgement (e.g. Mudde 2007; Schain et al. 2002; Williams 2006).
- The network capital of a government was taken from Naurin (2007) and Naurin and Lindahl (2008).
- Information when a country held the Council Presidency were taken from the study's own 'Positions and Salience in European Union Politics' dataset (Veen 2011b).
- The socio-economic clusters were identified using the cluster analysis approach based on 21 indicator variables as illustrated in the previous chapter. A separate analysis for the EU-15 was conducted as well, and can be found in the chapter's appendix in Fig. 6.12. In the EU-15, four clusters were identified. The first comprises Luxembourg, the second Germany, Finland, France and Sweden, the third Ireland, Belgium, the United Kingdom, Denmark, Austria and the Netherlands, while the fourth is composed of Portugal, Spain, Greece and Italy. Eastern enlargement added one new cluster comprising Latvia, Lithuania, Poland, Hungary, Estonia and Slovakia. The cluster that housed the P.I.G.S. was enlarged by Malta, the Czech Republic, Poland, Hungary, Estonia and Slovenia.
- For the information on the five rounds of EU membership, Hix (2005) was consulted. The enlargement of Greece (1981) and Spain and Portugal (both 1986) was considered to be a single round of enlargement.
- To identify the pivotal actor on a policy domain, this study defines 'being pivotal' as possessing power to block further integration. The illustration in Fig. 6.5 may help to explain this. On the policy domain 'Centralisation' in 1998, Ireland and Greece occupy the extreme positions on both sides of the uni-dimensional continuum. Greece is a supporter of further 'Centralisation', whereas Ireland is against this. Under unanimity voting, where every government has to give its consent for a decision to pass, Ireland is therefore the pivotal player. According
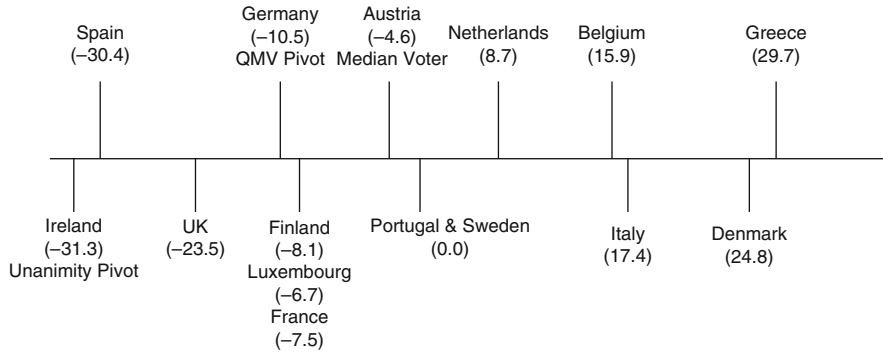
Fig. 6.5 Pivotal government under QMV & Unanimity and the median voter for policy domain 'Centralisation' in 1998 (EU15).
Note: Data derived from policy domain 'Centralisation' in 1998

to a similar logic one can identify the pivotal player under qualified majority voting. In Chap. 3 it was shown that in order to pass a piece of legislation under qualified majority voting, 62 out of 87 votes were required. Using the information on governments' voting rights from Table 3.3 in Chap. 3, Germany is the country that when adding its votes to the coalition of states seeking to change the status quo, turns a losing into a winning coalition. To pass a law in the EU-25, it required at least 232 out of 321 votes (72.27%) and the support of 13 member states (52%). Again the Table 3.3 in Chap. 3 was consulted to make these calculations.

• Finally, to locate the median voter, the positions of the governments on each policy domain were ordered according to their value. The government that separates the higher half of the governments from the lower half is the median. For instance in Fig. 6.5, the median voter is Austria.

Before turning to the analysis, Table 6.3 summarises the descriptive statistics of the variables discussed.

6.4.2   Neither Power Nor Luck

For the multivariate analysis, regression analysis is used.[9] In the framework of regression, measurement error and/or misclassification lead to bias in the estimated

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[9]In estimating the effects of the determinants of decision-making success, and using a compromise model to compute the bargaining outcome, one may argue that a tautology arises because extremity of positions is inferred from the actual policy position that is also used in the model. However, the bi-variate analysis suggests that the correlation of these two variables is extremely weak (0.05). Therefore, there is no significant endogeneity problem in performing the analysis.

Table 6.3 Descriptive statistics: dependent and independent variables

Variable	Description	Mean	Std. Dev.	Min.	Max.
Dependent Variable *DV*					
Distance	Distance from government position to policy domain outcome	12.2	9.91	0.0	55.8
Independent Variables *IV*					
Extremity	Governments' relative positions to the median policy position	11.6	9.0	0.0	47.7
Voting Power	Measures of governments' formal voting power (EU-15)	56.7	29.7	11.7	100.0
	Measures of governments' formal voting power (EU-25)	43.0	32.3	9.6	100.0
Salience	Relative level of salience governments attach to a policy position	2.1	12.0	−31.5	88.2
Median Voter	1 for the median voter on policy domain	0.0	0.2	0.0	1.0
Right Radicalism	1 for a right radical party in government	0.1	0.2	0.0	1.0
Presidency	1 for holding the Council Presidency	0.1	0.3	0.0	1.0
Cluster	Membership in socio-economic cluster	3.2	1.1	1.0	5.0
Network Capital	Governments' network power in deliberations	1.7	1.0	0.4	3.7
EU Membership	Length of EU membership	2.8	1.5	1.0	5.0
Pivot	1 for the pivotal UN position on policy domain	0.0	0.2	0.0	1.0
	1 for the pivotal QMV position on policy domain	0.0	0.2	0.0	1.0
Ideology	Standardised left-right orientation of governments	2.6	8.6	−20.1	19.5

parameters by attenuating the estimated effect of explanatory variables (Carroll et al. 2006).[10]

To correct for effects of measurement error, the simulation and extrapolation method (SIMEX) as proposed by Cook and Stefanski (1994) is employed.[11] This method has only enjoyed limited application in Political Science. It is used by Hopkins and King (2010) as a means to correct misclassification errors in text analysis and by Benoit et al. (2009) to correct for random measurement error in observed covariates in a linear regression context.

The method entails adding additional measurement error in known increments to the data, then computing estimates from the contaminated data. Using simulation, it establishes a trend between these estimates and the variance of the added errors. Finally, this trend is extrapolated backwards to the case of zero measurement error (Lederer and Küchenhoff 2006). The method produces estimates that are nearly asymptotically unbiased. It shows high efficiency in standard and non-standard regression models. The SIMEX approach in this chapter uses a quadratic polynomial extrapolation function, which has the best performance in most cases, being particularly suited for linear regression analysis (Benoit et al. 2009).

Figure 6.6 shows the effect on covariates when correcting for attenuation with SIMEX. The x-axis value '$1 + \lambda = 1$' corresponds with the naive estimate, i.e. the uncorrected estimate. The 'point $1 + \lambda = 0.0$' is the value of the parameter after correcting for attenuation. Arguably, the effects on the coefficients in these examples are relatively small. Yet, corrections may sometimes even lead to changes in the signs of coefficients.

Table 6.4 provides the results of the multivariate SIMEX regression analysis. Four models are offered. The distance between a government's policy position and the policy outcome is used as the dependent variable in all models. The independent variables were discussed in the previous section. The first two models analyse distances between countries' policy positions and decision outcomes in the EU-15 between 1998 and 2003. One model pertains to qualified majority voting, the other to unanimity voting. Models 3 and 4 are the equivalents for the post-enlargement period. The distinction between pre- and post-enlargement periods not only allows to investigate the effects of enlargement, but also to check the robustness of the results.

The models were checked for possible interaction effects, but showed no need for any interactions. Moreover, all models were tested for possible effects of multicollinearity.[12]

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[10]In statistics, variables are usually subject to measurement error. Thorndike (1917, p. 207) wrote that 'any measure is a compound of fact and errors which instruments will surely make.' Error might thus occur due to bad measurement instruments. Similarly, error due to misclassification enters the equation when the true variable cannot be measured directly.

[11]For the analysis the R-package 'Simex' (Lederer and Küchenhoff 2009) is used.

[12]To test for multicollinearity, the variance inflation factors (VIF) (Fox and Monette 1992) were estimated. As rule of thumb, VFI's smaller than five indicate that there are no problems with multicollinearity. The VFI threshold with values smaller than five satisfied in all four models. For
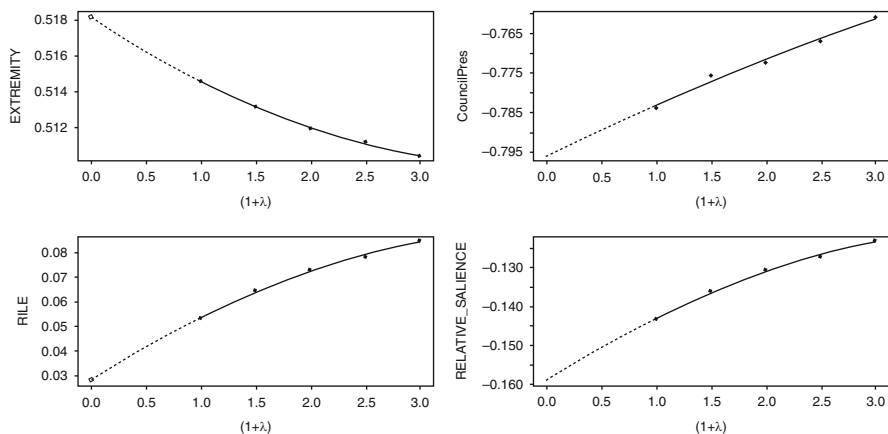
Fig. 6.6 Correcting for measurement error using simulation-extraction: Four illustrations.
Note: Simulation-Extraction results based on 1.000 iterations for each lambda. Results are based on regression model (2), pooled analysis of decision-making under unanimity rule between 2003 and 2007

To get a better intuition of the impact of the significant variables on success in achieving desired policy outcomes, marginal effects have been calculated.[13] Table 6.5 gives the effects on the dependent variable's expected outcome when changing from the minimum to the maximum observation in an independent variable, while controlling for all other independent variables.[14]

Over the whole period of investigation, the extremity of government positions appears to have the largest impact on success in achieving desired policy outcomes. The coefficient associated with all models is roughly 0.5 (See Table 6.4). This means that the extremity of positions has also the biggest negative effect on success. With every unit increase in extremity, the bargaining outcome shifts 0.5 points away from the government's ideal point. This finding implies that in the relatively balanced system of 'winnings' and 'losses,' occupying an extreme position comes with considerable implications for a government's success. This can best be gauged by considering the differences in success when a government moves from the minimum value of extremity to the maximum. This shift results in an increase of distance from 23.11 (EU-15/QMV) to 25.65 (EU 25/QMV) points on the standardised policy scale.

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the EU-15 unanimity model, the mean VFI is 1.28, with a minimum of 1.01 and a maximum of 1.85. For the EU-15 qualified majority model, the mean VFI is 1.77, with a minimum of 1.05 and a maximum of 3.75. For the EU-25 unanimity model, the mean VFI is 1.29 with a minimum of 1.01 and a maximum of 2.11. For the EU-25 qualified majority model, the mean VFI is 1.65, with a minimum of 1.02 and a maximum of 2.65.

[13]For this, the programme Clarify (King et al. 2000; Tomz et al. 2003) was used, running 100.000 simulations for each regression model.

[14]The calculations from the first differences are based on the naive SIMEX model, i.e. uncorrected for attenuation.

Table 6.4 SIMEX regression results: determinants of bargaining success

Dependent variable	EU-15		EU-25	
	QMV (1)	UN (2)	QMV (3)	UN (4)
Intercept	9.42*** (1.33)	7.09*** (1.30)	4.50*** (1.39)	3.56*** (1.33)
Relative Salience	−0.15*** (0.02)	−0.13*** (0.02)	−0.15*** (0.02)	−0.12*** (0.03)
Voting Power	−0.00 (0.02)		0.02 (0.014)	
Median Voter	1.28 (1.11)	0.44 (1.10)	0.31 (1.40)	0.52 (1.35)
Extremity of Position	0.55*** (0.03)	0.51*** (0.04)	0.49*** (0.03)	0.52*** (0.03)
Presidency	−1.81** (0.83)	−0.73 (0.81)	−1.24 (1.02)	−0.74 (0.99)
Ideology	−0.05 (0.05)	0.03 (0.04)	−0.01 (0.05)	0.02 (0.05)
Network Capital	−0.31 (0.45)	0.23 (0.26)	0.30 (0.50)	0.65* (0.34)
Cluster	−0.83** (0.42)	−0.28 (0.34)	−0.35 (0.37)	0.04 (0.32)
Length Membership	0.37 (0.29)	0.32 (0.27)	0.87*** (0.27)	0.53** (0.23)
Pivot	2.26** (1.13)	3.51** (1.20)	0.74 (1.41)	2.36* (1.42)
Radicalism	5.66*** (1.15)	3.57*** (1.16)	1.21 (0.82)	1.31* (0.79)
Observations	900.00	900.00	1000.00	1000.00
F	33.87***	38.46***	34.08***	43.46***
Adjusted R-Square	0.29	0.29	0.27	0.30

Note: Estimates based on 1.000 SIMEX iterations; Jackknife variance; Standard Errors in Parentheses; Significance codes: $0.001 \leq$ '***', $0.01 \leq$ '**', $0.05 \leq$ '*'

A similarly highly significant effect in each model is the impact of salience on success. Salience has a beneficial effect on the distance between ideal position and policy outcome, with a coefficient of around −0.13. Thus with every unit increase in salience, the bargaining outcome shifts 0.13 points towards the governments' ideal point. The analysis of first differences shows that the effect from moving to minimum to maximum decreases the distance between 7.93 (EU-25/UN) and 13.08 (EU-15/QMV).

Another significant effect is exerted by right radicalism on a government's performance. In all models save Model 3, this effect is observable. Governments comprising a far-right party are on average between 1.21 (EU-25/UN) to 5.06 (Eu-15/QMV) points disadvantaged in securing a desired policy outcome. Although this effect is not comparable in magnitude to that of extremity and salience, it

Table 6.5 Computing first differences: effects on the response variable

	Effect on response variable			
	EU-15		EU-25	
Explanatory variable	QMV	UN	QMV	UN
Salience	−13.08	−11.84	−09.18	−07.93
Extremity	25.65	23.85	23.11	24.48
Council Presidency	−01.77			
Pivot	02.29	03.61		02.48
Cluster	−02.55			
Network Capital				02.17
Length Membership			03.54	02.16
Radicalism	05.06	03.16		01.21

Note: First differences in expected outcome represent the effect of changes from the minimum to the maximum observation of significant independent variables on the distance to the bargaining outcome. All estimates are based on the pooled QMV and UN regression models and are simulated from 100.000 iterations

nevertheless indicates that this political orientation unequivocally impairs success in achieving desired policy outcomes. This may either relate to true punishment by other governments, or to deliberations with these particular governments being more difficult than with governments without radical right parties.

The list of interesting findings can be extended to the effect of being the pivotal actor. The multivariate analysis indicates that being the pivot under QMV or unanimity voting has no positive effect on achieving desired policy outcomes. The analysis even suggests that being the pivot has a negative effect on the outcome. However, the interpretation of this effect may be misleading. It does not imply that because a government is the pivotal actor it necessarily enjoys less success. Based on the study's operationalisation of being the pivot, both under unanimity voting and qualified majority voting, the pivotal voter occupies a generally rather 'extreme' policy position, and therefore is penalised accordingly. However, to assume an interaction between the pivot and extremity is illogical because governments can also hold extremist positions in favour of further integration, and in this study the pivot is always for the status quo (compare Fig. 6.5). Yet, what one can infer from this is that pivotal power appears to play no systematic role in Council decision-making.

But does that mean that simply occupying the median position increases chances of success? In the context of this analysis, there is no convincing evidence showing that being the median increases a government's propensity in achieving desired policy outcomes. Having the good fortune of being at the median position alone, it seems, does not determine 'winners' and 'losers.'

Whereas the previous independent variables had an impact on success in both periods under investigation, some of the remaining variables acquire only significance in either the pre- or post-enlargement period.

The effect of holding the Council Presidency has, as expected, a positive effect on the success in achieving desired policy outcomes. Yet, this effect is only observable under qualified majority voting in the EU-15. The absence of this effect in the later period may be caused by the increased complexity in mediating between 25 instead

of 15 governments. Even more interestingly, however, under unanimity in the EU-15, holding the presidency has no significant effect on achieving a desired policy outcome. This may be because the leeway for the presidency to organise majorities is more curtailed under unanimity than under QMV.

Formal voting power has no significant impact on achieving desired outcomes, which makes sense considering that consensus behaviour is the norm. The effect of network capital is also relatively small; it reaches only significance for the EU-25 model under unanimity rule. The marginal effect of changing from the minimum to the maximum value for network capital is 1.28. This finding has two implications. First, this is yet another indication that informal power has only barely observable positive effects on policy outcomes in the Council. Second, the negative effect even indicates that smaller member states, which generally have a lower network power score than large member states, in some situations may have a higher chance of success in securing a position close to their ideal point than larger states (cf. Rodden 2002). Generalisations based on these statistically relatively weak results should be made with some caution, however.

The impact of membership in socio-economic clusters could only be identified for unanimity voting in the EU-15. It indicates that the middle European governments such as France, Germany as well as the Southern countries enjoyed some increased success compared to Luxembourg and the Northern countries such as Sweden and Denmark. This effect is relatively small, though, and did not show for decisions under QMV rule in the EU-15 or in the enlarged European Union in general.

In congruence with the expectations formulated earlier, the length of membership appears to have a positive impact on governments' performance in achieving desired policy outcomes. However, this effect is only observable in the post-enlargement period. Considering the differences between the minimum and maximum value for this variable, the founding members are 2.16 (UN/EU-25) and 3.54 (QMV/EU-25) points closer to the policy outcome than the ten new member states. Whether experience or differential advantage of decision rules that were formulated before enlargement led to this result should be subject to future research. However, this is the first piece of evidence in this study that shows that the new member states are being slightly disadvantaged compared to the old member states.

Since extremity and salience have the largest effect on the success in achieving desired policy outcomes, it is of interest to investigate the relationship between these two variables and their impact on the policy outcome. To understand to what extent salience impacts on a government's success when gradually increasing the value of the extremity of positions, these effects are simulated. Differentiating between indifferent (salience is zero) and highly concerned (salience is at maximum) governments, controlling for all other explanatory variables, has a marginal effect as depicted in Fig. 6.7. It shows that salience is always beneficial for achieving desired policy outcomes, even when occupying an extreme position. However, even if a player attaches high salience to a position, the positive effect of salience only offsets the negative effects of increasing the ideal point away from the median voter until
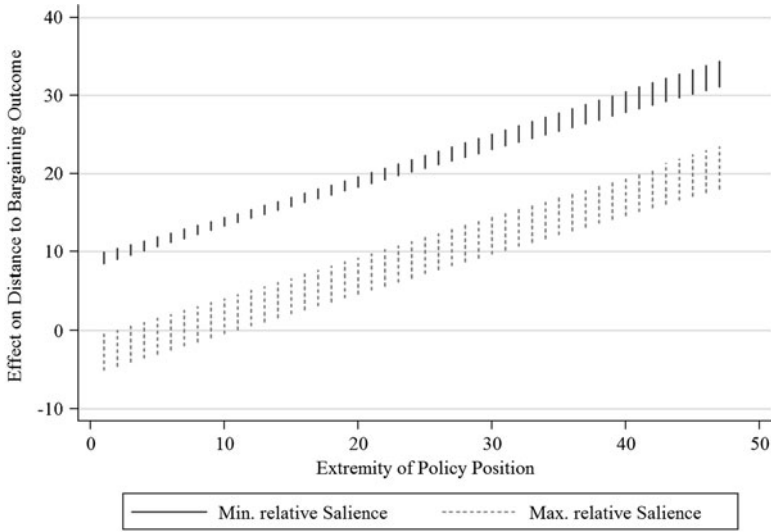
Fig. 6.7 Extreme positions and bargaining outcome: The impact of salience.
Note: Based on 100.000 iterations; Valid for pooled QMV regression model (1998–2007). *Dotted areas* represent 95% confidence intervals

ca. ten points on the policy scale. Exceeding this threshold, a government will have a negative propensity to achieving its desired policy outcomes.

Interestingly, the coefficient of the explanatory variable 'extremity' has a nearly equal value to that in the recent analysis of Arregui and Thomson (2009), who use the DEU dataset, where it is at 0.57. A similar effect can be reported for the impact of salience. This also holds for the ratio between the first differences of extremity and salience in both studies. At the very least, this not only suggests that the estimates of position and salience used in this study are valid, but also that an appropriate model to predict outcomes of Council decision-making was chosen.

6.5 Conclusion

This chapter has shown that collective decision-making in the Council does not produce clear 'winners' and 'losers.'

The analysis was based on the calculations of the policy outcomes using the 'compromise'-model (van den Bos 1991). Although the model appears theoretically to be well suited for predicting actual collective decision-making outcomes in the Council (see Chap. 2), the results from the present analysis constitute 'ideal' or 'laboratory' results. However, the fact that they are largely corroborating findings from previous research regarding both the 'winners' and 'losers' as well as the determinants of achieving desired policy outcomes, should be viewed as a very positive sign regarding the model's validity in predicting Council decision-making.

Success in Council decision-making is predominantly determined by the extremity of positions and how much governments want a particular outcome. It seems most plausible that the balanced distribution of success is facilitated by log-rolling. With regard to the impact of Eastern enlargement, the EU's new member states appear to largely perform as good as their senior fellows. In this respect, Council decision-making after enlargement can be confidently described as 'business as usual.'

The best performer in the EU-15 has been Belgium. Luxembourg held this title in the EU-25. It is noteworthy that the worst performers in absolute terms, i.e. the countries with the largest mean distance to the policy outcome, have been Austria (EU-15) and Poland (EU-25). During (parts of) these periods, far right-wing parties participated in the coalition governments of these countries. This in turn has raised the suspicion that the balancing of decision-making success gets out of tune with extremist parties at the table. This was corroborated in the statistical analysis, and is a completely new aspect of Council decision-making that has not been shown before. Future research might probe the mechanisms underlying this finding.
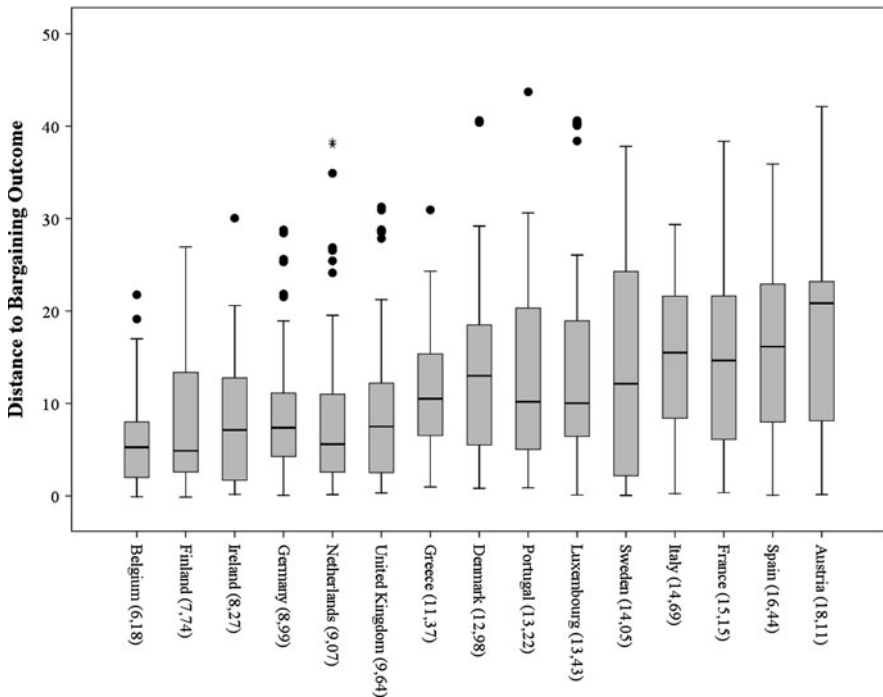
Appendix

Fig. 6.8 Member States' success in achieving desired policy outcome (1998–2003). Unanimity voting
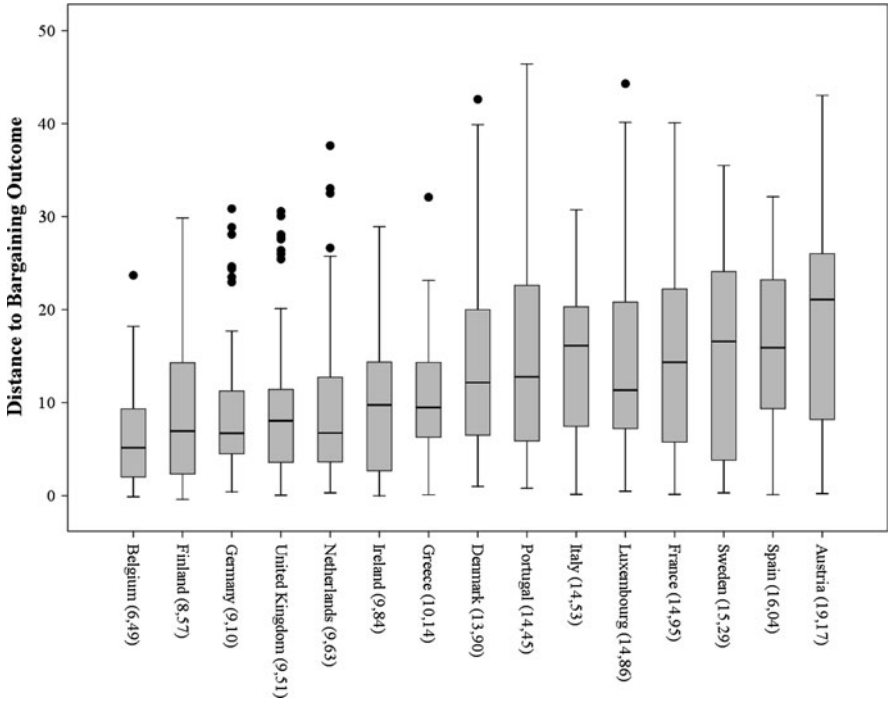
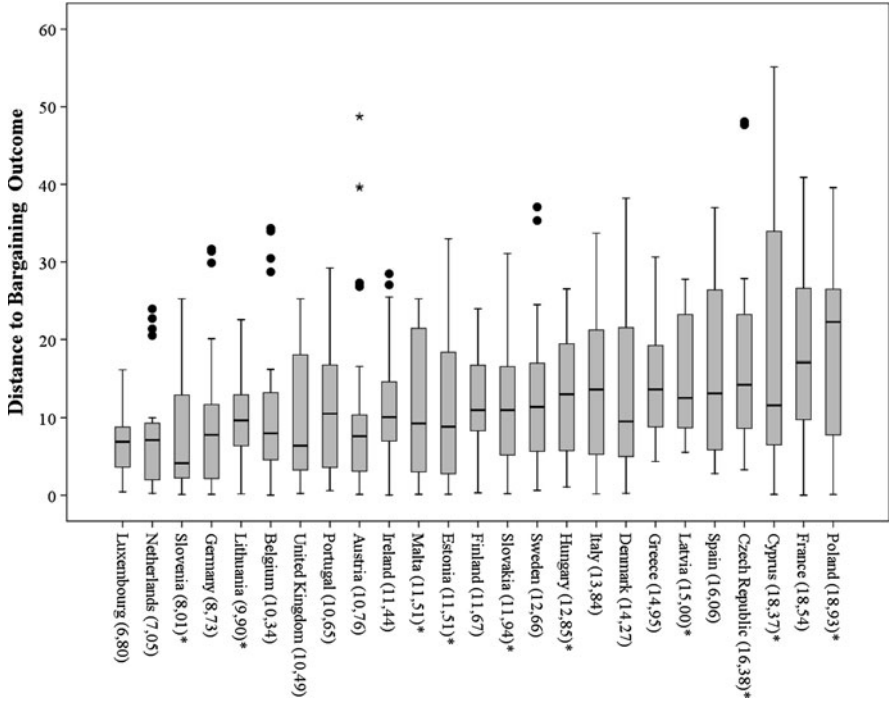**Fig. 6.9** Member States' success in achieving desired policy outcome (1998–2003). Qualified majority voting

Fig. 6.10 Member States' success in achieving desired policy outcome (2004–2007).
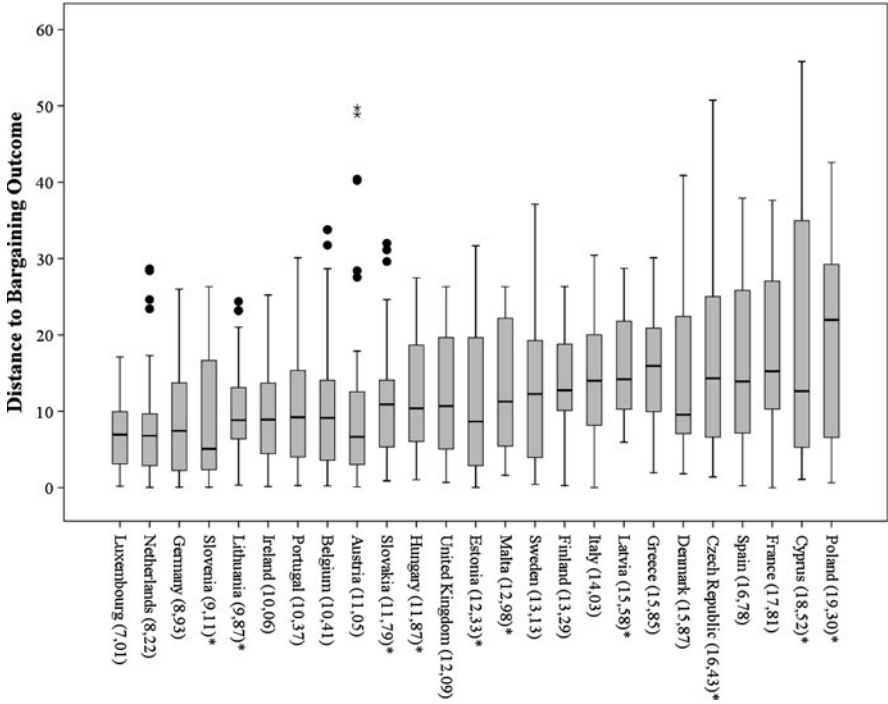Unanimity voting

Fig. 6.11 Member States' success in achieving desired policy outcome (2004–2007). Qualified majority voting
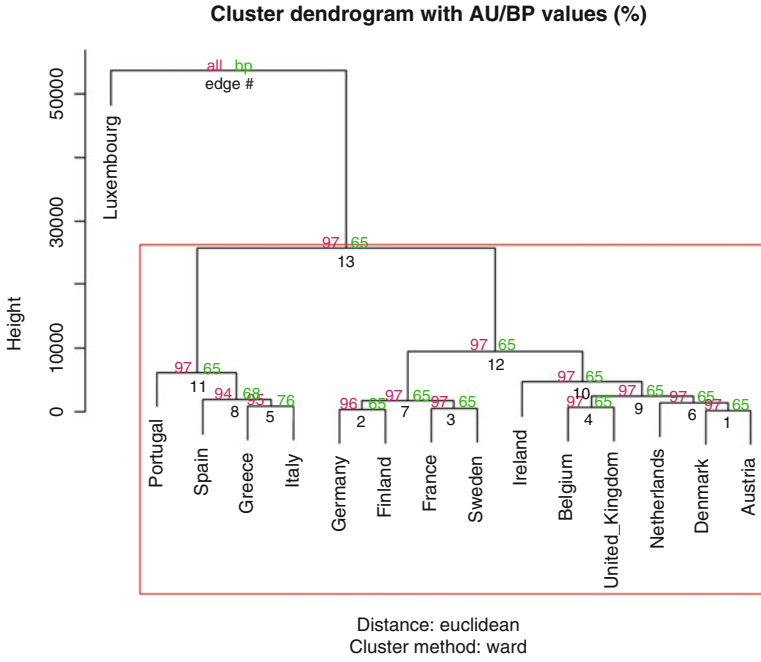
Fig. 6.12 Socio-economic clusters of Governments in the EU-15

Chapter 7
Conclusion

The Council: Conflict and Coalitions

Otto van Bismarck said that 'the making of laws is like the making of sausages – the less you know about the process the more you respect the result.'[1] After reading this study, can we draw a similar conclusion for law-making in the EU Council of Ministers?

The Council is a truly unique object of study, even in the inimitable institutional environment of the European Union, which is 'neither a state nor an international organisation' (Sbragia 1992, p. 257), seizing the 'middle ground between the cooperation of existing nations and the breaking of a new one' (Scharpf 1988, p. 242).[2] In Council decision-making, the governments face severe constraints, but also unique opportunities. The constraints relate to the fact that government and opposition dynamics, usually resulting in clear 'winners' and 'losers,' are ineffective in keeping all states content with the concerted endeavour towards an economically and politically integrated European Union. It requires therefore a delicate framework of rapprochement and conciliation to keep the balance between endorsement and contestation. But the Council also provides governments with opportunities to shape policies beyond the consequences of electoral cycles that impact on policy making in the member states. This is because of the Council members' insulation from their national, partisan or sectoral constituencies, the limited electoral accountability for their actions and the at best modest degree of visibility in the media.

This study is the first that analysed collective decision-making in this peculiar institution with a scope spanning across many policy domains over a substantive period of time, covering the EU Eastern enlargement in 2004. Its aim was to provide

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[1]There is some dispute whether this epigram can actually be attributed to Bismarck. Some claim that it was the reporter John Godfrey Saxe from 'The Daily Cleveland Herald,' who draw similarities between laws and the sausage industry on the 29 March 1869. Others maintain that it was invented by a member of the House of Representatives of the Illinois legislature in the 1870s.

[2]These quotes were taken from Tsebelis' (2002, pp. 248–282) veto player analysis of the European Union's institutions.

a comprehensive picture of conflict and cooperation in the Council: 'who gets what, when and how?' Who are the 'winners' and 'losers'? What are the determinants of decision-making success? What are the dimensions of political conflict? Are there stable alignments amongst the governments? In answering these questions, this research has produced some new and challenging insights, replacing occasional stereotypes with substantive insights.

It was shown that the balancing between different policy positions of Council members appears to occur between socio-economically defined clusters of states. The Council's political space seems to facilitate log-rolling between the economically strong countries, that generally favour comparatively larger degrees of integration, and the lesser developed members, who prioritise redistributive policies over harmonisation and regulation. The integration and redistributive dimensions that constitute the Council's political space can be conceived as the framework for realising such trade-offs.

The variability of coalitions on policy domains and particularly on single policy issues are evident signs for the existence of these kind of trade-offs. Since long-term alignments appear to be rather stable in the Council, to secure short-and medium term policy objectives while safeguarding a certain contentedness between all governments, this variability of coalitions at 'lower' levels of policy-making is paramount to prevent deadlock in collective action.

This interpretation of the function of different alignments at the three levels of decision-making, i.e. the political space, policy domains and individual issues, is supported by the finding that success in achieving desired policy outcomes is relatively balanced amongst governments.

Perhaps most importantly, it was shown that consensus among all Council members is the norm. Consequently, actors taking extreme positions have a comparatively more difficult task in achieving desired policy outcomes. On the other hand, if an ideal point is highly salient to a government, its position is considered more sympathetically by the other Council members. The most surprising finding with regard to success in Council decision-making is that governments with an extreme right party are systematically disadvantaged in the Council, even when these governments do not take more extreme positions than the others actors.

Finally, this study did not find evidence that the Council evolves towards an institution where decision-making is structured by partisan lines. This contrasts with the development of politics in the European Parliament and to some extent with the European Commission. The extent to which governments pursue 'normal politics' in the Council, i.e. the organisation of majorities, appears still to be informed by intergovernmentalism. In the Council actors cooperate based on their interests, while ideologically defined alignments seem to lack the capability of systematically mobilising actors.

7.1   The Democratic Deficit: A Necessary Evil?

This conclusion leads to a final discussion in this study. This discussion builds upon some of the arguments from scholars calling for partisan politics in the EU, who argue that ideologically informed political competition could ease or even resolve the EU's democratic deficit, and discusses their arguments critically in the light of the study's findings on the Council of Ministers. The depth and scope of this discussion can, of course, only do limited justice to what currently is one of the most salient and important debate in European studies.

Acknowledging this restriction, it has been shown that the observed stability in Council legislative decision-making depends fundamentally on its current institutional make-up, favouring interest-based, state-centric politics. Over the course of this study it was established that the dynamics of collective action in the Council rest upon the delicate mechanisms of rapprochement and reconciliation between groups of states with quite different policy positions, facilitated by a political space comprising two independent conflict dimensions.

However, Chap. 2 provides examples illustrating that as a result of its institutional and operational make-up, the Council of Minister's democratic accountability is far from ideal. In this respect, Moravcsik's (2002, p. 621) claims that when judged by the practices of existing nation states and in the context of a multi-level system, however, this issue should not be exaggerated since governments are directly accountable to their national constituencies. Yet that perspective ignores that control by the citizens is seriously impeded by the Council's institutional and operational structure. With more than a dozen subcouncils, that all engage into active log-rolling across policy domains and issues, and very little media scrutiny the effective control by electorates over governments is severely limited. There is thus a clear deficit.

And this deficit comes at a high price. Føllesdal and Hix (2005, p. 556) argue that 'the endogeneity of voters' preferences, [...], seems to be handled less acceptably at the European level than at the domestic level.' That has led to a polity that is rather an 'enlightened despotism' than a genuine democracy (Hix 2008b, p. 85). What lacks is the 'battle for control of political power, between rival groups of leaders with rival policy platforms, with winners and losers clearly identifiable' (ibid). Injecting these limited political democratic processes into the polity may not only cure the lack of popular legitimacy that has arisen from the democratic deficit, but it could also solve the EU's alleged incapacity to react to the challenges of globalisation.

The rationale behind this assumption is the following. Over the course of integration, the EU's policy agenda shifted from policies geared towards the internal market to policies of economic reform. Similarly, the reverse point of policies evolved from being generally undesirable to most governments to a position where it divides the member states. According to Hix (2008b, pp. 40–46), this has limited the EU's ability to propose and adopt legislation that would allow the EU to cope with the requirements of the globalised world; and this situation can only be resolved by partisan coalitions spanning over all three EU legislative institutions.

Føllesdal and Hix (2005, p. 557) point out that 'all that may be needed is for the political elites to make a commitment to open the door to more politicization of the EU agenda.'[3] But this may constitute a considerable obstacle: it is questionable whether political elites will make such commitment, particularly since there may be little incentive for them to do so. The following sentences elaborate this point.

An important argument for political elites to leave the Council as it is, is for instance the advantage that policy making is relatively unaffected by domestic electoral cycles. Governments can pursue policy goals and objectives that they could not easily take up in their respective domestic contexts. At least not if politicians are office-seekers who derive their pay-off primarily from holding cabinet posts (Laver 1998). Such goals and objectives must not necessarily have a long-term horizon, but they could result in conflict with the governments' 'official' ideological make-up and the electorates' preferences, for instance. Infusing ideological conflict could potentially bring an end to this. Moreover, this study has stressed the existence of 'normal' politics in the Council, defined as the interaction of actors who 'have to build alliances with like-minded governments' (Hix 2008b, p. 125), with like-mindedness being informed by substantive interest. The current institutional balance facilitates these politics, which appear to be clearly beneficial to and desired by all actors involved.[4]

So is there an alternative to the democratic deficit? Ultimately, the conclusions will differ depending upon ways to conceive of the EU's scope and functions. If it is purely to serve national governments acting as rational actors, then one could easily side with Andrew Moravcsik, who maintains that 'if it ain't broke, don't fix it' (as cited in Hix 2008*b*, p. 181). In this respect, one may even argue that the alleged incapacity to react does not exist. If needed, the heads of government in the European Council will be able to change the EU policy agenda to address any problem arising. However, this does not resolve the problem of the declining popular support, fuelled by the democratic deficit; and perhaps only partisan politics can be the cure to this disease. If one conceives of the EU as a greater polity and a unique political system in itself, with democratic aspirations, then we should start fixing the problem. Unfortunately, the findings in this study indicate that the opportunity costs to the elites appear to be too high at the moment to make this commitment.

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[3]Bartolini (2006), however, argues that this could also pose a possible threat, because the actual consequences of infusing partisan politics into the European Union are hard to anticipate.

[4]One may also consider that the ministers only have a limited impact on the decisions made in the Council. Most deliberations are conducted at the lower tiers by the governments' bureaucracies. This may be another hurdle to partisan politics in the Council, as the extent to which low level officials are willing to resort to ideology in inter-governmental deliberations has not yet been studied comprehensively. Problematic issues in this respect can relate particularly to Coreper with its European *esprit de corps*.

7.2 A Research Agenda

This study aspires to be one of many stepping stones towards deepening our understanding of the European Union in general and the Council of Ministers in particular. Hopefully, subsequent research will be able to build on the findings and correct the errors that have invariably been made.

In conducting this project, researching the Council was like exploring the deep sea. The further down one ventures, the more fascinating and wondrous the phenomena become that are being encountered. But the deeper the journey goes, however, the greater the challenges become to researcher and material. Building upon the study's experiences in venturing deep, the following few paragraphs shall sketch some areas for future exploration, in particular addressing issues this study could only stipulated upon.

Perhaps the most important issue is the question of separability of policy domains in the Council. This study conceived of all domains as equally (inter)dependent and argued that due to this non-separability, governments can be accommodated in the decision-making process. The logic of non-separability is to some extent similar to the vote-trades enabled through the Council's conflict dimensions 'integration' and 'redistribution.' Non-separability can thus help to prevent decision-making from deadlock. Other scholars have different perspectives on this. Nugent (2006, p. 419), for instance, alleges that 'decision-making tends to be rather compartmentalised, and that it is within rather than across policy compartments that trading, bargaining, linkaging and compromising [...] are mainly to be found.' Yet, these two positions perhaps constitute the extreme ends of a possibly much more differentiated subject. One may reasonably assume that there are clusters of policy domains where separability is naturally smaller or larger. Finke's (2009) analysis of separability of policy issues at Intergovernmental Conferences (IGCs) moreover shows that separability can even vary between certain groups of states. To analyse and understand the process of collective decision-making even more comprehensively, further research focussing on the question of separability is therefore needed.

This leads to a closely related item on the future research agenda: who or what is it precisely that facilitates deliberations and vote-trades across different policy domains? Conceivably, both Coreper and the Council Presidency play a vital role here. All working group decisions are discussed by and channelled through Coreper. It has the information and necessary capacity to act as a powerful mediator and package deal broker. The Council Presidency in turn has a vital interest in facilitating cooperation between member states, as the presidency is usually under increased scrutiny of the domestic media. The increased rate of adoption at the end of Council Presidencies certainly attests this (see Veen 2009b). Having the Council Secretary under its command – a permanent institution assigned to organise and coordinate the Council's work – the presidency is also equipped with expertise and information to strike compromises across different policy domains. The problem, however, is that evidence for this conjecture is rather anecdotal. Although much research has been conducted on the powers of Coreper and the Presidency

(e.g. Bostock 2002; Hayes-Renshaw 1990; Lewis 2005; Warntjen 2008a,b), research on the role as mediators or 'formal leaders' of Council decision-making has largely been limited to a number of case studies (Lempp and Altenschmidt 2008; Tallberg 2008). In this respect, there is clearly need for many more supplementary studies.

Another hot current topic in EU legislative studies is the inter-institutional cooperation of the Commission, Parliament and Council. In his study of delegation to the European Commission, Franchino (2004, 2005, 2007) shows for instance that when the Council is divided, the Commission's policy discretion expands. The Parliament in turn consistently tries to increase the Commission's policy autonomy. Council and Parliament have thus divergent interests respecting the powers to grant their agent, the Commission. Much of the literature demonstrates that Council and Parliament tend to consistently have different takes on the course of integration (e.g. Crombez 1997a; Hagemann and Høyland 2010; Moser 1996; Steunenberg 1997; Tsebelis 1994; Tsebelis and Garrett 2000). With the EP's role as a co-legislator steadily increasing, more research on the relationship between positions in both institutions are needed. Instead of relying on roll-call data only in this respect (see Hagemann and Høyland 2010), future studies may benefit from using information related directly to the Council's bargaining stage. This could lead to a more comprehensive understanding of the dynamics in deliberations between these two institutions. The 'Positions and Salience in European Union Politics' dataset accompanying this study may be exploited here, since it contains estimates of positions and salience for all major European Parliament groups on ten policy domains and a Justice and Home Affairs dimension (see Veen 2011b).

This study has been sceptical whether roll-call data pertaining to the Council's voting stage can provide insights about conflict and coalitions at the bargaining stage of Council decision-making. However, as was shown in Chap. 5, such data are the prime choice for making inferences about voiced dissent at the voting stage. Differentiating between coalitions at both stages, it was argued that even proponents of a law may occasionally use the voting stage to show explicit dissent with the Council's decisions. Although this may also occur since ministers have sometimes to defend themselves in their national parliament, and public dissent may yield a bonus for the government in question, it is conceivable that elections are the most important context in which governments are inclined to deceive the electorate. This hypothesis is in congruence with existing Council voting studies, that show that right-wing governments, traditionally courting a more eurosceptical audience, exhibit more dissent than leftist governments. However, much of this reasoning still borders upon speculation. It will therefore be of great interest to investigate whether (a) governments sometimes use the voting stage to deceive their constituencies, and (b) what the determinants for such behaviour are.

Lies have always been an instrument of power-politicians. One EU scholar who argues that power still plays a major role in European integration is Andrew Moravcsik. In particular, he maintains that at the large IGCs, the big three member states France, Germany and the United Kingdom bullied and bought-off the smaller countries into agreeing with their policy plans. Analyses at the level of working groups also show that the 'big three' may have more influence than usually expected

by quantitative accounts in the Council's decision-making process (e.g. Elgström et al. 2001; Naurin and Lindahl 2008). Although it was shown that no particular countries are disproportionately advantaged in achieving desired policy outcomes in this study, the analysis of the political space in Chap. 4 clearly marked these countries as being pivotal, at least in the period before enlargement. It can be speculated whether for instance the size of their population has translated into the size of the governments' administrative body of staff at the EU, allowing them to open and maintain negotiation channels too expensive for other governments. However, to further elaborate the influence of these countries on Council decision-making, future substantive research should investigate more explicitly possible explanations for these interesting findings.

The final points on the research agenda relate to measurement. The first concerns the measurement of conflict in the Council. This study employed a proxy to make inferences about the intensity of political conflict by using the maximum and interquartile positional ranges for each policy area. Häge (2008a,b) estimates conflict intensity in the Council from institutional factors such as voting rules or the nature of legislative acts. Another branch of research analyses the speed of legislative decision-making and implicitly makes assumptions about the intensity of contestation from the length of time needed to adopt a law in the Council (Golub 1999, 2007; König 2007, 2008a; Schulz and König 2000). These contributions notwithstanding, there is arguably a need in Council studies to measure conflict directly rather than indirectly to develop a more comprehensive picture of conflict intensity. A potentially salient way to generate robust data is the exploitation of content analytical tools such as event data research. The systematic analysis of EU specific newspaper such as 'Agence Europe' or 'European Voice' may enable the measurement of the intensity of political conflict (Veen and Sullivan 2009).

The second measurement point concerns the data collected for this study. The Euromanifestos, on which the positional and salience estimates are based, were coded starting with the European Parliament elections in 1979. Recently, also the manifestos for the 2009 elections have been coded completely. The analyses conducted here can thus be extended to a far larger period of investigation. The present author hopes to encourage such research by making available the routines for bootstrapping and converting the party positions into government estimates together with the 'Positions and Salience in European Union Politics' dataset. Such future projects can be highly salient since there is only little systematic information about the evolution of Council decision-making. Likewise, it will be highly interesting to investigate whether the Council has been able in previous rounds of enlargement to integrate the newcomers as perfectly as it did in the recent Eastern enlargement.

7.3   Concluding Remarks

During the course of writing this study, the European Union has experienced some tremendous changes and challenges. The financial crisis hit the Union hard, and the viability of the Euro is a hotly debated issue since not only Greece, but also

Italy, Spain and Portugal have experienced heavy economic pressure. Politically, the EU is in the process of reviewing membership applications from Balkan countries and Turkey. Particularly the implications of the accession of Turkey for Council decision-making would be highly interesting to study. One can only imagine how consensus will be affected when the antagonist of Greece and Cyprus becomes a member of the EU. But given that Turkey and Greece have a long history of political conflict, it is reasonable to say that this issue may potentially evolve to become the Council's greatest challenge ever.

A second significant event has been that under extreme public and political resistance the Treaty of Lisbon has finally been ratified by the member states. Although resulting in tremendous changes to the EU's institutional environment, such as the decision to grant the European Parliament the role as a co-legislator in most policy domains, the Council's intra-institutional decision-making process has remained relatively unaffected. The treaty only has direct implications for qualified majority voting. Firstly, it has been decided that qualified majority voting becomes the Council's formal modus operandi. Unanimity will only be required on a minority of issues. Secondly, the qualified majority voting threshold has been changed. The voting weight system that granted countries a weight roughly according to their GDP has been abolished. To establish a qualified majority, now a 'double majority' is required, comprising 55% of countries and 65% of the population.

How severely will decision-making in the Council be affected? As yet, one can only speculate about Lisbon's impact. However, since one may assume that consensus decision-making will maintain to be the informal rule in Council deliberations, the treaty should not change much of the existing trustful and effective collaboration between all Council members. Moreover, the fact that the heads of government changed only minimally the institutional rules in the Council during the negotiations preceding the treaty, may in fact suggest that there has been no agreeable alternative to the status quo in Council collective decision-making.

In conclusion, this study offered a theoretically grounded empirical analysis of collective decision-making in the Council of Ministers. Despite fierce negotiation and deliberation behind the scenes, the Council was shown to function remarkably well. The European Union may therefore be well advised to leave the Council as it is: a secretive, consensus-based institution with a democratic deficit and account-ability as well as legitimacy issues. This ensures the working of this institution, safeguarding the course of future European integration.

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